

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, February 15, 2005

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 6:40 P.M.

1
Pledge of Allegiance

2

Roll Call / ORA & Council

COUNCIL MEMBERS; Vice Mayor Jane Brunner, Dist. 1; Vacant, Dist. 2; Nancy Nadel,

Dist. 3; Jean Quan, Dist. 4; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Henry Chang,

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

ORA\Councilmember Present: 7 - Councilmember Nadel, Councilmember

Brunner, 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:

- *Sanjiv Handa*

- *Cynthia Shartzer*

- *Orna Sasson*

- *Karin Mac Donald*

- *Sister Rashida Mustafa*

- *Ellen Wyrick Parkinson*

- *Shomari Mustafa*

- *Stefanie Parrott*

- *Melissa Standen*

- *Phoebe Rossiter*

- *Darnell Levingston*

- *Larry Rice*

- *Dorothy Coleman*

- *Joe Mc Gruder*

- *Rev. Henry Williams*

- *Ora Knowell*

4

Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an item from the Consent Calendar, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.

There was no action necessary for this item

5

Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. (Motion Maker must have voted on prevailing side)

There was no action necessary for this item.

6

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

There was no action necessary for this item.

7

Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on February 1, 2005

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

8. PRESENTATION OF CEREMONIAL MATTERS

8.1

Subject: Celebration of Black History Month

From: Councilmember Brooks

Recommendation: A Presentation by Prescott Elementary School Students from the class of

instructor Carrie Secret in Celebration of Black History Month (05-0080)

The Oakland City Council heard a presentation by the Prescott Elementary

School Students from the class of Instructor Carrie Secret in Celebration of

Black History Month.

8.2

Subject: Rae Mary - Dedicated Service

From: Department of Human Services

Recommendation: Adopt a Resolution honoring Rae Mary for 14 years of distinguished service

to the citizens of Oakland and congratulating her on her retirement (05-0041)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79048 C.M.S.

[View Report.pdf,](#)

[79048 CMS.pdf](#)

8.3

Subject: West Coast Blues Hall of Fame

From: Councilmember Nadel

Recommendation: Adopt a Resolution honoring the 2005 Inductees to the West Coast Blues

Hall of Fame (05-0069)

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79049 C.M.S.

[View Report.pdf,](#)

[79049 CMS.pdf](#)

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmember Brooks took a point of personal privilege and

requested that the meeting be adjourned in memory of Julia B. Davis, Yvonne

Ruth Davis, Ed Kelly, Dr. Lewis Davis, and Ossie Davis

Agency/Councilmember Nadel took a point of personal privilege and requested

that the meeting be adjourned in memory of Ed Kelly.

Agency/Councilmember Chang took a point of personal privilege and requested

that the meeting be adjourned in memory of Dan Lee and Homer Leong

Agency/Councilmember Reid took a point of personal privilege and requested

that the meeting be adjourned in memory of Eric Baeza and Ed Kelly

Agency/Councilmember Council President De La Fuente took a point of

personal privilege and requested that the meeting be adjourned in memory of

Murial Waukazoo

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 (05-0077)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79050 C.M.S.

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

- Darnel Levingston

[View Report.pdf,](#)

[79050 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 (05-0078)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79051 C.M.S.

[View Report.pdf,](#)

[79051 CMS.pdf](#)

10.3-CC

Subject: Mariah P. Garcia - 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 Mercury Insurance as subrogee for Mariah P. Garcia in the

amount of \$9,590.27 as a result of a vehicle collision involving a city vehicle (FSA) (05-0053)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79052 C.M.S.

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

- Sanjiv Handa

[View Report.pdf,](#)

[79052 CMS.pdf](#)

10.4-CC

Subject: Maurine Marie - 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 Maurine Marie, in the amount of \$8,029.76, for property

damage sustained as a result of flooding caused by poor drainage from a city street (Public

Works Agency) (05-0064)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79053 C.M.S.

