

# Meeting Minutes City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California 94612

LaTonda Simmons, Interim 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, December 21, 2004**

**6:00 PM**

**Oakland City Hall, 3rd Floor**

*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 6:10 p.m.*

1  
Pledge of Allegiance

2

## Roll Call / ORA & Council

COUNCIL MEMBERS; Jane Brunner, Dist. 1; Danny Wan, Dist. 2; Nancy Nadel, Dist. 3;

Jean Quan, Dist. 4; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Vice Mayor Henry Chang,

At-Large, and President Ignacio De La Fuente, Dist. 5

ORA\Councilmember Present: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

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

- *Virginia Vida*

- *Merry Bates*

- *Pam Smith*

- *Peg L. Baldwin*

- *Kathy Marks*

- *Hector Reyna*

- *Hugh Bassette*

- *Frank Morrow Jr.*

- *Sanjiv Handa*

4

Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an

item from the Consent Calendar, shall be scheduled for the next-succeeding City Council

meeting as a non-consent item.

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

**Councilmember Reid, to \*Approve as Submitted. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Agency/Councilmember Brooks made a motion, seconded by*

*Agency/Councilmember Reid, to adopt the agenda with the exception of Items*

*10.14CC, 10.15CC, 10.17CC, 10.19CC, and 10.28CC and hearing no*

*objections, the motion passed by Ayes: Agency/Councilmember: Brooks,*

*Brunner, Chang, Nadel, Reid, Quan, Wan and President of the Council De La*

*Fuente -8*

5

Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding

Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a

non-consent item. (Motion Maker must have voted on prevailing side)

*There was no action necessary for this item.*

6

Requests from Councilmember(s) to schedule an Action Item considered by Committee but

not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting

as a non-consent item.

*There was no action necessary for this item.*

7

Approval of the Draft Minutes from the Special and Concurrent Meetings of the Oakland

Redevelopment Agency/City Council held on November 29, 2004, November 30, 2004 and

December 7, 2004

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Chang, to \*Approve as Submitted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

**8. PRESENTATION OF CEREMONIAL MATTERS**

8.1

Subject: Dale Smith - Service Recognition

From: Office of the City Administrator

Recommendation: Adopt a Resolution honoring Dale Smith for his outstanding service to the

City of Oakland and it's citizens (04-0968)

**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 Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78949 C.M.S.*

[Council Rpt 8.1 12-21-04.pdf](#),

[78949 CMS.pdf](#)

**9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

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

10.1-CC

Subject: Declaration of a Local Emergency due to AIDS epidemic

From: Office of the City Attorney

Recommendation: Adopt a Resolution renewing and continuing the City Council's Declaration

of a Local Emergency due to the existence of a critical public health crisis with regard to the

AIDS epidemic (04-0966)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78950 C.M.S.*

[Council Rpt 10.1CC 12-21-04.pdf](#),

[78950 CMS.pdf](#)

10.2-CC



Subject: Medical Cannabis Health Emergency

From: Office of the City Attorney

Recommendation: Adopt a Resolution renewing the City Council's Declaration of a local

public health emergency with respect to safe, affordable access to Medical Cannabis in the City

of Oakland (04-0967)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78951 C.M.S.*

[Council Rpt 10.2CC 12-21-04.pdf,](#)

[78951 CMS.pdf](#)

10.3-CC

Subject: Joyce Tatum - 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 Joyce Tatum v. City of Oakland, et al., Superior Court,

County of Alameda, case no. RG 03092249, in the amount of \$6,750.00 as a result of a vehicle

accident in the vicinity of San Leandro Street and 81st Avenue, Oakland, on January 29, 2002

(Public Works Agency) (04-0965)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78952 C.M.S.*

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

*- Sanjiv Handa*

[Council Rpt 10.3CC 12-21-04.pdf,](#)

[78952 CMS.pdf](#)

10.4-CC

Subject: Wortham, Brown and Johnson - 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 Nakesha Wortham, Kennie Wortham, Wanda Brown and

Gerald Johnson v. City of Oakland, et al., United States District Court case no. C02-0610 MEJ,

our file no. 21710, in the amount of \$18,000.00. This case involves an automobile collision

between an Oakland Police Department vehicle and plaintiffs vehicle which occurred on

February 5, 2001 (Oakland Police Department) (04-0941)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78953 C.M.S.*

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

- *Sanjiv Handa*

[Council Rpt 10.4CC 12-21-04.pdf,](#)

[78953 CMS.pdf](#)

10.5-CC

Subject: Griselvia Castaneda - Settlement Agreement

From: Office the City Attorney

Recommendation: Adopt a Resolution authorizing and directing the City Attorney to

compromise and settle the case of Griselvia Castaneda v. City of Oakland, et al., United States

District Court case no. C015358 MHP(BZ), our file no. 22028, in the amount of \$95,000.00.

