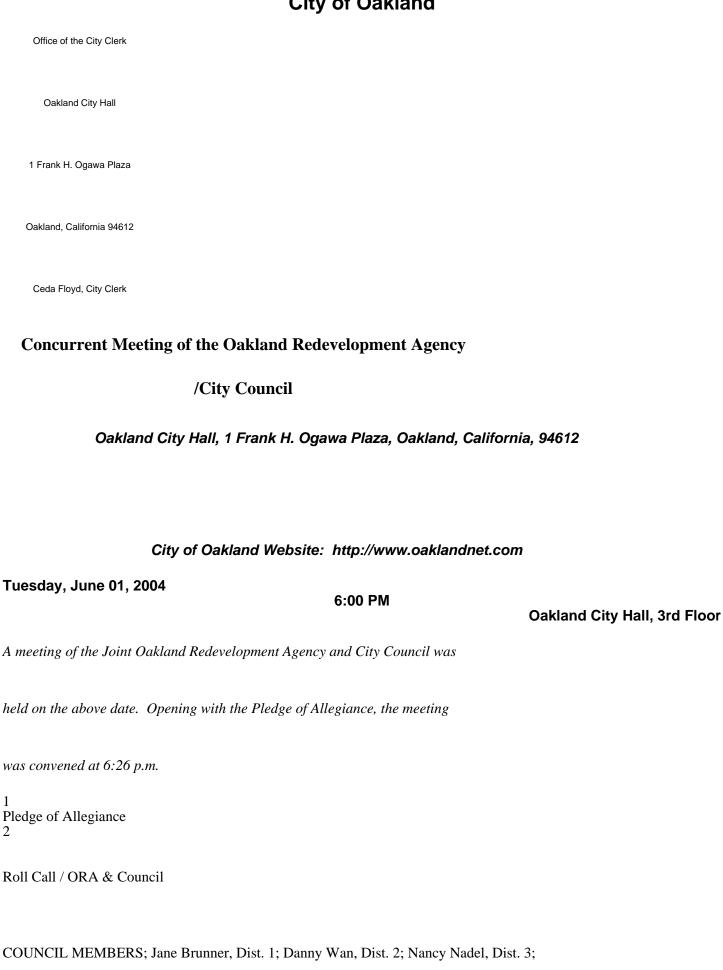
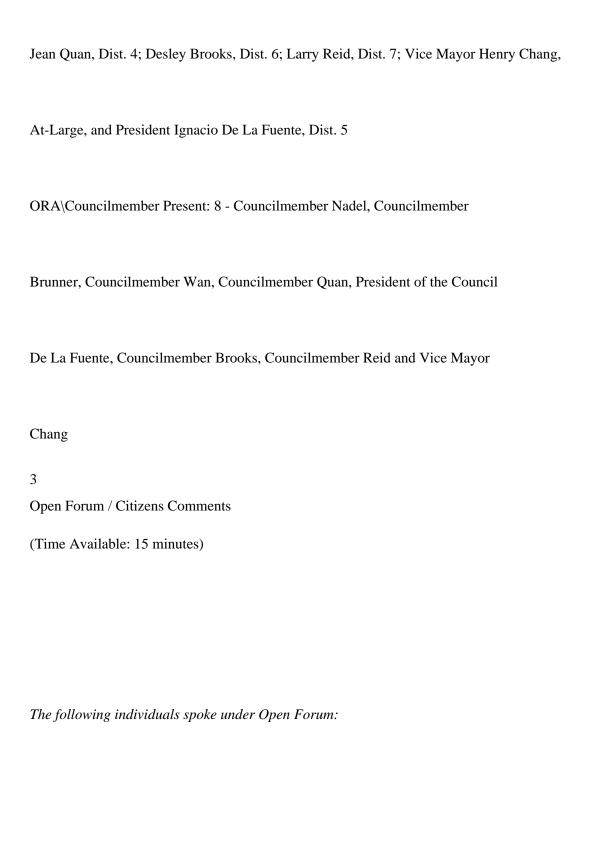
Meeting Minutes City of Oakland





- Marion Mills	
- Edwin McClenton	
- Alison Paskal	

- Kiyomi Inouye		
- Karen Heather		
- Tiffany Millinder		

- Deloris Allen	
- John Grace	
- Michelle My Tran	

Dwight McElroy	
James W. Powell	

- Brady Gordon

- Charles McNally
- Ms. Fame
- 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.
There were no modifications to the Consent Calendar. 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 Concurrent Meeting of the Oakland
Redevelopment Agency/City Council held on May 10, 2004, and the Special and
Concurrent Meetings of the Oakland Redevelopment Agency/City Council held on May 18,
2004.
A motion was made by Councilmember Reid, seconded by Vice Mayor
Chang, to *Approve as Submitted. The motion carried by the following
vote: Votes:

ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
8. PRESENTATION OF CEREMONIAL MATTERS 8.1
Subject: Affordable Housing Week
From: Councilmember Brunner
Recommendation: Adopt a Resolution declaring the week of June 5 to June 13, 2004 "
Affordable Housing Week" in the City of Oakland (04-0463)
A motion was made by Councilmember Brooks, seconded by
Councilmember Nadel, that this matter be Adopted. The motion carried
by the following vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor

Chang
Resolution Number 78564 C.M.S. <u>Item 8.1 6-01-04.pdf</u> 8.2
Subject: United Nations Millenium
From: Councilmember Quan
Recommendation: Adopt a Resolution supporting the United Nations Millenium Development
Goals (04-0466)
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 Vice Mayor
Chang
Resolution Number 78565 C.M.S. Item 8.2 6-01-04.pdf,
78565 CMS.pdf

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

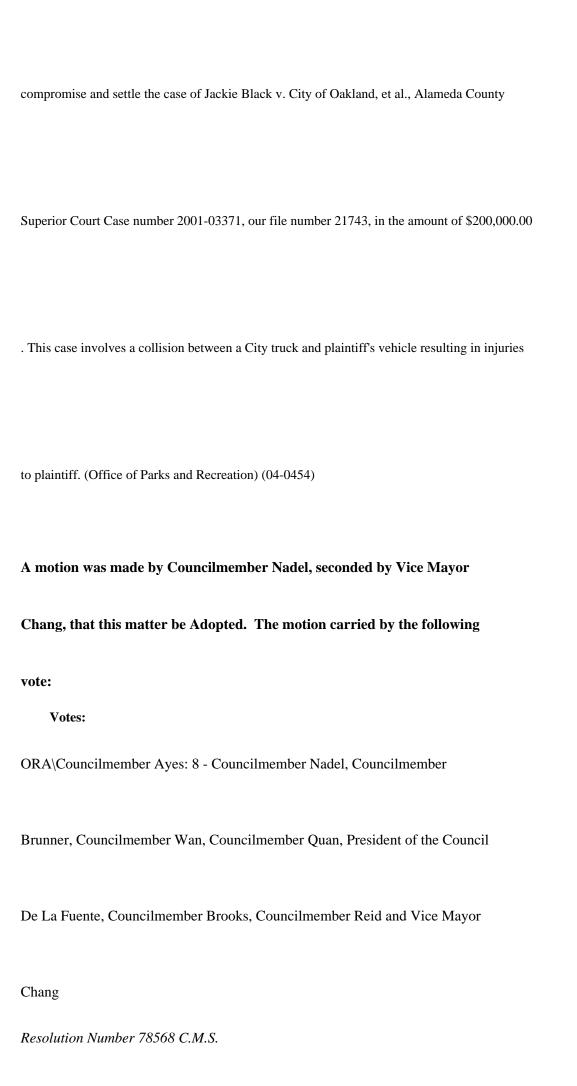
Agency/Councilmember Nadel took a point of personal privilege and requested
that the meeting be adjourned in memory of George Dixon
Agency/Councilmember Reid took a point of personal privilege and requested
that the meeting be adjourned in memory of Leonard Morgan
10. CONSENT CALENDAR (CC) ITEMS: 10.1CC
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 (04-0452)