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

- Sanjiv Handa

[View Report.pdf,](#)

[79053 CMS.pdf](#)

10.5-CC

Subject: Surplus City-Owned Real Property - 7th and Castro Streets

From: Community and Economic Development Agency

Recommendation: Approve the Final Passage (Second Reading) of an Ordinance authorizing

the City Administrator to enter into an offer to purchase agreement with Tuan Nguyen, Thong

Nguyen and Carl Nguyen (the adjoining property owners) for sale of surplus City real property

located at 7th and Castro Streets for the Fair Market Value of \$191,000 (04-0997)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Ordinance Number 12646 C.M.S.

[View Report.pdf](#),

[12646 CMS.pdf](#)

S-10.6-CC

Subject: Donation of One Surplus GMC Fleetwood Vehicle

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the donation of one surplus 1990 GMC

Fleetwood command post vehicle to the East Bay Regional Park District (05-0011)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79054 C.M.S.

[View Report.pdf,](#)

[79054 CMS.pdf](#)

S-10.7-CC

Subject: Designation of State Financial Assistance Representatives

From: Finance and Management Agency - Accounting

Recommendation: Adopt a Resolution designating the Director of Finance and Management

Agency, Controller and Assistant Controller as authorized representatives for the purpose of

receipt, processing and coordination of all inquiries and requirements necessary to obtain

available Federal Financial Assistance under the Robert T. Stafford Disaster Relief and

Emergency Assistance Act of 1988, and State Financial Assistance under the Natural Disaster

Assistance Act (05-0007)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79055 C.M.S.

[View Report.pdf,](#)

[79055 CMS.pdf](#)

S-10.8-CC

Subject: Oakland Coliseum Intercity Rail Platform

From: Community and Economic Development Agency

Recommendation: Adopt the following pieces of legislation:

1) A City Resolution authorizing a fourth amendment to the Agreement with the San Francisco

Bay Area Rapid Transit District for design and engineering of the Oakland Coliseum Intercity

Rail Platform to extend the term of the Agreement, expand the scope of services, and modify

the budget to allocate \$500,000 of previously allocated construction and acquisition funds

towards design and engineering services (04-0907)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79056 C.M.S.

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[79056 CMS.pdf](#)

2) An Agency Resolution reprogramming \$500,000 in Agency Funding of acquisition and

construction costs of the Oakland Coliseum Intercity Rail Platform Project towards design and

engineering Sevices (04-0907-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

ORA Resolution Number 2005-0009 C.M.S.

[View Report.pdf,](#)

[2005-0009 CMS.pdf](#)

S-10.9-CC

Subject: Diane Foster & Associates

From: Community and Economic Development Agency

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

professional or specialized services contract with Diane Foster & Associates to provide a needs

analysis for the Planning & Zoning Division for an additional fee of twenty thousand dollars

(\$20,000) for a total fee not to exceed eighty-five thousand dollars (\$85,000) (04-0927)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79057 C.M.S.

[View Report .pdf,](#)

[79057 CMS.pdf](#)

S-10.10-C

C

Subject: Mayor's Summer Jobs Program

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to apply for, accept

and appropriate grant funds and contributions from private foundations and corporations on

behalf of the Oakland Workforce Investment Board to fund the Mayor's Summer Jobs Program

(05-0019)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79058 C.M.S.

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

- Sanjiv Handa

[View Report.pdf,](#)

[79058 CMS.pdf](#)

Passed The Consent Agenda

A motion was made by Councilmember Chang, seconded by

Councilmember Reid, 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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

At this time Councilmember Brooks was noted absent at 7:43 p.m.

11

(CC 2-15-05)

A motion was made by Councilmember Chang, seconded by

Councilmember Reid, that this matter be Approved. The motion carried

by the following vote:

Votes:

ORA\Councilmember Absent: 2 - Councilmember Brunner and Councilmember

Brooks

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

President of the Council De La Fuente, Councilmember Reid and

Councilmember Chang

There were 3 Final decisions made during Closed Session. The Closed Session

report out forms are attached and referred to as Attachment A.