The case involves allegation of Sexual Battery by an Oakland Police Officer (Oakland Police

Department) (04-0940)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78954 C.M.S.*

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

- *Jeff Hutcher*

- *Hoang Banh*

[Council Rpt. 10.8CC 12-07-04 & 10.5CC 12-21-04.pdf,](#)

[78954 CMS.pdf](#)

10.6-CC

Subject: Muller and Caulfield - Settlement Agreement

From: Office of the City Attorney

Recommendation: Adopt a Resolution authorizing and directing the City Attorney to settle the

case of City of Oakland v. Muller & Caulfield (Plaza Building Litigation), Alameda County

Superior Court case no. 2002-054084, our file no. X01892, on the terms outlined below. This

case involves claims for breach of contract and construction defects arising out of the sale of

the Plaza building (CEDA) (04-0979)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78955 C.M.S.*

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

*- Sanjiv Handa*

[Council Rpt 10.6CC 12-21-04.pdf,](#)

[78955 CMS.pdf](#)

10.7-CC

Subject: John Foston - Settlement Agreement



From: Office of the City Attorney

Recommendation: Adopt a Resolution authorizing and directing the City Attorney to

compromise and settle the case of John Foston v. City of Oakland et al., Superior Court, County

of Alameda, case no. RG 04137181, in the amount of \$22,500.00 as a result of a bicycle

accident in the vicinity of Broadway Terrace and Pinewood Road, Oakland, on July 16, 2003

(Public Works Agency) (04-0980)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78956 C.M.S.*

[Council Rpt 10.7CC 12-21-04.pdf,](#)

[78956 CMS.pdf](#)

10.8-CC

Subject: Michael Cole - 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 Michael Cole v. City of Oakland, et al., Alameda County

Superior Court case no. RG03-088688, our file no. 22721, in the amount of \$22,500.00. This

case involves allegations of excessive force against Oakland Police Officers. (Oakland Police

Department) (04-0981)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78957 C.M.S.*

[Council Rpt 10.8CC 12-21-04.pdf,](#)

[78957 CMS.pdf](#)

10.9-CC

Subject: Felicia Allen - 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 Felicia Allen v. Largo Concrete, Inc., et al., and related

cross-action, Alameda Superior Court No. 2002073499, our file no. 23112, in the amount of

\$75,000.00 (Public Works Agency - Wrongful Death) (04-0982)

**A motion was made by Councilmember Quan, seconded by**

**Councilmember Quan, that this matter be Adopted. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Noes: 1 - Councilmember Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember Wan,

Councilmember Quan, President of the Council De La Fuente, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

*Resolution Number 78958 C.M.S.*

[Council Rpt 10.9CC 12-21-04.pdf,](#)

[78958 CMS.pdf](#)

10.10-CC

Subject: Lupe Feliciano - 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 Lupe Feliciano v. City of Oakland, et al., Superior Court,

County of Alameda, case no. 1999064034, in the amount of \$7,000.00 as a result of a trip and

fall accident in the vicinity of International Boulevard and 33rd Avenue, Oakland, on February

23, 1999 (PUBLIC WORKS AGENCY) (04-0984)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78959 C.M.S.*

[Council Rpt 10.10CC 12-21-04.pdf,](#)

[78959 CMS.pdf](#)

10.11-CC

Subject: Del May and Harry Soo-Hoo - 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 Del May Soo-Hoo and Harry Soo-Hoo in the amount of

\$12,000.00 as a result of injuries sustained when she tripped and fell in a City crosswalk on

October 15, 2003 (Public Works Agency) (04-0985)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78960 C.M.S.*

[Council Rpt 10.11CC 12-21-04.,](#)

[78960 CMS.pdf](#)

10.12-CC

Subject: Oakland Police Call Box

From: Finance and Management Agency

Recommendation: Adopt a Resolution authorizing the gift of a City of Oakland Police Call Box

and pedestal to Chief of Police Richard L. Word in recognition of his 20 years of service to the

Oakland Police Department and the City of Oakland in accord with Article 206 of the City

Charter (TITLE CHANGE) (04-0931)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78961 C.M.S.*

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

*- Sanjiv Handa*

[Council Rpt. Item 10.10CC 12-07-04.pdf,](#)

[Council Rpt 10.12CC 12-21-04.pdf,](#)

[78961 CMS.pdf](#)

S-10.13-C

C

Subject: 11th Street and Oak Street Public Right-of-way



From: Public Works Agency

Recommendation: Adopt a Resolution accepting and expressing appreciation for a

gift-in-place with an estimated value of \$5,844 from Affordable Housing Associates to provide

and install benches and planting improvements at the 11th Street and Oak Street Public

Right-of-way (Plaza) in conjunction with their development at Oak Street Terrace, 1109 Oak

Street; and to authorize the City Administrator to execute a no-cost agreement with Affordable

Housing Associates for maintenance of the Plaza (04-0899)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78962 C.M.S.*

*Contract Number 04-1848*

[Cmt Rpt. Item 4 12-14-04 & Council Rpt S-10.13CC 1....pdf,](#)

[78962 CMS.pdf](#)

S-10.14CC

Subject: Housing Development Systems, Inc.