A motion was made by Councilmember Nadel, seconded by Vice Mayor

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 Vice Mayor
Chang
Resolution Number 78566 C.M.S.
<u>Item 10.1CC 6-01-04.pdf</u> ,
78566 CMS.pdf
10.2CC
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 (04-0453)

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

A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78567 C.M.S.
<u>Item 10.2CC 6-01-04.pdf</u> ,
78567 CMS.pdf 10.3CC
10.5CC
Subject: Jackie Black - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt a Resolution authorizing and directing the City Attorney to



78568 CMS.pdf
10.4CC
Subject: Ronald McGowan - 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 Ronald McGowan v. City of Oakland, et al., United States
District Court Case number C03-2486-SI, our file number 22953, in the amount of \$20,000.00.
(Oakland Police Department, Alleged Civil Rights Violation) (04-0456)
A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember

Item 10.3CC 6-01-04.pdf,

Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78569 C.M.S. Item 10.4CC 6-01-04.pdf,
78569 CMS.pdf 10.5CC
Subject: Saroeum Sam - 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 Saroeum Sam, et. al. v. City of Oakland, Alameda County
Superior Court number RG03088876, our file no. X01828, in the amount of \$100,000.00. This

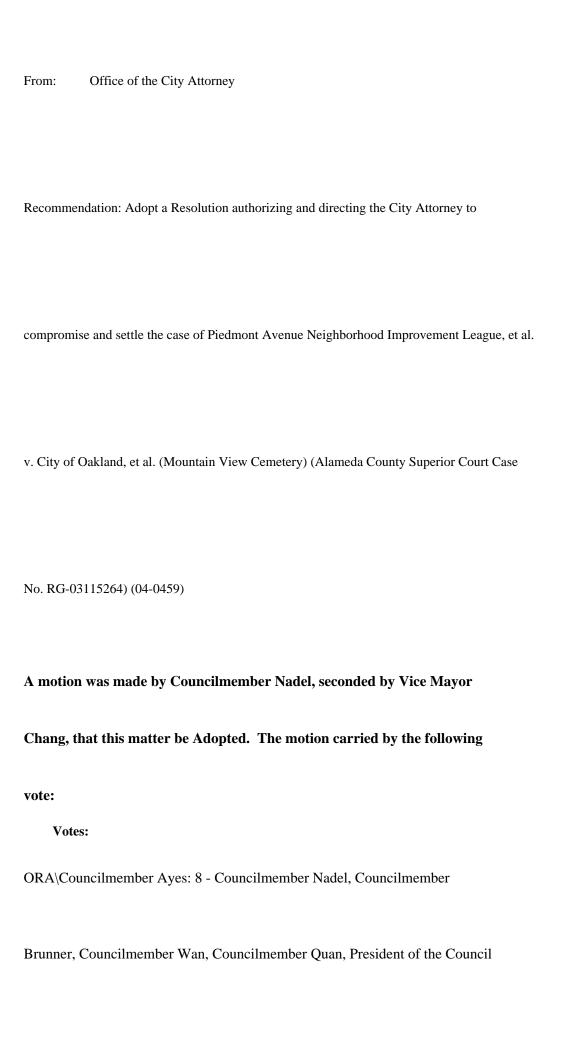
case involves an automobile running off Grizzly Peak Boulevard and an allegation of dangerous
condition of public property (Public Works Agency, Dangerous Condition) (04-0457)
A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
The following individual spoke on Item 10.5CC:
- John Grace

Resolution Number 78570 C.M.S. Item 10.5CC 6-01-04.pdf, 78570 CMS.pdf 10.6CC Subject: J. W. Silviera - Settlement Agreement Office of the City Attorney From: Recommendation: Adopt a Resolution authorizing and directing the City Attorney to compromise and settle the case of J.W. Silveira, et al. v. City of Oakland, United States District Court Case number C03-0621 Teh, our file number X01775, in the amount of \$50,000.00. This

matter involves a constitutional due process challenge to the City of Oakland Blight Ordinance.

A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78570 C.M.S.
Item 10.6CC 6-01-04.pdf,
78571 CMS.pdf 10.7CC
Subject: Piedmont Avenue Neighborhood Improvement League
SettlementAgreement

(Community and Economic Development Agency) (04-0458)



Chang					
Resolution Number 78572 C.M.S. Item 10.7CC 6-01-04.pdf,					
78572 CMS.pdf 10.8CC					
Subject: Thina Faison - 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 Thina Faison v. City Of Oakland, et al., Alameda County					
Superior Court Case number 2002-073207, our file number 22472, in the amount of \$11,000.00					
. (Public Works Agency, Trip and Fall in Street) (04-0460)					
A motion was made by Councilmember Nadel, seconded by Vice Mayor					

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

De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor

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 Vice Mayor
Chang
Resolution Number 78573 C.M.S.
<u>Item 10.8CC 6-01-04.pdf</u> ,
78573 CMS.pdf
10.9CC
Subject: Lolinh Saelee - 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 Lolinh Saelee v. City Of Oakland, et al., United States
District Court case number. C-03-3342 Wha, our file number 23202, in the amount of \$9,500.

A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78574 C.M.S.
<u>Item 10.9CC 6-01-04.pdf</u> ,
78574 CMS.pdf
10.10CC
Subject: Worker Retention at Large-Scale Hospitality Businesses
From: President De La Fuente and Councilmember Brunner
Recommendation: Approve the Final Passage (Second Reading) of an Ordinance regarding
Worker Retention at Large-Scale Hospitality Businesses (04-0250)

00. (Oakland Police Department - Civil Rights Violation) (04-0461)

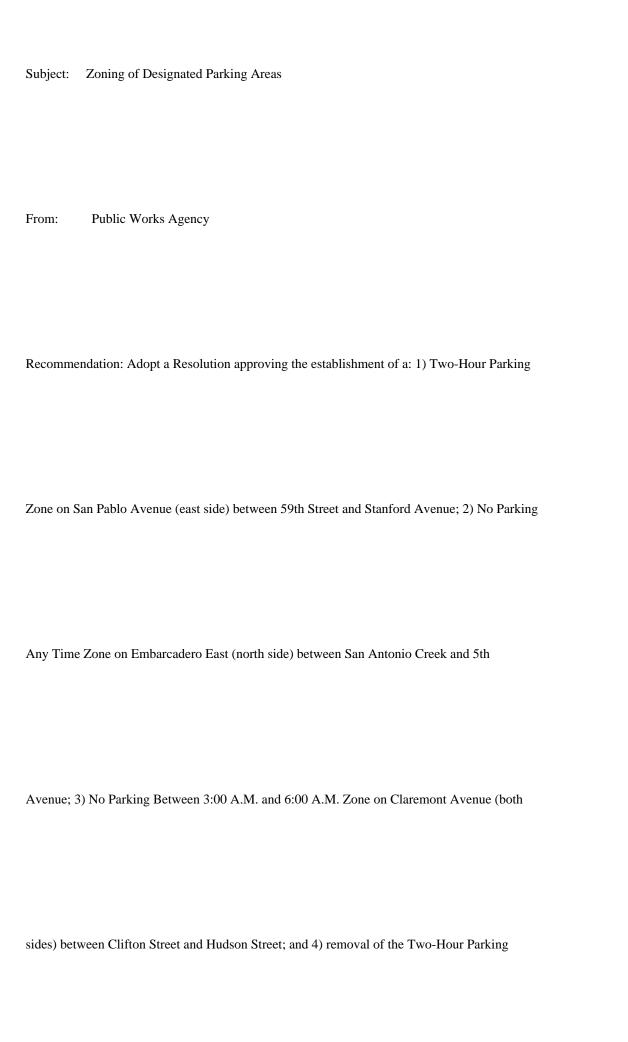
A motion was made by Councilmember Nadel, seconded by Vice Mayor		
Chang, that this matter be Approved for Final Passage. The motion		
carried by the following vote:		
Votes:		
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember		
Brunner, Councilmember Wan, Councilmember Quan, President of the Council		
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor		
Chang		
Ordinance Number 12602 C.M.S.		
<u>Item 11 4-27-04.pdf</u> ,		
Item 3 CED 5-11-04.pdf,		
Item 3 SUPP CED 5-11-04.pdf,		
<u>Item 21 SUPP 5-18-04.pdf</u> ,		