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

- Sanjiv Handa

[Closed Session Report 2-15-05.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 Absent: 2 - Councilmember Brunner and Councilmember

Brooks

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

President of the Council De La Fuente, Councilmember Reid and

Councilmember Chang

There was no action necessary for this item.

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

THEREAFTER:

13

Reconsideration of Ordinances pursuant to Charter Section 216

There was no action necessary for this item.

14. Consideration of items with statutory Public Hearing Requirements:

14.1

Subject: Declaration of Property Various Interests - Uptown Project

From: Community and Economic Development Agency

Recommendation: Adopt an Agency Resolution of Necessity declaring certain property

interests at 1920 San Pablo Avenue, Oakland, CA 94612 (Assessor Parcel Number:

008-0643-006), 1954 San Pablo Avenue, Oakland, CA 94612 (Assessor Parcel Number:

008-0644-021, 610 William Street, Oakland, CA 94612 (Assessor Parcel Number

008-0644-020) as necessary for public purposes and authorizing Agency Counsel to initiate

condemnation proceedings for the acquisition of said property interests for Redevelopment

purposes as part of Uptown Project (04-0996)

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember

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

Councilmember Reid and Councilmember Chang

Resolution Number 79059 C.M.S.

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

opened 8:00 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: Brunner,

Chang, Nadel, Reid, Quan, and President of the Council De La Fuente -6,

Absent - Brooks -1

[View Report.pdf,](#)

[79059 CMS.pdf](#)

ACTION ON NON-CONSENT ITEMS:

15

Subject: Conflict of Interest - Municipal Code Amendment

From: Office of the City Attorney

Recommendation: Approve the Introduction (First Reading) of an Ordinance amending the City

of Oakland's Conflict of Interest Code (Ordinance Number 11562 C.M.S. adopted March 23,

1993, as amended, Oakland Municipal Code Chapter 3.16) enacting a Conflict of Interest Code

for City of Oakland employees, members of boards and commissions, and consultant positions

to update the designation of positions that the code covers (05-0054)

A motion was made by Councilmember Reid, seconded by Councilmember

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 March 1, 2005. The motion carried by the following

vote:

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember

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

Councilmember Reid and Councilmember Chang

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

- Sanjiv Handa

[View Report.pdf,](#)

[12650 CMS.pdf](#)

At this time Councilmember Brooks was noted present at 8:30 pm

16

Subject: Limited Public Financing Act of the City of Oakland

From: Office of the City Attorney

Recommendation: Approve the Introduction (First Reading) of an Ordinance amending

Oakland Municipal Code Chapter 3.13, the Limited Public Financing Act of the City of

Oakland, to require: 1) Contributions submitted for matching funds be made on a financial

instrument containing the name of the donor, the name the payee and drawn on the account of

the donor and 2) Candidates to timely file and completely and accurately execute all

pre-election and post-election campaign statements for the election in which matching funds

are received (05-0082)

A motion was made by Councilmember Nadel, seconded by

Councilmember 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 March 1, 2005. The motion carried by

the following vote:

Votes:

ORA\Councilmember Noes: 1 - Councilmember Reid

ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember

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

Councilmember Brooks and Councilmember Chang

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

- Sanjiv Handa

[View Report.pdf](#),

[12648 CMS.pdf](#)

17

Subject: Litigation - Kaiser Aluminum & Chemical Corporation

From: Office of the City Attorney

Recommendation: Receive an Informational report on Kaiser Aluminum & Chemical

Corporation v. City of Oakland Litigation (05-0072)

A motion was made by Councilmember Quan, seconded by

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

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Brunner, 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

[View Report.pdf](#)

18

Subject: Stronger Anti-Predatory Legislation

From: Council President De La Fuente

Recommendation: Receive an Informational Report on the California Supreme Court's

decision in the Predatory Lending Case (American Financial Services Association v. City of

Oakland), and adopt a Resolution calling for the California Legislature to adopt stronger

anti-predatory lending protections or authorize local communities to adopt stronger protections

to address local conditions and protect local interests (05-0073)

A motion was made by Councilmember Quan, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79060 C.M.S.