From: Community and Economic Development Agency

Recommendation: Adopt the following pieces of Legislation:

(1) A Resolution authorizing a contract in an amount not to exceed \$485,000 with Housing

Development Systems, Inc., to purchase software, equipment, installation, customization and

maintenance services for the implementation of a grant and loan information management

system; authorizing waiver of formal bidding for software and equipment purchased under the

contract; allocating up to \$200,000 in previously budgeted capital improvement funds;

reallocating \$200,000 in previously budgeted mortgage revenue bond funds; and accepting a

contribution of \$100,000 from the Redevelopment Agency under the cooperation agreement for

this contract and related costs (04-0349-1)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 1/4/2005**

*as a non-consent calendar item*

[Cmte Rpt 7 12-14-04.pdf](#),

[Cmte Rpt S-7 12-14-04 & Council Rpt S-10.14CC 12-2....pdf](#),

[79003 CMS.pdf](#)

(2) An Agency Resolution authorizing a contribution of \$100,000 in Low and Moderate Income

Housing Funds to the City under the cooperation agreement for the purchase of a grant and loan

information management system (04-0349-1a)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 1/4/2005**

*as a non-consent calendar item*

[Cmte Rpt 7 12-14-04.pdf](#),

[Cmte S.7 12-14-04 & Council Rpt S-10.14-2CC & Coun....pdf](#),

[2005-0001 CMS.pdf](#)

S-10.15CC

Subject: City of Oakland's 9-1-1 system

From: Finance and Management Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to negotiate and

execute contracts without return to Council to acquire necessary equipment and services to

upgrade the City of Oakland's 9-1-1 system customer premise equipment (CPE) and related

equipment; with: (A) five hundred seventy five thousand dollars (\$575,000) associated with a

contract with Southern Bell Company (SBC) for equipment and services and the waiving of

competitive bidding; and (B) two hundred twenty thousand (\$220,000) in competitively bid

contracts, for computer equipment, peripherals and related equipment at the City of Oakland

9-1-1 Center; for a grand total amount not to exceed seven hundred ninety five thousand dollars

(\$795,000); with all costs to be paid from the State of California 9-1-1 Program (04-0900)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 1/4/2005**

*as a non-consent Item*

[Cmte Rpt 8 12-14-04.pdf](#),

[Cmte Rpt S-8 12-14-04 & Council Rpt S-10.15CC 12-2....pdf](#),

S-10.16-C

C

Subject: BRASS Budgeting Software

From: Office of the City Administrator

Recommendation: Adopt a Resolution authorizing the City Administrator to amend, extend,

and execute a contract with CGI-AMS, Inc. for the 2005 calendar year for an amount not to

exceed \$52,000 to perform maintenance services and consultation related to the City's BRASS

(Budget Reporting and Analysis Support System) Budgeting software (TITLE CHANGE)

(04-0951)

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



**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78963 C.M.S.*

*Contract Number 04-1849*

[Cmte Rpt 9 12-14-04 & Council Rpt S-10.16CC 12-21-....pdf,](#)

[78963 CMS.pdf](#)

S-10.17CC

Subject: Block Grant Funds

From: Director of Housing and Community Development

Recommendation: Adopt a Resolution allocating an estimated award of \$10,023,000 of

Community Development Block Grant Funds for Fiscal Year 2005-2006 between the

categories of housing, economic development, neighborhood programs and administration and

allocating an estimated \$1,800,000 in program income to housing and economic development

activities (04-0932)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 1/4/2005**

[Cmte Rpt 3 12-14-04 & Council Rpt S-10.17CC 12-21-....pdf,](#)

[79005 CMS.pdf](#)

S-10.18-C

C

Subject: Preservation Park Project

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution authorizing the acceptance of a \$41,080 in-lieu open

space fee in compliance with the conditions of approval and mitigation measures for the

Preservation Park Project, and the appropriation of the revenue to Fund 1010, Organization

92270, Project No. P252710 for improvements at Lafayette Park (04-0833)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78964 C.M.S.*

[Cmte Rpt 6 12-14-04 & Council Rpt S-10.18CC 12-21-....pdf,](#)

[78964 CMS.pdf](#)

S-10.19CC

Subject: Neighborhood Improvement Program

From: Community and Economic Development Agency

Recommendation: Adopt an Agency Resolution adopting the Neighborhood Projects Initiative

Program, re-appropriating \$180,000 in Fiscal Year 2004-2005 for the program from Coliseum

Redevelopment Project Area Funds, and authorizing the Agency Administrator to negotiate

contracts for the program (04-0873)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 1/4/2005**

[Cmte Rpt 9 12-14-04 & Council Rpt S-10.19CC 12-21-....pdf,](#)

[2005-0002 CMS.pdf](#)

S-10.20CC

Subject: Central City East 5 Year Implementation Plan

From: Community and Economic Development Agency

Recommendation: Adopt the following pieces of Legislation:

1) An Agency Resolution amending the five-year Implementation Plan for the Central City East

Redevelopment Project (04-0841)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 1/18/2005**

*as a Public Hearing*

[Cmt Rpt 10 12-14-04 & Council Rpt S-10.20-1CC 12-2....pdf,](#)

[2005-0003 CMS.pdf](#)

2) An Agency Resolution adopting the Central City East Homeownership Rehabilitation

Program, allocating \$547,249 in Fiscal Year 2004-2005 for the program from Central City East

Low and Moderate Income Housing Funds, and authorizing the Agency Administrator to make

loans for the program without returning to the Agency (04-0841-1)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 1/18/2005**

*as a Public Hearing*

[Cmte Rpt 10 12-14-04 & Council Rpt S-10.20-1CC 12-....pdf,](#)

[2005-0004 CMS.pdf](#)

3) An Agency Resolution adopting the Central City East Commercial Facade Improvement

Program, allocating \$100,000 for the program from Fiscal Year 2004-2005 Central City East

Redevelopment funds, and authorizing the Agency Administrator to make grants and enter into

design contracts under the program without returning to the Agency (04-0841-2)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 1/18/2005**