<u>Item 10.10CC 6-01-04.pdf</u> ,
<u>12602 CMS.pdf</u>
10.11CC
Subject: Amendment to the Salary Schedule
From: Finance and Management Agency
Recommendation: Approve the Final Passage (Second Reading) of an Ordinance amending the
Salary Schedule of Ordinance No. 12187 C.M.S. (The Salary Ordinance) to increase the pay of
certain miscellaneous job classifications pursuant to the Service Employees International Union
Local 790, Part-Time Memorandum of Understanding (04-0403)
A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, 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 Vice Mayor			
Chang			
The following individual spoke on Item 10.11CC:			
- John Grace			
Ordinance Number 12603 C.M.S.			
<u>Item 18 5-18-04.pdf</u> ,			
<u>12603 CMS.pdf</u>			
10.12CC			
Subject: Solid Waste Collection and Disposal Rates			

From:	Public Works Agency
Recommen	dation: Approve the Final Passage (Second Reading) of an Ordinance amending
Ordinance l	No. 11820 C.M.S. increasing rates charged for solid waste collection and disposal
for multi-fa	mily and single-family ratepayers, increasing City fees paid by Waste Management
of Alameda	a County to the City of Oakland and authorizing the Fifth Amendment to the

]	Franchise Agreement for solid waste and yard waste collection and disposal services to include
•	weekly single stream residential recycling and processing services in the southern half of the
•	City (\$926,000), and City-wide weekly yard waste collection and residential food scraps
1	recycling in an initial amount of approximately \$2,031,000 per year (04-0295)
	Withdrawn and Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/15/2004
]	Item 15.3 5-18-04.pdf,
]	Item 10.12CC 6-01-04.pdf,
	Item 10.7CC 6-15-04.pdf
,	S-10.13CC



A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78575 C.M.S.
<u>Item 4 PWC 5-25-04.pdf</u> ,
<u>Item S-10.13CC 6-1-04</u> ,
78575 CMS.pdf
S-10.14CC
Subject: Installation of Stop Signs at Designated Areas

Zone on 41st Street (south side) between Shafter Avenue and Webster Street (04-0340)

From:	Public Works Agency
Recommen	dation: Adopt a Resolution approving installation of stop signs on: 1) Benevides
Avenue at I	El Centro Avenue; 2) Clara Street at Walter Avenue; 3) Leach Avenue at Wellington
Street; 4) H	Ianover Avenue at Newton Avenue; 5) Birdsall Avenue at Kingsland Avenue; 6)
Third Stree	t at Alice Street; 7) Third Street at Clay Street; and
8) Merriew	ood Drive at Broadway Terrace/Crown Avenue; 9) Lacey Avenue/Ney Avenue at 72
nd Avenue	(04-0342)

A motion was made by Councilmember Nadel, seconded by Vice Mayor		
Chang, that this matter be Adopted. The motion carried by the following		
vote:		
Votes:		
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember		
Brunner, Councilmember Wan, Councilmember Quan, President of the Council		
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor		
Chang		
Resolution Number 78576 C.MS.		
<u>Item 5 PWC 5-25-04.pdf</u> ,		
<u>Item S-10.14CC 6-1-04</u> ,		
78576 CMS.pdf		
S-10.15CC		
Subject: 2201 Broadway Investments, LLC		
From: Community and Economic Development Agency		
Recommendation: Adopt a Resolution granting 2201 Broadway Investments, LLC, an Oregon		

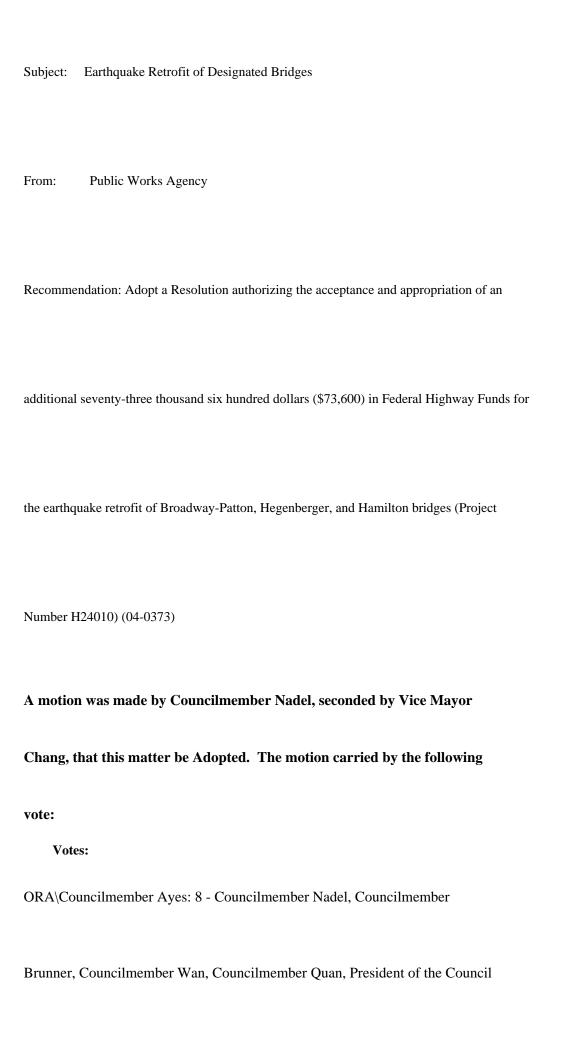
Limited Liability Company, a conditional revocable permit for the encroachments of existing
building foundation and sidewalk basement of an existing building located at 2201 Broadway
into the public right-of-way area of Broadway, 22nd Street, and Valley Street (04-0334)
A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78577 C.M.S.
<u>Item 6 PWC 5-25-04.pdf</u> ,
<u>Item S-10.15CC 6-1-04</u> ,
<u>78577 CMS.pdf</u>

S-10.16CC

Subject:	Improvement of Sanitary Sewers
From:	Public Works Agency
Recomme	ndation: Adopt a Resolution authorizing award of a contract to D'arcy & Harty
Constructi	on, Inc. for the improvement of sanitary sewers in the easement between Pinehaven
and Valley	View Roads (Project No. C200610) for the amount of seventy-one thousand five
hundred de	ollars (\$71,500) (PURSUANT TO SECTION 902-E OF THE CITY CHARTER,
THIS ITE	M REQUIRES A 2/3 VOTE OF THE COUNCIL - 6 AFFIRMATIVE VOTES) (04-

A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78578 C.M.S.
Contract Number 04-1749
<u>04-0372.pdf</u> ,
<u>Item 7 PWC 5-25-04.pdf</u> ,
<u>Item S-10.16CC 6-1-04</u> ,
78578 CMS.pdf

S-10.17CC



De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Nunmer 78579 C.M.S.
<u>04-0373.pdf</u> ,
<u>Item 8 PWC 5-25-04.pdf</u> ,
<u>Item S-10.17CC 6-1-04</u> ,
78579 CMS.pdf
S-10.18CC
Subject: Transportation Improvement Projects
From: Public Works Agency
Recommendation: Adopt a Resolution to accept, appropriate, and expend \$719,000 in Federal
Transportation Funds from the Metropolitan Transportation Commission's Transportation for