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

- Sanjiv Handa

[View Report.pdf,](#)

[79060 CMS.pdf](#)

19

Subject: Sale of Portions of Brookfield Park

From: Community and Economic Development Agency

Recommendation: Adopt the following pieces of legislation:

1) Adopt an Agency Resolution authorizing a Memorandum of Understanding with the

Salvation Army and the City for the sale of portions of Brookfield Park at Edes and Jones

Avenues, and development of a new recreation center and other uses on the site; and (05-0058)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

ORA Resolution Number 2005-0010 C.M.S.

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

- Larry Westland

- Major George M. Rocheleau

-Shelton Yee

-Mark Lindquist

-Clarence Mamuyac

-Sanjiv Handa

-Frank Gilbert

-Wiley Williams

[View Report.pdf,](#)

[2005-0010 CMS.pdf](#)

2) Adopt a City Resolution authorizing a Memorandum of Understanding with the Salvation

Army and the Redevelopment Agency for the sale of portions of Brookfield Park at Edes and

Jones Avenues, and development of a new recreation center and other uses on the site

(05-0058-1)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79061 C.M.S.

[View Report.pdf,](#)

[79061 CMS.pdf](#)

Subject: Board of the Alameda County Waste Management Authority - Appointment

From: Council President Ignacio De La Fuente

Recommendation: Adopt a Resolution appointing Councilmember Jean Quan to the Board of

the Alameda County Waste Management Authority for a two-year term beginning February 15,

2005 and ending February 15, 2007 (05-0063)

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79062 C.M.S.

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[79062 CMS.pdf](#)

21

Subject: Appointment to the Community Policing Advisory Board

From: Councilmember Nadel

Recommendation: Adopt a Resolution appointing Adante Pointer as a member of the

Community Policing Advisory Board (05-0079)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79063 C.M.S.

[View Report.pdf,](#)

[79063 CMS.pdf](#)

22

Subject: Appointment - Children's Fund Planning and Oversight Committee

From: Councilmember Chang

Recommendation: Adopt a Resolution appointing Viola Gonzales as a member of the

Children's Fund Planning and Oversight Committee (05-0068)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79064 C.M.S.

[View Report.pdf,](#)

[79064 CMS.pdf](#)

S-23

Subject: Self-Insurance General Liability Fund (Fund 1100)

From: Finance and Management Agency/Risk Management Division

Recommendation: Adopt a Resolution authorizing the budgetary appropriation of monies from

the Self-Insurance General Liability Fund (Fund 1100) to departments for Fiscal Year 2005/06

and 2006/07 allocation of general liability costs based on implementation of the "Phoenix

Model" of risk management cost allocation (05-0006)

A motion was made by Councilmember Quan, seconded by

Councilmember Nadel, that this matter be Adopted. The motion carried

by the following vote:

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79065 C.M.S.

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

-Rashidah Grinage

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

- Sanjiv Handa

[View Report .pdf,](#)

[View Supplemental Report.pdf,](#)

[79065 CMS.pdf](#)

S-24

Subject: ShoreTel - Agreement

From: Finance and Management Agency

Recommendation: Adopt a Resolution approving the successful completion of the Voice Over

IP Pilot Project and authorizing the City Administrator or her designee to execute a seven year

contract for the lease of telephone equipment and services with ShoreTel (formerly Shoreline)

Communications Inc., for an amount not to exceed \$275,000 annually or \$1,650,000 over the

term of the contract without return to Council (05-0020)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79066 C.M.S.

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[79066 CMS.pdf](#)

Subject: Enterasys, Inc. - Agreement

From: Finance and Management Agency/Information Technology

Recommendation: Adopt a Resolution authorizing the City Administrator or her designee to

execute a seven year contract for the lease of data network equipment and services with

Enterasys Inc., for an amount not to exceed \$215,000 annually or \$1,500,000 over the term of

the contract without return to Council (05-0008)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79067 C.M.S.