*as a Public Hearing*

[Cmt Rpt 10 12-14-04 & Council Rpt S-10.20-3CC 12-2....pdf,](#)

[2005-0005 CMS.pdf](#)

4) An Agency Resolution adopting the Central City East Commercial Tenant Improvement

Program, allocating \$125,000 for the program from Fiscal Year 2004-2005 Central City East

Redevelopment funds, and authorizing the Agency Administrator to make grants and enter into

design contracts for the program without returning to the Agency (04-0841-3)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 1/18/2005**

*as a Public Hearing*

[Cmt Rpt 10 12-14-04 & Council Rpt S-10.20-4CC 12-2....pdf,](#)

[2005-0006 CMS.pdf](#)

S-10.21-C

C

Subject: Representation Of Low Income Rent Adjustment Clients

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to approve a contract

between the City of Oakland and the East Bay Community Law Center for one year in the

amount of \$100,000 for representation of Low Income Rent Adjustment Clients (04-0874-1)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78965 C.M.S.*

*Contract Number 04-01850*

[Cmte Rpt 11 12-14-04 & Council Rpt S-10.21CC 12-21....pdf,](#)

[78965 CMS.pdf](#)

S-10.22-C

C

Subject: City of Oakland's Immigrant Food Stamp Promotion Project

From: Department of Human Services

Recommendation: Adopt a Resolution authorizing the City Administrator to

accept and appropriate a grant in the amount of \$125,000 from the U.S. Department of

Agriculture and to execute a contract with the Alameda County Community Food Bank in an

amount not to exceed \$112,500 to implement the City of Oakland's Immigrant Food Stamp

Promotion Project (04-0875)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78966 C.M.S.*

*Contract Number 04-1851*

[Cmte Rpt 6 12-14-04 & Council Rpt S-10.22CC 12-21-....pdf,](#)

[78966 CMS.pdf](#)

S-10.23-C

C

Subject: Dragon Boats Donation



From: Office of Parks and Recreation

Recommendation: Adopt a Resolution authorizing acceptance of the donations of two (2)

dragon boats and two (2) kettledrums for use in the Office of Parks and Recreation programs

(04-0911)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78967 C.M.S.*

[Cmte Rpt 8 12-14-04 & Council Rpt S-10.23CC 12-21-....pdf,](#)

[78967 CMS.pdf](#)

S-10.24-C

C

Subject: Specialized Equipment and Training for Terrorist Activities

From: Oakland Fire Department

Recommendation: Adopt a Resolution authorizing the City Administrator to accept and

appropriate a grant for \$76,870 from the Federal Emergency Management Agency (FEMA),

United States Fire Administration (USFA), to the Oakland Fire Department for Equipment and

Training that will increase capabilities to respond to terrorist-related Chemical, Biological,

Radiological, Nuclear, and Explosives (CBRNE) incidents and other hazardous materials

incidents (04-0913)

**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 Abstained: 1 - Councilmember Nadel

ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember

Wan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

*Resolution Number 78968 C.M.S.*

[Cmt Rpt Item 5 12-14-04 & Council Rpt S-10.24CC 12....pdf,](#)

[78968 CMS.pdf](#)

S-10.25-C

C

Subject: Police Department's Family Violence Intervention Unit

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the acceptance of ninety-five thousand seven

hundred and one dollars (\$95,701) from the State of California, Office of Emergency Services,

Law Enforcement Specialized Units Grant Program, and authorizing a professional services

agreement with the Family Violence Law Center in the amount of three hundred forty-nine

thousand nine hundred and thirty-four dollars (\$349,934) for continued services associated with

the Police Department's Family Violence Intervention Unit (FVIU) for the period of July 1,

2004 through June 30, 2005 (04-0910)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78969 C.M.S.*

*Contract Number 04-1852*

[Cmt Rpt 6 12-14-04 & Council Rpt S-10.25CC 12-21-0....pdf,](#)

[78969 CMS.pdf](#)

S-10.26-C

C

Subject: Sobriety Checkpoint Program

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator on the behalf of the

City of Oakland to accept and appropriate a grant in the amount of ninety-seven thousand five

hundred and eighty dollars (\$97,580) from the State of California, Office of Traffic Safety, for

the Police Department to conduct a Sobriety Checkpoint Program (04-0917)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78970 C.M.S.*

[Cmt Rpt Item 7 12-14-04 & Council Rpt S-10.26CC 12....pdf,](#)

[78970 CMS.pdf](#)

S-10.27-C

C

Subject: Extra Legal Load Transportation Permits

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator to designate the

revenue received annually from the issuance of "Extra Legal Load Transportation Permits" to

offset direct and indirect program costs (04-0955)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78971 C.M.S.*

[Cmt Rpt 9 12-14-04 & Council Rpt S-10.27CC 12-21-0....pdf,](#)

[78971 CMS.pdf](#)

**Passed The Consent Agenda**

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Quan, including all the preceding items marked as having been adopted on**

**the Consent Agenda. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

S-10.28CC

Subject: Amendment to the Council Rules and Procedures

From: Councilmember Wan

Recommendation: Adopt a Resolution amending Rule 7 of the Council's Rules of Procedure

Resolution No. 78307 C.M.S. to require a motion and a second to (1) remove an item from the

City Council's Consent Item Calendar and place on the Non-Consent Calendar of the next