Item 9 PWC 5-25-04.pdf,

<u>Item S-10.18CC 6-1-04</u>,

78580 CMS.pdf
S-10.19CC
Subject: Public Improvements - Marsh Place and Pershing Drive
From: Councilmember Quan
Recommendation: Adopt a Resolution authorizing the City Administrator, on behalf of the City
of Oakland, to accept and express appreciation for a donation from residents of \$14,875, and to
appropriate said funds, through the Friends of Oakland Parks and Recreation, to the "Brett Park
" Project, a neighborhood lot located at the intersection of Marsh Place and Pershing Drive, in

honor of Roger Brett (04-0402)
A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78581 C.M.S.
<u>Item 10 PWC 5-25-04.pdf</u> ,
Item S-10.19CC 6-1-04,
78581 CMS.pdf
S-10.20CC
Subject: Outside Legal Expenditures
From: Office of the City Attorney

Recommendation: Receive an Informational report regarding ten year outside counsel

expenditures (1994-2004) (04-0326)

A motion was made by Councilmember Nadel, seconded by Vice Mayor Chang, 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 Vice Mayor Chang The following individual spoke on Item S-10.20CC: - Sanjiv Handa Item 5 FMC 5-25-04.pdf, Item S-10.20CC 6-1-04 S-10.21CC Subject: Fiscal Year 2002-2003 Audit of City's Books From: Finance and Management Agency

Communications on the year ended June 30, 2003 (04-0386)

Recommendation: Receive the Independent Auditor's Management Letter and Required

Chang, 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 Vice Mayor
Chang
The following individual spoke on Item S-10.21CC:
- Sanjiv Handa
<u>04-0386.pdf</u> ,
<u>Item 8 FMC 5-25-04.pdf</u> ,
<u>Item S-10.21CC 6-1-04</u>
S-10.22CC
Subject: 12th Street Public Right of Way
From: Community and Economic Development Agency
Recommendation: Adopt a Resolution granting John Tung Le. a conditional revocable permit

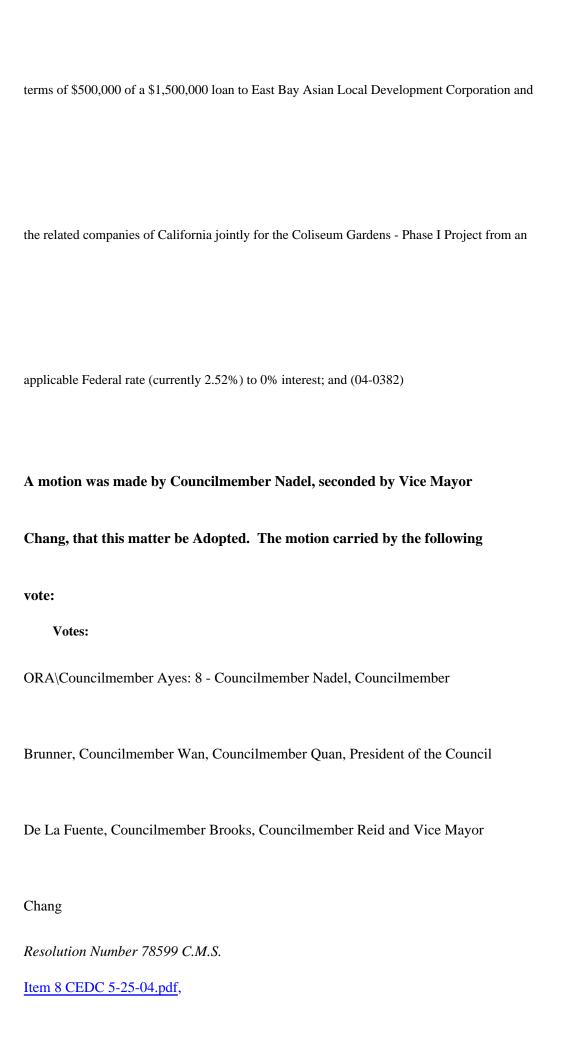
A motion was made by Councilmember Nadel, seconded by Vice Mayor

for the encroachment of seven soldier piles of a foundation system to a proposed building into
the public right-of-way area of 12th Street (04-0333)
A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78582 C.M.S.
<u>Item 3 CEDC 5-25-04.pdf</u> ,
<u>Item S-10.22CC 6-1-04</u> ,
78582 CMS.pdf
S-10.23CC
Subject: MacArthur Bart Station Transit Village

From: Community and Economic Development Agency
Recommendation: Adopt an Agency Resolution authorizing the Agency Administrator to
negotiate and execute a three-party exclusive negotiating agreement with MacArthur Transit
Community Partners, LLC and the San Francisco Bay Area Rapid Transit District to pursue the
development of a Transit Village at the MacArthur BART station (04-0339)
A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang

ORA Resolution Number 2004-26 C.M.S.
Contract Number 04-0175
<u>Item 4 CEDC 5-25-04.pdf</u> ,
<u>Item S-10.23CC 6-1-04.pdf</u> ,
2004-26 CMS.pdf
S-10.24CC
Subject: Coliseum Gardens - Phase I Project Interest Rates
From: Community and Economic Development Agency
Recommendation: Adopt the following two pieces of legislation:

1) Resolution to amend City Council Resolution Number 77656 C.M.S. to change interest rate



78599 CMS.pdf
2) Agency Resolution to amend Redevelopment Agency Resolution Number 2003-07 C.M.S. to
change interest rate terms of a \$1,500,000 loan to East Bay Asian Local Development
Corporation and the related companies of California jointly for the Coliseum Gardens - Phase I
Project from 1% to 0% (04-0382a)
A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
Brunner, Councilmember Wan, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor Chang

Item S-10.24-1CC 6-1-04,

S-10.25CC

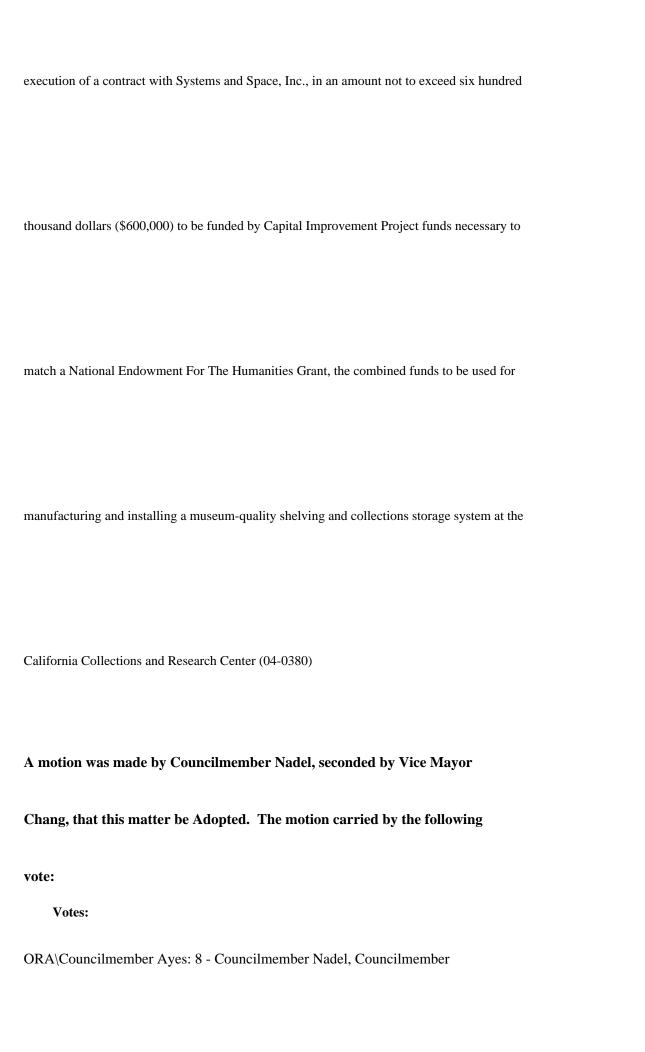
Subject: Joaquin Miller Cascade Landscaping Project	
From: Public Works Agency	
Recommendation: Adopt a Resolution accepting and expressing appreciation for private	
donations of \$6,000 from Steven and Wendy Jones, through the Friends of Oakland Parks and	
Recreation, for a drinking fountain and \$2,000 from Gallagher & Burk, Inc. for the Joaquin	
Miller Cascade Landscaping Project; and authorizing the City Administrator to appropriate said	

donations of \$8,000 to Project No. C197230 and increase the construction contract with Bay
Construction from \$91,000 to \$99,000 for the addition of a drinking fountain, landscaping, and
park accessories (04-0374)
A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote: Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78583 C.M.S.