[View Report.pdf,](#)

[79067 CMS.pdf](#)

S-26

Subject: 5625 International Blvd. - Repaving Agreement

From: Community and Economic Development Agency

Recommendation: Adopt an Agency Resolution authorizing an Owner Participation Agreement

with SVC Manufacturing, Inc., DBA Gatorade, for retention, expansion and improvement of

it's manufacturing facility at 5625 International Boulevard and an Agency payment not to

exceed \$250,000 for repaving 57th Avenue adjacent to the facility (04-0961)

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland

Redevelopment Agency / City Council on 3/1/2005

The following individuals spoke under this item and did not indicate a position:

- Hugh Bassette

[View Report.pdf,](#)

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[2005-0017 CMS.pdf](#)

S-27

Subject: Affordable Housing Development Funding

From: Community and Economic Development Agency

Recommendation: Adopt the following pieces of legislation:

1) Adopt a Resolution authorizing an amendment to Resolution No. 78361 C.M.S. to allow an

extension of time for an Affordable Housing Development Loan in an amount not to exceed

\$1,901,740 to Citizens Housing Corporation for the Altenheim Senior Housing Project located

at 1720 Mac Arthur Boulevard (05-0026)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79068 C.M.S.

The following individual spoke on in favor of this item:

- Lisa Blakely

- Phil Olmstead

- Cris Morgan

- *Joyce Roy*

- *Teresa Clarke*

The following individual spoke against this item:

- *Orna Sasson*

- *Cynthia Shartzer*

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[79068 CMS.pdf](#)

2) Adopt a Resolution authorizing an affordable Housing Development Loan in an amount not

to exceed \$2,472,585 to Affordable Housing Association, Inc., for the Madison & Fourteenth

Rental Project located at 160 14th Street (05-0026-1)

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79069 C.M.S.

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[79069 CMS.pdf](#)

4) Adopt an Agency Resolution to amend Redevelopment Agency Resolution No. 2004-07

C.M.S. to increase the Affordable Housing Development Loan by \$2,306,100 to provide total

Agency Loan Funds in an amount not to exceed \$4,084,660 to Citizens Housing Corporation

for the Altenheim Senior Housing Project located at 1720 MacArthur Boulevard (05-0026-2)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79070 C.M.S.

[View Report.pdf,](#)

[View Supplemental Report .pdf,](#)

[2005-0011 CMS.pdf](#)

3) Adopt a Resolution authorizing an amendment to Resolution No. 77657 C.M.S. to allow an

extension of time for an Affordable Housing Development Loan in an amount not to exceed

\$771,300 to Bridge Housing for the Mandela Gateway Ownership Project located at 1431 8th

Street (05-0026-3)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

ORA Resolution Number 2005-0011 C.M.S.

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[79070 CMS.pdf](#)

5) Adopt a Resolution authorizing an Affordable Housing Development Loan in an amount not

to exceed \$3,000,000 to East Bay Asian Local Development Corporation and the related

companies of California jointly for the Coliseum Gardens Phase III Hope VI Project located at

928-998 66th Avenue (05-0026-4)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

ORA Resolution Number 2005-0012 C.M.S.

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

6) Adopt an Agency Resolution authorizing an amendment to Redevelopment Agency

Resolution No. 2004-08 C.M.S. to allow a one year extension of an Affordable Housing

Development Loan in an amount not to exceed \$2,548,500 to Affordable Housing Associates,

Inc. for the Calaveras Townhomes Project located at 4856-4868 Calaveras Avenue and to

amend loan terms of two site acquisition loans in the total amount of \$1,310,000 (05-0026-5)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

ORA Resolution Number 2005-0013 C.M.S.

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[2005-0013 CMS.pdf](#)

7) Adopt an Agency Resolution authorizing an amendment to Redevelopment Agency

Resolution No. 2003-08 C.M.S. to allow an extension of time for an Affordable Housing

Development Loan in an amount not to exceed \$1,146,100 to Bridge Housing for the Mandela

Gateway Ownership Project located at 1431 8th Street (05-0026-6)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

ORA Resolution Number 2005-0014 C.M.S.