Council meeting or (2) place on the agenda of the next Council meeting any action item that

was considered by a subject matter Committee, but was not forwarded to Council and setting

forth the Council's Rules of Procedure, as amended, in their entirety (04-0930)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 1/4/2005**

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

- *Sanjiv Handa*

- *Hugh Bassette*

[Cmte Rpt 7 12-16-04 & Council Rpt S-10.28CC 12-21-....pdf,](#)

[79006 CMS.pdf](#)

11  
(04-1024)

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

**Councilmember Quan, that this matter be \*Received and Filed. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*There were 5 final decision made during Closed Session. Please refer to the*

*attached Closed Session Report Out forms.*

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

*- Sanjiv Handa*

[12-21-04 Closed Session Report.pdf](#)

12

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

Sunshine Ordinance

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Quan, to \*Approve as Submitted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Agency/Councilmember Reid made a motion seconded by*

*Agency/Councilmember Quan confirming that there were no discussions*

*pursuant to Section 15 of the Sunshine Ordinance, and hearing no objections,*

*the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, Chang,*

*Nadel, Reid, Quan, Wan and President of the Council De La Fuente -8*

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

**THEREAFTER:**

13

Reconsideration of Ordinances pursuant to Charter Section 216

*No action was necessary for this item.*

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

14.1

Subject: Delinquent Business Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct a Public Hearing regarding the assessment of liens for delinquent

business taxes and upon conclusion adopt one of the following pieces of legislation:

1) Adopt 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 (04-0972)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Adopted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was*

*opened at 7:08 p.m.*

*Agency/Councilmember Reid made a motion, seconded by*

*Agency/Councilmember Wan, to close the Public Hearing, and hearing no*

*objections, the motion passed by Ayes: Agency/Councilmember: Brooks,*

*Brunner, Chang, Nadel, Reid, Quan, Wan and President of the Council De La*

*Fuente -8*



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

- *Sanjiv Handa*

[Council Rpt 14.1 12-21-04,](#)

[78972 CMS.pdf](#)

2) Adopt 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 (04-0972a)

**Not Adopted**

[Council Rpt 14.1 12-21-04](#)

3) Adopt a Resolution continuing hearing on 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 (04-0972b)

**Not Adopted**

[Council Rpt 14.1 12-21-04 pdf](#)

14.2

Subject: Delinquent Real Property Transfer Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct a Public Hearing regarding the assessment of liens for Delinquent

Real Property Transfer Taxes and upon conclusion adopt one of the following Resolutions:

- 1) Adopt 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, administrative charges, and assessment charges, as necessary, pursuant to

Chapter 4.20 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 (04-0973)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Quan, that this matter be Adopted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78973 C.M.S.*

*Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was*

*opened at 7:09 p.m.*

*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,*

*Brunner, Chang, Nadel, Reid, Quan, Wan and President of the Council De La*

*Fuente -8*

[Council Rpt 14.2 12-21-04,](#)

[78973 CMS.pdf](#)

2) Adopt 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, administrative charges as

necessary - pursuant to Chapter 4.20 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

(04-0973a)

**Not Adopted**  
[Council Rpt 14.2 12-21-04](#)

3) Adopt a Resolution continuing hearing on reports of the City Administrator on the

delinquent real property transfer taxes and confirming the recordation of liens, administrative

charges, and assessment charges as necessary pursuant to Chapter 4.20 of the Oakland

Municipal Code, and directing the notice of lien and assessment charges to be turned over to

the Alameda County Tax Collector for collection (04-0973b)

**Not Adopted**

Subject: Delinquent Transient Occupancy Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct a Public Hearing regarding the assessment of liens for Delinquent

Transient Occupancy Taxes and upon conclusion adopt one of the following Resolutions:



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, administrative charges, and assessment charges as necessary pursuant to

Title 4, Chapter 4.24 of the Oakland Municipal Code, and directing the notice of lien and

assessment charges to be turned over to the County for collection; or (04-0974)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Chang, that this matter be Adopted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78974 C.M.S.*

*Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was*

*opened*

*at 7:09 p.m.*

*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, Nadel, Reid, Quan, Wan and President of the Council De La*

*Fuente -8*

[Council Rpt 14.3 12-21-04,](#)

[78974 CMS.pdf](#)

2) A Resolution overruling protests and accepting and confirming reports of the City

Administrator on the Delinquent Transient Occupancy Taxes and confirming the recordation of

liens, administrative charges and assessment charges as necessary pursuant to Title 4, Chapter

4.24 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 (04-0974a)

**Not Adopted**

[Council Rpt 14.3 12-21-04](#)

3) A Resolution continuing hearing on reports of the City Administrator on the Delinquent

Transient Occupancy Taxes and confirming the recordation of liens, administrative charges and

assessment charges as necessary pursuant to Title 4, Chapter 4.24 of the Oakland Municipal

Code (04-0974b)

**Not Adopted**

[Council Rpt. 14.3 12-21-04 pdf](#)

14.4

Subject: Delinquent Mandatory Garbage Fees - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct a Public Hearing regarding Delinquent Mandatory Garbage Fees

for April - June 2004, monthly accounts and July - September 2004, monthly accounts and

upon conclusion adopt one of the following Resolutions:

- 1) Adopt 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, administrative charges, and assessment charges, as necessary, pursuant to

Chapter 8.28 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; (04-0978)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Adopted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78975 C.M.S.*