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

A motion was made by Councilmember Nadel, seconded by Vice Mayor

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 Vice Mayor
Chang
Resolution Number 78584 C.M.S.
Item 4 LEC 5-25-04.pdf,
<u>Item S-10.26CC 6-1-04</u> ,
78584 CMS.pdf
S-10.27CC
Subject: National Endowment For The Humanities Grant
From: Cultural Arts and Marketing Department
Recommendation: Adopt a Resolution waiving formal bidding requirements and authorizing



Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78585 C.M.S.
Contract Number 04-1752
<u>Item 5 LEC 5-25-04.pdf</u> ,
<u>Item S-10.27CC 6-1-04.pdf</u> ,
78585 CMS.pdf
S-10.28CC
Subject: Oakland International Airport - Marine Security Zone
From: Oakland Police Department
Recommendation: Approve the Introduction (First Reading) of an Ordinance amending the
Oakland Municipal Code to add Chapter 10.57 establishing a 200-Yard Marine Security Zone
for the waters surrounding the Oakland International Airport (04-0367)

A motion was made by Councilmember Nadel, seconded by Vice Mayor

Chang, that this matter be Approved on Introduction for Final Passage to
the Concurrent Meeting of the Oakland Redevelopment Agency / City
Council, due back on June 15, 2004. 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 Vice Mayor
Chang
Item 3 PSC 5-25-04.pdf,
Item S-10.28CC 6-1-04,
Item S-10.28CC SUPP 6-1-04.pdf,
Item 10.11CC 6-15-04.pdf

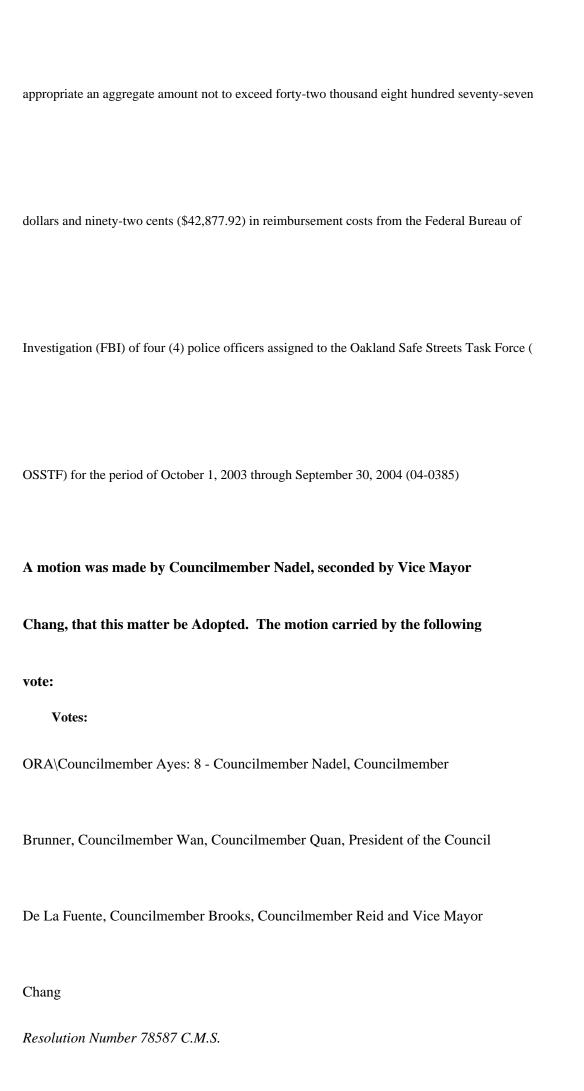
S-10.29CC

Subject: City of Oakland Waterways
From: Oakland Police Department
Recommendation: Adopt a Resolution authorizing the City Administrator or her designee to
accept the donation of a twenty-four (24) foot, used, custom built Farralon brand boat, valued at
approximately sixty-five thousand dollars (\$65,000), from the East Bay Regional Parks Police
Department for use by the Oakland Police Department, for law enforcement and homeland
security on City of Oakland waterways (04-0369)
A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following

vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78586 C.M.S
<u>Item 4 PSC 5-25-04.pdf</u> ,
<u>Item S-10.29CC 6-1-04</u> ,
78586 CMS.pdf
S-10.30CC
Subject: Vehicle and Traffic - Oakland Municipal Code
From: Oakland Police Department
Recommendation: Approve the Introduction (First Reading) of an Ordinance repealing and/or

modifying certain sections of Title 10 - "Vehicles and Traffic" of the Oakland Municipal Code	
(OMC) that could be subject to a challenge of preemption and amending the violation category	
of the remaining sections of Title 10 of the Oakland Municipal Code from misdemeanors to	
infractions (04-0378)	
A motion was made by Councilmember Nadel, seconded by Vice Mayor	
Chang, that this matter be Approved on Introduction for Final Passage to	
the Concurrent Meeting of the Oakland Redevelopment Agency / City	
Council, due back on June 15, 2004. 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 Vice Mayor
Chang
The following individual spoke on Item S-10.30CC:
- Sanjiv Handa
<u>Item 5 PSC 5-25-04.pdf</u> ,
<u>Item S-10.30CC 6-1-04</u> ,
<u>Item 10.10CC 6-15-04.pdf</u>
S-10.31CC
Subject: Oakland Safe Streets Task Force
From: Oakland Police Department
Recommendation: Adopt a Resolution authorizing the City Administrator to accept and



<u>Item 6 PSC 5-25-04.pdf</u> ,
item S-10.31CC 6-1-04,
78587 CMS.pdf
11
An oral report from the Agency Counsel / City Attorney of final decisions made during
Closed Session
There were no final decisions made in Closed Session.
The following individual spoke on Item 11:
- Sanjiv Handa
12
A disclosure of non-confidential Closed Session Discussion pursuant to Section 15 to the
Sunshine Ordinance
Agency/Councilmember Brooks made a motion seconded by Agency/
Councilmember Reid 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,

14.1

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

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

14. Consideration of items with statutory Public Hearing Requirements:

Subject: Community Development Block Grant Programs - Public Hearing

From: Community and Economic Development Agency

Recommendation: A continued Public Hearing and upon conclusion adopt a Resolution