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[2005-0014 CMS.pdf](#)

8) Adopt an Agency Resolution authorizing an Affordable Housing Development Loan in an

amount not to exceed \$3,024,915 to Affordable Housing Associates, Inc., for the Madison &

Fourteenth Rental Project located at 160 14th Street, and Consolidating an existing \$1,498,000

site acquisition loan with the development loan, for a new total development loan in an amount

not to exceed \$4,522,915 (05-0026-7)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

ORA Resolution Number 2005-0015 C.M.S.

[View Report.pdf,](#)

[View Supplemental Report .pdf,](#)

[2005-0015 CMS.pdf](#)

9) Adopt an Agency Resolution appropriating \$1,708,148 in Low and Moderate Income

Housing Funds to the Housing Development Program (05-0026-8)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

ORA Resolution Number 2005-0016 C.M.S.

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[2005-0016 CMS.pdf](#)

S-27.1

Subject: Affordable Housing Development Funding - Auditor's Report

From: Office of the City Auditor

Recommendation: Receive a Report on a total of nine (9) Resolutions regarding affordable

housing activities: Four City and Agency Resolutions authorizing development loans in an

aggregate amount not to exceed \$10,803,600 for affordable housing projects; Four City and

Agency Resolutions to extend for an additional year the funding reservation deadline in an

aggregate amount of \$8,145,900; one Agency Resolution appropriating \$1,708,148 for housing

development program (05-0026ca)

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: 7 - Councilmember Nadel, Councilmember

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

Councilmember Brooks, Councilmember Reid and Councilmember Chang

[View Supplemental Report.pdf](#)

S-28

Subject: Park Capital Improvement Projects

From: Public Works Agency

Recommendation: Action on a Status report on the development of a strategic plan and a

prioritization list for City of Oakland Parks Capital Improvement Projects based on adopted

open space, conservation, and recreation (OSCAR) goals and request Council to provide

directions on the proposed recommendations (04-0824)

Deferred to *Life Enrichment Committee

[View Report.pdf](#)

S-29

Subject: State of California Proposition 14 Funds

From: Oakland Public Library

Recommendation: Adopt a Resolution authorizing the City Administrator to 1) accept and

appropriate an additional \$13,345 from the State of California Proposition 14 Funds for a total

grant amount of \$6,513,345; and 2) to amend the professional services agreement with Group 4

Architecture Research and Planning, Inc. to provide full design and engineering services for the

new 81st Avenue Community Library in the amount of \$1,600,000, and to complete the Master

Facilities Plan to include development strategies for the Main Public Library and for continued

Community Outreach Services in the amount of \$225,000, for a total amended contract amount

not to exceed \$2,325,000 (05-0036)

A motion was made by Councilmember Reid, seconded by Councilmember

Quan, that this matter be Adopted The following individual spoke in favor

of this item:

- Audrey D. Grisby

- Sylvester Grisby

The motion carried by the following vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember

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

Councilmember Reid and Councilmember Chang

Resolution Number 79071 C.M.S.

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[79071 CMS.pdf](#)

Subject: Special Traffic Offender Program (STOP)

From: Oakland Police Department

Recommendation: Approve the Introduction (First Reading) of an Ordinance amending

Ordinance Number 9336 C.M.S. (Master Fee Schedule), to increase the impounded vehicle

release fee, assessed by the Oakland Police Department, from one hundred seventy-five dollars

(\$175) to two hundred and fifty dollars (\$250) (05-0052)

A motion was made by Councilmember Reid, seconded by Councilmember

Quan, that this matter be Approved on Introduction for Final Passage to

the Concurrent Meeting of the Oakland Redevelopment Agency / City

Council, due back on March 1, 2005. The motion carried by the following

vote:

Votes:

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Brunner, 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

[View Report.pdf,](#)

[12649 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 Julia B. Davis, Yvonne

Ruth Davis, Ed Kelly, Dr. Lewis Davis, Ossie Davis, Dan Lee, Homer Leong,

Eric Baeza, and Muriel Waukazoo at 10:11 p.m.

NOTE:

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)

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. (...)