*Upon the reading of Item 14.4 by the City Clerk, the Public Hearing was*



*opened*

*at 7:10 p.m.*

*Agency/Councilmember Reid made a motion, seconded by*

*Agency/Councilmember Wan, to close the Public Hearing, and hearing no*

*objections, the motion passed by Ayes: Agency/Councilmember: Brooks,*

*Brunner, Chang, Nadel, Reid, Quan, Wan and President of the Council De La F*

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

- *Sanjiv Handaunte* -8

[Council Rpt 14.4 12-21-04.pdf,](#)

[78975 CMS.pdf](#)

2) Adopt 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, administrative charges, as

necessary, pursuant to Chapter 8.28 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 (04

-0978a)

**Not Adopted**

[Council Rpt 14.4 12-21-04](#)

3) Adopt a Resolution continuing hearing on reports of the City Administrator on the

delinquent garbage service fees, and confirming the recordation of liens, administrative

charges, and assessment charges, as necessary, pursuant to Chapter 8.28 of the Oakland

Municipal Code, and directing the notice of lien and assessment charges to be turned over to

the Alameda County Tax Collector for collection (04-0978b)

**Not Adopted**

[Council Rpt 14.4 12-21-04 pdf](#)

**ACTION ON NON-CONSENT ITEMS:**

15

Subject: Unity Council - Service Contract

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution authorizing a professional service contract with the Spanish Speaking Unity Council of Alameda County in an amount not to exceed \$20,664 for community organizing on Foothill Boulevard between 34th Avenue and High Street to participate in Commercial District revitalization activities based on the main street approach

(04-0791)

**A motion was made by Councilmember Wan, seconded by Councilmember**

**Quan, that this matter be Adopted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Noes: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Reid and Councilmember Chang

*Resolution Number 78976 C.M.S.*

*Contract Number 04-1853*

*The following individual(s) spoke in favor of this item:*

*- Sanjiv Handa*

*- Marsha G. Murrington*

[Cmte Rpt 9 11-09-04 pdf,](#)

[Council Rpt 15 12-21-04,](#)

[78976 CMS.pdf](#)

Subject:   Redevelopment Plan Extensions - Various Areas

From:       Community and Economic Development Agency

Recommendation: Approve the Final Passage (Second Reading) the following Ordinances: 1)

An Ordinance adopting the second amendment to the Coliseum Area Redevelopment Plan to

extend the time limits on plan effectiveness and receipt of tax increment revenue by one year;

(04-0827)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Approved as Amended for Final Passage. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Ordinance Number 12638 C.M.S.*

[Cmte Rpt 6 & Council Rpt 14.2 12-07-04 & Rpt 16 12....pdf,](#)

[12638 CMS.pdf](#)

2) An Ordinance adopting the third amendment to the Coliseum Area Redevelopment Plan to

extend the time limits on plan effectiveness and receipt of tax increment by one year

(04-0827-1a)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Approved for Final Passage. The motion carried**

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Ordinance Number 12639 C.M.S.*

[Cmte Rpt 6 & Council Rpt 14.2 12-07-04 & Rpt 16 12....pdf,](#)

[12639 CMS.pdf](#)

3) An Ordinance amending the Acorn Urban Renewal Plan to extend the time limits on plan



effectiveness and receipt of tax increment revenue by two years (04-0827-1)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Approved for Final Passage. The motion carried**

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Ordinance Number 12640 C.M.S.*

[Cmte Rpt 6 & Council Rpt 14.2 12-07-04 & Rpt 16 12....pdf,](#)

[12640 CMS.pdf](#)

4) An Ordinance amending the Central District Urban Renewal Plan to extend the time limits

on plan effectiveness and receipt of tax increment revenue by up to two years (04-0827-2)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Approved for Final Passage. The motion carried**

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Ordinance Number 12641 C.M.S.*

[Cmte Rpt 6 & Council Rpt 14.2 12-07-04 & Rpt 16 12....pdf,](#)

[12641 CMS.pdf](#)

5) An Ordinance amending the Oak Center Urban Renewal Plan to extend the time limits on plan effectiveness and receipt of tax increment revenue by two years (04-0827-3)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Approved for Final Passage. The motion carried**

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Ordinance Number 12642 C.M.S.*

[Cmte Rpt 6 & Council Rpt 14.2 12-07-04 & Rpt 16 12....pdf,](#)

[12642 CMS.pdf](#)

6) An Ordinance adopting the first amendment to the Oak Knoll Redevelopment Plan to extend the time limits on plan effectiveness and receipt of tax increment revenue by one year

(04-0827-4)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Approved for Final Passage. The motion carried**

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Ordinance Number 12643 C.M.S.*

[Cmte Rpt 6 & Council Rpt 14.2 12-07-04 & Rpt 16 12....pdf,](#)

[12643 CMS.pdf](#)

7) An Ordinance adopting the first amendment to the Oakland Army Base Redevelopment Plan

to extend the time limits on plan effectiveness and receipt of tax increment revenue by one year

(04-0827-5)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Approved for Final Passage. The motion carried**

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Ordinance Number 12644 C.M.S.*

[Cmte Rpt 6 & Council Rpt 14.2.12-07-04 & Rpt 16 12....pdf,](#)  
[12644 CMS.pdf](#)