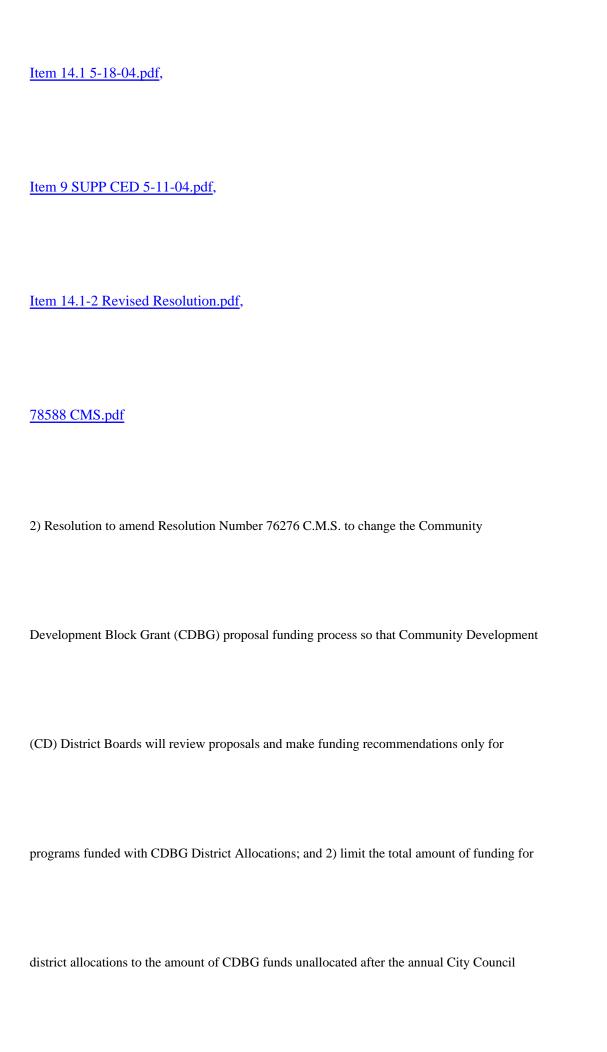
authorizing the City Administrator to prepare and submit the Consolidated Plan Annual Action
Plan for Housing and Community Development for Fiscal Year 2004-2005 to the U.S.
Department of Housing and Urban Development; accepting and appropriating funds totalling \$
17,641,406 for the Community Development Block Grant, Home Investment Partnership,

Emergency Shelter Grant and Housing Opportunities for Persons With Aids programs; and,	
authorizing the City Administrator to negotiate and execute agreements with contractors/	
subrecipients for Fiscal Year 2004-2005 for the Community Development Block Grant and	
Housing Opportunities for Persons with Aids programs (Vice Mayor Chang, City-wide) (04-	

A motion was made by Councilmember Brunner, seconded by
Councilmember Nadel, 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 Vice Mayor
Chang
Resolution Number 78588 C.M.S.

Item 9 5-11-04.pdf,

Item 4 4-27-04.pdf,

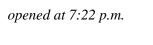


budget review (TITLE CHANGE) (04-01/4a)
A motion was made by Councilmember Brunner, seconded by
Councilmember Nadel, that this matter be Adopted. The motion carried
by the following vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor

Chang





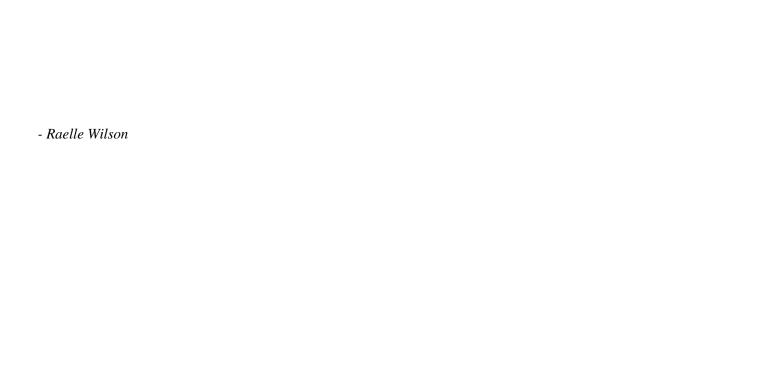












































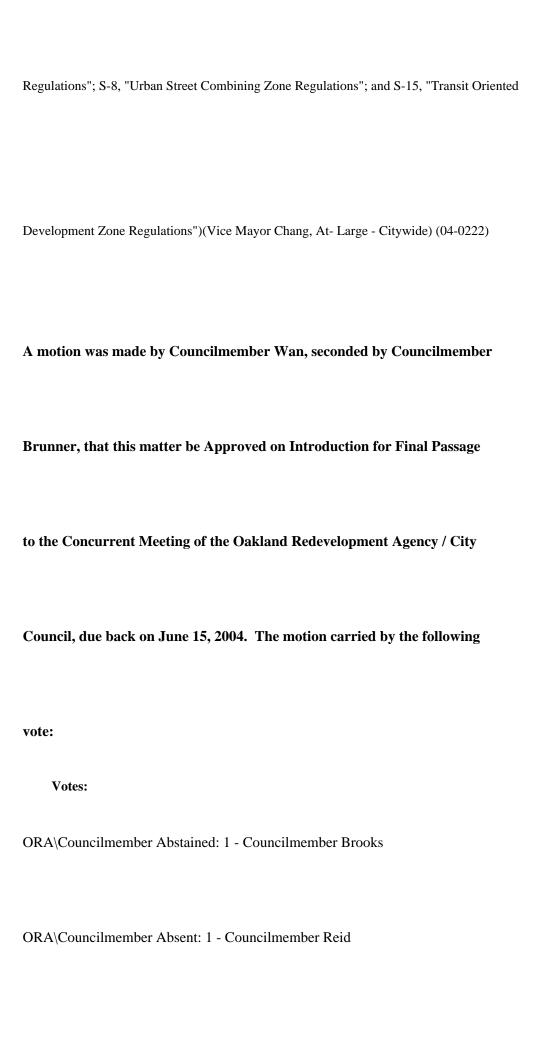




the Job Consortium. Item 4 4-27-04.pdf, Item 9 5-11-04.pdf, Item 14.1 5-18-04.pdf, Item 14.1-2 Revised Resolution.pdf,

Zone Regulations"; S-2, "Civic Center Zone Regulations"; S-3 "Research Center Zone

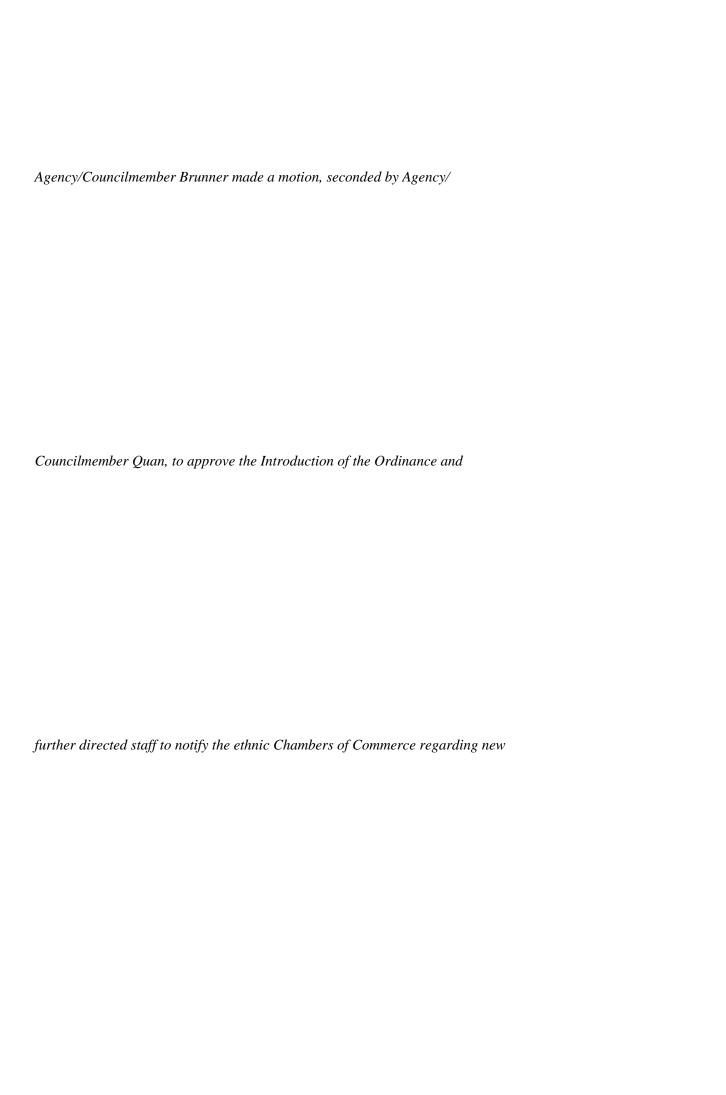
within all Commercial, Industrial, S-1, S-2, S-3, S-8, and S-15 zones. (S-1, "Medical Center



ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente and Vice Mayor Chang
`Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was
opened 8:00 p.m











Item 5 4-27-04.pdf,

Item 5 CED 5-11-04.pdf,

Item 14.2 SUPP 6-1-04.pdf,

Item 14.2 6-1-04,

Item 10.9CC 6-15-04.pdf

ACTION ON NON-CONSENT ITEMS: 15

Subject: Fund Borrowing for Fiscal Year 2004-2005

From: Finance and Management Agency

Recommendation: Approve the Introduction (First Reading) Ordinance providing for the
borrowing of funds for Fiscal Year 2004-2005 in an amount not to exceed \$70,000,000 and the
issuance and sale of 2004-2005 Tax and Revenue Anticipation Notes therefor; approving the
publication of notices in connection with such sale; authorizing the award of such notes subject
to certain conditions; and certain related matters (04-0434)
A motion was made by Councilmember Wan, seconded by Councilmember
Reid, that this matter be Approved on Introduction for Final Passage to
the Concurrent Meeting of the Oakland Redevelopment Agency / City
Council, due back on June 15, 2004. 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 Vice Mayor
Chang
The following individual spoke on Item 15:
- Sanjiv Handa
<u>04-0434.pdf</u> ,
<u>Item 15 6-01-04.pdf</u> ,
<u>Item 10.8CC 6-15-04.pdf</u>
16
Subject: Construction Monitoring Services
From: Community and Economic Development Agency
Recommendation: Adopt an Agency Resolution authorizing increases in contracts to provide

construction monitoring services for affordable housing projects with Advanced Resources in
Construction Services Ltd. in an amount not to exceed \$38,420 and Don Todd Associates in an
amount not to exceed \$38,420 from reallocated funds (04-0216)
A motion was made by Councilmember Brunner, seconded by
Councilmember Quan, that this matter be Adopted. The motion carried by
the following vote:
Votes:
ORA\Councilmember Nos: 2 - Councilmember Nadel and Councilmember
Brooks
ORA\Councilmember Ayes: 6 - Councilmember Brunner, Councilmember
Wan, Councilmember Quan, President of the Council De La Fuente,
Councilmember Reid and Vice Mayor Chang

ORA Resolution Number 2004-28 C.M.S.

Contract Number 04-1754
Contract Number 04-1755
<u>Item 6 4-27-04.pdf</u> ,
<u>Item 6 CED 5-11-04.pdf</u> ,
<u>Item 10.15CC SUPP 5-18-04.pdf</u> ,
<u>Item 16 6-01-04.pdf</u> ,
2004-28 CMS.pdf
17
Subject: Ronald H. Cowan Parkway and Oakland Foreign Trade Zone
From: President Ignacio De La Fuente
Recommendation: Adopt a Resolution renaming 98th Avenue between Southbound Route 880
off-ramp and the Northbound Route 880 on-ramp the "Ron Cowan Parkway" (TITLE

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 Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78590 C.M.S.
<u>Item 4 12-9-03.pdf</u> ,
<u>Item 17 6-01-04.pdf</u> ,
78590 CMS.pdf
18
Subject: Homeland Security
From: Office of the City Manager

Recommendation: Adopt a Resolution to accept and appropriate a revised Fiscal Year 2004
Urban Area Security Initiative Grant (UASI) amount, establish a new Homeland Security Fund,
waive Central Services Overhead fees, and authorize the City Manager to administer the Fiscal
Year 2004 UASI grant program (04-0419)
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 Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Chang Resolution Number 78591 C.M.S. Item 18 6-01-04.pdf,

Subject: Budget Advisory Committee - Donald White
From: Councilmember Brooks
Recommendation: Adopt a Resolution appointing Donald White as the District 6
Representative to the Budget Advisory Committee (04-0433)
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 Vice Mayor
Chang
The following individual spoke on Item 19:
- Sanjiv Handa

Resolution Numer 78592 C.M.S. Item 19 6-01-04.pdf, 78592 CMS.pdf AT 8:35 P.M. PRESIDENT OF THE CITY COUNCIL, DE LA FUENTE, RELINQUISHED THE CHAIR AND AGENCY/COUNCILMEMBER BRUNNER PRESIDED AS PRESIDENT PRO TEMPORE. S-20 Subject: Assembly Bill 392 From: Public Works Agency Recommendation: Adopt a Resolution declaring support for Assembly Bill 392 related to Environmental Justice and Community-Based Transportation Planning Grants (04-0486) 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 Absent: 1 - President of the Council De La Fuente
ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,
Councilmember Reid and Vice Mayor Chang
Resolution Number 78593 C.M.S.
Item S-20 6-1-04.pdf,
78593 CMS.pdf
S-21
Subject: Resurfacing of Certain Streets
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing award of a construction contract to McGuire
and Hester for resurfacing of certain streets in the City of Oakland for Fiscal Year 2003-2004 (
Project Number C234930) in the amount of \$3,928,797.40 (PURSUANT TO SECTION 902-E

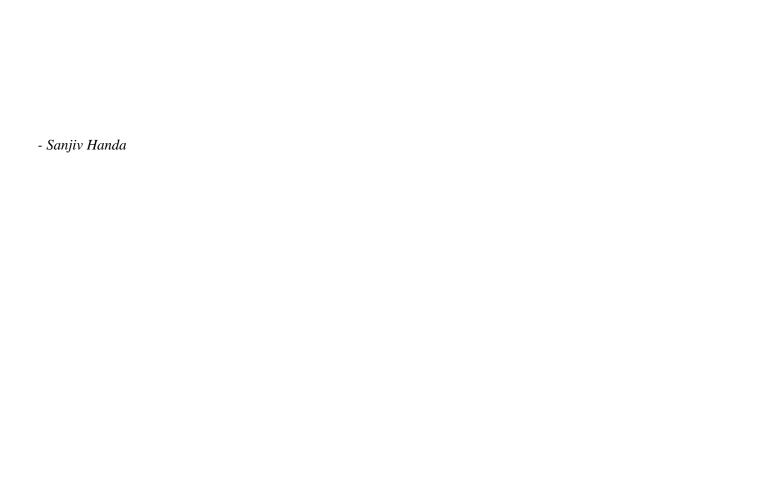
OF THE CITY CHARTER, THIS ITEM REQUIRES A 2/3 VOTE OF THE COUNCIL - 6
AFFIRMATIVE VOTES) (TITLE CHANGE) (04-0213-1)
A motion was made by Councilmember Quan, seconded by
Councilmember Brooks, that this matter be Adopted. The motion carried
by the following vote:
Votes:
ORA\Councilmember Absent: 1 - President of the Council De La Fuente
ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,
Councilmember Reid and Vice Mayor Chang
Resolution Number 78594 C.M.S.