8) An Ordinance amending the Stanford/Adeline Redevelopment Plan to extend the time limits  
on plan effectiveness and receipt of tax increment revenue by two years (04-0827-6)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Approved for Final Passage. The motion carried**

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Ordinance Number 12645 C.M.S.*

[Cmte Rpt 6 & Council Rpt 14.2 12-07-04 & Rpt 16 12....pdf,](#)

Subject: Oakland-Alameda County Coliseum Authority Board of Commissioners

From: Council President De La Fuente

Recommendation: Adopt a Resolution appointing Laurence E.Reid and

re-appointing Ignacio De La Fuente as members of the Oakland-Alameda County Coliseum

Authority Board of Commissioners for two year terms beginning January 1, 2005 and ending

December 31, 2006 (04-0986)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be \*Withdrawn with No New Date. The motion**

**carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78977 C.M.S.*

[Council Rpt 17 12-21-04.pdf,](#)

[78977 CMS.pdf](#)

18

Subject: Stadium Master Concession Agreement with Bay Area Sports Catering

From: Finance and Management Agency

Recommendation: Adopt a Resolution approving and authorizing the execution by the

Oakland-Alameda County Coliseum Authority of the amended and restated master consession

agreement, between Oakland-Alameda County Coliseum Authority and Bay Area Sports

Catering (Office of the City Administrator) (04-0987)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Adopted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78978 C.M.S.*

*Contract Number 04-1854*

[Council Rpt 18 12-21-04.pdf,](#)

[78978 CMS.pdf](#)

19

Subject: Appointment to the Children's Fund Planning and Oversight Committee

From: Councilmember Quan

Recommendation: Adopt a Resolution appoint Leslie J. Situ as a member of the Children's

Fund Planning and Oversight Committee (04-0988)

**A motion was made by Councilmember Nadel, seconded by**

**Councilmember Chang, that this matter be Adopted. The motion carried**

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78979 C.M.S.*

[Council Rpt 19 12-21-04.pdf](#),

[78979 CMS.pdf](#)

S-20

Subject: Root Foaming Contract Extension

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to negotiate and

execute a contract with Duke's Root Control, Inc. in an amount not to exceed \$447,000 to root

foam sewer lines for the period of January 2005 to December 2006 (04-0879)

**A motion was made by Councilmember Nadel, seconded by**

**Councilmember Chang, that this matter be Adopted. The motion carried**

**by the following vote:**



**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78980 C.M.S.*

*Contract Number 04-1855*

[Cmt Rpt Item 5 12-14-04.pdf,](#)

[Council Rpt S-20 12-21-04.pdf,](#)

[78980 CMS.pdf](#)

S-21

Subject:: Citywide Sidewalk Survey - Professional Services Agreement

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to enter into a

professional services agreement with Concept Marine Associates, Inc. for the Citywide

Sidewalk Survey for an amount not to exceed nine hundred seventy thousand dollars

(\$970,000) (04-0954)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Quan, that this matter be Adopted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78981 C.M.S.*

*Contract Number 04-1856*

[Cmt Rpt Item 6 12-14-04.pdf,](#)

[Council Rpt S-21 12-21-04.pdf,](#)

[78981 CMS.pdf](#)

S-22

Subject: City of Oakland - Revenue and Expenditures

From: Office of the City Administrator

Recommendation: Action a Report on the Fiscal Year 2004-2005 First Quarter Revenue and

Expenditure Results and Year-End Projections for City's selected funds (General Purpose,

Telecommunications, Contract Compliance, Equipment and Facilities) (04-0915)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Brunner, that this matter be \*Received and Filed. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

- Sanjiv Handa

[Cmt Rpt Item 4 12-14-04 & Council Rpt S-22 12-21-0...](#)

Subject: Performance Audit of Police Department

From: Council President Ignacio De La Fuente and Councilmember Larry Reid

Recommendation: Adopt a Resolution directing the City Administrator to present for City

Council Approval by January 18, 2005 a short-term professional services contract with an

experienced private firm or firms to provide to City Council by May 1, 2005 an independent

performance audit of the overtime, payroll, and related systems of the Oakland Police

Department that includes concrete recommendations for improving those systems and realizing

cost savings (04-0963)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Adopted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78982 C.M.S.*

*Contract Number 04-1857*

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

- *Sanjiv Handa*

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

- *Gene Hazzard*

- *Hugh Bassette*

[Cmt Rpt Item 5 12-14-04 & Council Rpt S-23 12-21-0...](#),

[78982 CMS.pdf](#)

S-24

Subject: Fox Theater Renovation

From: Community and Economic Development Agency

Recommendation: Adopt a Redevelopment Agency Resolution authorizing the Agency to:

amend the professional services contract with California Capital Group (CCG) to increase the

original contract amount of four hundred and thirty-two thousand and five hundred dollars

(\$432,500) by seven hundred and forty-six thousand dollars (\$746,000) for a total contract

amount not to exceed one million one hundred and seventy-eight thousand and five hundred

dollars (\$1,178,500), to conduct the design development and cost refinement phase of the

renovation of the Fox Theater and wrap-around buildings into a Performing Arts Center and



Home for the Oakland School for the Arts (03-0054b-1)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Chang, that this matter be Adopted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*ORA Resolution Number 2004-71 C.M.S.*

*Contract Number 04-1858*

*The following individual(s) spoke in favor of this item:*

- *Phil Tagam*

[Cmt Rpt Item 7 12-14-04 & Council Rpt S-24 12-21-0....pdf,](#)

[2004-71 CMS.pdf](#)

S-25

Subject: Sausal Creek Townhomes Project - Increase of Area Median Income

From: Community and Economic Development Agency

Recommendation: Adopt an Agency Resolution to amend Resolution No. 2004-11 C.M.S. to

increase the maximum income limit for qualified purchasers to 100% of Area Median Income

for Sausal Creek Townhomes Project located at 2464 26th Avenue (04-0866)

**A motion was made by Councilmember Wan, seconded by Councilmember**

**Reid, that this matter be Adopted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Noes: 2 - Councilmember Nadel and Councilmember

Brunner

ORA\Councilmember Ayes: 6 - Councilmember Wan, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

*ORA Resolution Number 2004-72*

[Cmt Rpt Item 8 12-14-04 & Council Rpt S-25 12-21-0....pdf,](#)

[2004-72 CMS.pdf](#)

S-26

Subject: Subaru Parcel - Letter Amendment

From: Oakland Base Reuse Authority

Recommendation: Adopt a Resolution authorizing the City Administrator to enter into a letter

amendment to the Consent Agreement among the City of Oakland, the Redevelopment Agency

of the City of Oakland, Oakland Base Reuse Authority and the State of California

Environmental Protection Agency Department of Toxic Substances Control, to add the Oakland

Army Base "Subaru Parcel" to the final remedial action plan for the Oakland Army Base

Project (04-0811)

**A motion was made by Councilmember Nadel, seconded by**

**Councilmember Reid, that this matter be Adopted. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78983 C.M.S.*

*Contract Number 04-1859*

[Cmt Rpt Item 12 12-14-04 & Council Rpt S-26 12-21-....pdf,](#)

[78983 CMS.pdf](#)

S-27

Subject: McGuire Research Services, LLC - Police-public Contact Survey

From: Oakland Police Department

Recommendation: Receive a Follow-up Report regarding the Police contact survey and an

action on an alternative recommendation to include police-public contact questions in the

Biennial Citywide Community Survey (TITLE CHANGE) (03-0279-1)

**A motion was made by Councilmember Reid, seconded by President of the**

**Council De La Fuente, that this matter be Approve as Amended. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Noes: 3 - Councilmember Nadel, Councilmember

Brunner and Councilmember Brooks

ORA\Councilmember Ayes: 5 - Councilmember Wan, Councilmember Quan,

President of the Council De La Fuente, Councilmember Reid and

Councilmember Chang

*Agency/Councilmember Reid made a motion, seconded by Agency/Council*

*President De La Fuente, to approve the recomendations as amended on item*

*S-27 to direct the City Administrator to esnure that McGuire Research Services,*

*LLC - to the extent possible and within the authorized cost of the survey -*

*contact the following citizens to complete the survey:*



- *Citizens who have been arrested;*

- *Citizens who have been victims of crime;*

- *Citizens who have reported crimes;*

- *Citizens who have reported crimes;*

- *Citizens who have called 9-1-1;*

- *Citizens who have called the non-emergency line ("Calls for service");*

- *Citizens who participate in the Police Activities League (P.A.L.);*

- *Citizens who attend their Neighborhood Crime Prevention Councils; and*

- *Citizens who assist with 'Weed and Seed' projects.*

*Additionally, the City Attorney will review the issue related to the 9-1-1*

*initiated calls to determine and clarify if 9-1-1 callers must be excluded from*

*the survey by law, and upon call of the roll the motion passed by Ayes:*

*Agency/Councilmember: Chang, Reid, Quan, Wan and President of the*

*Council De La Fuente -5, Noes: Brooks, Brunner, Nadel - 3*



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

- *Sanjiv Handa*

[Cmt Rpt Item 3 12-14-04 & Council Rpt S-27 12-21-0....pdf](#)  
S-28

Subject: Preventing Reckless Driving and Exhibition - Sideshows

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator on behalf of the City

of Oakland to enter into a contract for services with, and receive thirty thousand dollars

(\$30,000) from, with the California Highway Patrol for increased traffic enforcement

operations targeted at preventing reckless driving and exhibitions of speed commonly referred

to as Sideshows (04-0919)

**A motion was made by Councilmember Reid, seconded by Councilmember**

**Wan, that this matter be Adopted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Brunner, Councilmember Wan, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*Resolution Number 78984 C.M.S.*

*Contract Number 04-1860*

[Cmt Rpt Item 8 12-14-04 & Council Rpt S-28 12-21-0....pdf,](#)

[78984 CMS.pdf](#)

**Continuation of Open Forum**

## **ADJOURNMENT OF COUNCIL SESSION**

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

**Council)**

*There being no further business, and upon the motion duly made, the*

*Agency/Council adjourned the meeting in memory of Jerry Curtis, Camille*

*Michelle Keyes-Polk, Patricia Ann Wiley, Victoria Hart at 8:50 p.m.*

THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER

THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE

SAFETY OF THOSE ATTENDING MEETINGS. (...)

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings

please contact the Office of the City Clerk. When possible, please notify the City Clerk 48

hours prior to the meeting so we can make reasonable arrangements to ensure accessibility.

Also, in compliance with Oakland's policy for people with environmental illness or multiple

chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk

Phone: (510) 238-7370

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451 (TDD)

*City Clerk and Clerk of the Council*