<u>Item 9 5-11-04.pdf</u> ,
<u>Item S-21 6-1-04.pdf</u> ,
78594 CMS.pdf
PRESIDENT OF THE COUNCIL DE LA FUENTE WAS NOTED PRESENT AT
8:42 P.M. AND RESUMED PRESIDING AS CHAIRPERSON S-22
Subject: Jack London On-Street Parking Improvements
From: Public Works Agency
Recommendation: A continued discussion regarding the update report and recommendations
for the proposed Jack London District Mixed Use Permit Parking Program (03-0201-1)
A motion was made by Vice Mayor Chang, seconded by Councilmember
Brooks, that this matter be Approve as Amended. The motion carried by
the following vote:
Votes:
ORA\Councilmember Nos: 3 - Councilmember Nadel, Councilmember Brunner
and Councilmember Quan
ORA\Councilmember Ayes: 5 - Councilmember Wan, President of the Council

De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
The following individuals spoke on Item S-22:







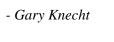
- Judy Goff









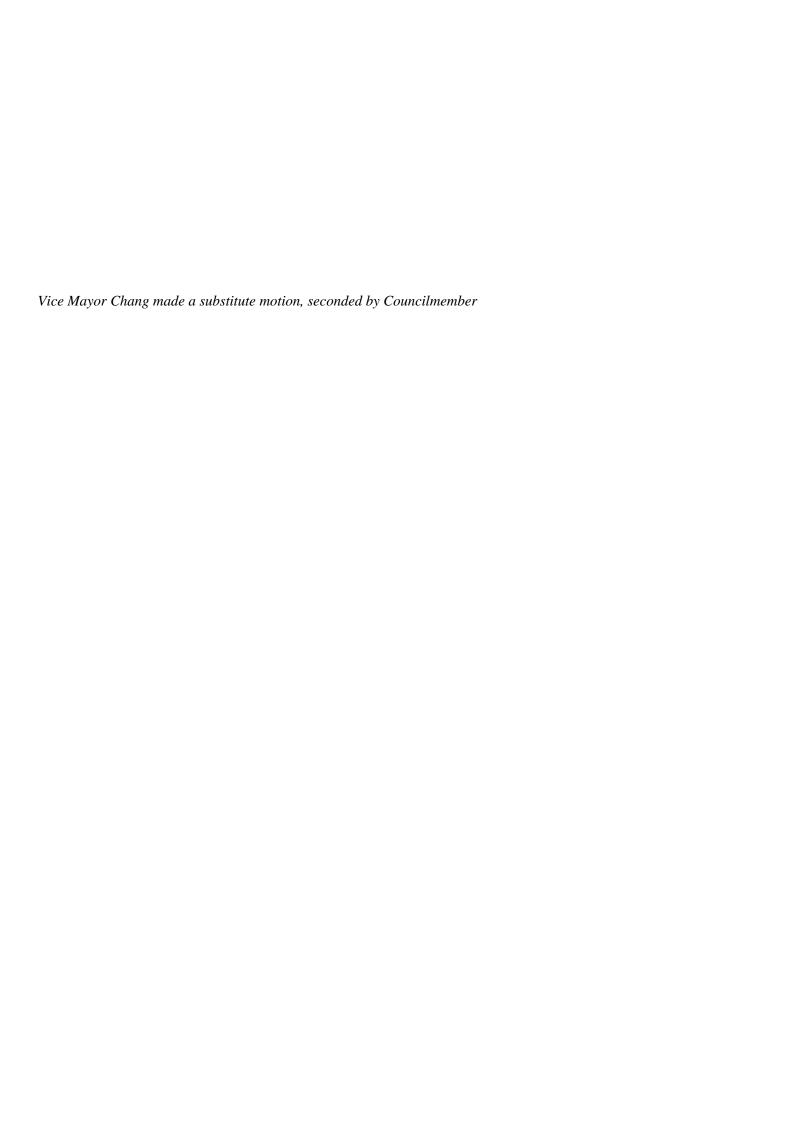














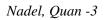














MOTION.		
<u>Item 12 3-9-04.pdf</u> ,		
<u>Item 3 4-27-04.pdf</u> ,		
<u>Item 4 PWC 5-11-04.pdf</u> ,		
Item 4 SUPP PWC 5-11-04.pdf,		

Item 3 PWC 5-25-04.pdf,

<u>Item S-22 6-1-04</u>
S-23
Subject: Bidder Response on Public Works Projects
From: Public Works Agency
Recommendation: Receive a status report regarding the analysis of low level of bidder response
on certain Public Works projects (03-0222)
A motion was made by Councilmember Reid, seconded by Vice Mayor
Chang, 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 Vice Mayor
Chang

Item S-23 6-1-04 S-24 Subject: Affordable Housing Development Loans Community and Economic Development Agency From: Recommendation: Adopt the following three (3) Resolutions for affordable housing funding: (1) Resolution authorizing an Affordable Housing Development Loan in an amount not to exceed \$748,300 to Satellite Housing, Inc. for the Saint Andrew's Manor Senior Housing Project located at 3250 San Pablo Avenue; and (04-0376)

A motion was made by Councilmember Nadel, seconded by Vice Mayor

Item 12 PWC 5-25-04.pdf,

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 Vice Mayor
Chang
The following individuals spoke on Item S-24:
- Raelle Wilson
- Ryan Chao
Resolution Number 78595 C.M.S.
<u>Item 5 CEDC 5-25-04.pdf</u> ,
Item S-24 6-1-04,

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

78595 CMS.pdf
(2) Resolution authorizing an Affordable Housing Development Loan in an amount not to
exceed \$753,600 to Satellite Housing, Inc. for the Saint Patrick's Terrace Senior Housing
project located at 1212 Center Street; and (04-0376a)
A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78596 C.M.S.
<u>Item S-24-2 6-1-04</u> ,

(3) Resolution authorizing an Affordable Housing Development Loan in an amount not to exceed \$162,100 to Christian Church Homes of Northern California for the Sojourner Truth

78596 CMS.pdf

Manor Senior Housing project located at $\,$ 5815, 5915 and 6015 Martin Luther King Jr. Way (04

A motion was made by Councilmember Nadel, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Nadel, Councilmember
Brunner, Councilmember Wan, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor
Chang
Resolution Number 78597 C.M.S.
<u>Item S-24-3 6-1-04</u> ,
78597 CMS.pdf
S-25
Subject: Oakland Commerce Corporation
From: Community and Economic Development Agency

Recommendation: Adopt an Agency Resolution authorizing a professional services agreement
in an amount not to exceed \$242,500 with the Oakland Commerce Corporation for ongoing
business retention and expansion services, operation of a Targeted Retail Business Retention
Program, operation and management of the Business Alert Crime Prevention Program in the
Coliseum area, and authorizing an amount not to exceed \$7,500 for contract compliance
monitoring costs (04-0377)
A motion was made by Councilmember Reid, seconded by Vice Mayor
Chang, that this matter be Adopted. The motion carried by the following
vote:

Votes:
ORA\Councilmember Abstained: 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 Vice Mayor Chang
The following individual spoke on Item S-25:
- Steve Lowe
Resolution Number 2004-29 C.M.S.
Contract Number 04-1757
<u>Item 6 CEDC 5-25-04.pdf</u> ,
<u>Item S-25 6-1-04</u> ,
2004-29 CMS.pdf

S-26

Subject: Renaming of the Alice Arts Center	
From: Councilmember Nadel	
Recommendation: Adopt a Resolution changing the name of the Alice Arts Center to	the "
Malonga Casquelourd Center for the Arts" (04-0356)	
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 Coun	cil
De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayo	or
Chang	
The following individuals spoke on Item S-26:	

- Tarika Lewis		
- Cecilia Ndounda		
- Muisi-Kongo Malonga		

- Val Serrant

Resolution Number 78598 C.M.S.
<u>Item 8 RLC 5-13-04.pdf</u> ,
<u>Item 7 SUPP 5-27-04.pdf</u> ,
<u>Item S-26 6-1-04</u> ,
78598 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/
There being no further business, and upon the motion duly made, the Agency/
There being no further business, and upon the motion duly made, the Agency/ Council adjourned the meeting at 10:10 p.m. in the memory of George Dixon
There being no further business, and upon the motion duly made, the Agency/ Council adjourned the meeting at 10:10 p.m. in the memory of George Dixon and Leonard Morgan.
There being no further business, and upon the motion duly made, the Agency/ Council adjourned the meeting at 10:10 p.m. in the memory of George Dixon and Leonard Morgan.

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	



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TY OF THOSE ATTENDING MEETINGS. () City Clerk and Clerk of the Council