

# Meeting Minutes City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California 94612

Ceda Floyd, 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, June 01, 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 6:26 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 Vice Mayor

Chang

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

*The following individuals spoke under Open Forum:*

- *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.*

[Item 8.1 6-01-04.pdf](#)

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**

**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 78566 C.M.S.*

[Item 10.1CC 6-01-04.pdf,](#)

[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)

**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.*

[Item 10.2CC 6-01-04.pdf,](#)

[78567 CMS.pdf](#)

10.3CC

Subject: Jackie Black - 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 Jackie Black v. City of Oakland, et al., Alameda County

Superior Court Case number 2001-03371, our file number 21743, in the amount of \$200,000.00

. This case involves a collision between a City truck and plaintiff's vehicle resulting in injuries

to plaintiff. (Office of Parks and Recreation) (04-0454)

**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 78568 C.M.S.*

[Item 10.3CC 6-01-04.pdf](#),

[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

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. Silveira - 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 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.

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

**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

From: Office of the City Attorney

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

compromise and settle the case of Piedmont Avenue Neighborhood Improvement League, et al.

v. City of Oakland, et al. (Mountain View Cemetery) (Alameda County Superior Court Case

No. RG-03115264) (04-0459)

**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 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**

**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.*

[Item 10.8CC 6-01-04.pdf,](#)

[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.

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 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.*

[Item 10.9CC 6-01-04.pdf,](#)

[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)

**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.*

[Item 11 4-27-04.pdf,](#)

[Item 3 CED 5-11-04.pdf,](#)

[Item 3 SUPP CED 5-11-04.pdf,](#)

[Item 21 SUPP 5-18-04.pdf,](#)



[Item 10.10CC 6-01-04.pdf](#),

[12602 CMS.pdf](#)

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.*

[Item 18 5-18-04.pdf,](#)

[12603 CMS.pdf](#)

10.12CC

Subject: Solid Waste Collection and Disposal Rates

From: Public Works Agency

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

Ordinance No. 11820 C.M.S. increasing rates charged for solid waste collection and disposal

for multi-family and single-family ratepayers, increasing City fees paid by Waste Management

of Alameda 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

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

Subject: Zoning of Designated Parking Areas

From: Public Works Agency

Recommendation: Adopt a Resolution approving the establishment of a: 1) Two-Hour Parking

Zone on San Pablo Avenue (east side) between 59th Street and Stanford Avenue; 2) No Parking

Any Time Zone on Embarcadero East (north side) between San Antonio Creek and 5th

Avenue; 3) No Parking Between 3:00 A.M. and 6:00 A.M. Zone on Claremont Avenue (both

sides) between Clifton Street and Hudson Street; and 4) removal of the Two-Hour Parking

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

**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.*

[Item 4 PWC 5-25-04.pdf,](#)

[Item S-10.13CC 6-1-04,](#)

[78575 CMS.pdf](#)

S-10.14CC

Subject: Installation of Stop Signs at Designated Areas

From: Public Works Agency

Recommendation: Adopt a Resolution approving installation of stop signs on: 1) Benevides

Avenue at El Centro Avenue; 2) Clara Street at Walter Avenue; 3) Leach Avenue at Wellington

Street; 4) Hanover Avenue at Newton Avenue; 5) Birdsall Avenue at Kingsland Avenue; 6)

Third Street at Alice Street; 7) Third Street at Clay Street; and

8) Merriewood 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.*

[Item 5 PWC 5-25-04.pdf,](#)

[Item S-10.14CC 6-1-04,](#)

[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.*

[Item 6 PWC 5-25-04.pdf,](#)

[Item S-10.15CC 6-1-04,](#)

[78577 CMS.pdf](#)

S-10.16CC

Subject: Improvement of Sanitary Sewers

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing award of a contract to D'arcy & Harty

Construction, 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 dollars (\$71,500) (PURSUANT TO SECTION 902-E OF THE CITY CHARTER,

THIS ITEM REQUIRES A 2/3 VOTE OF THE COUNCIL - 6 AFFIRMATIVE VOTES) (04-

0372)

**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*

[04-0372.pdf,](#)

[Item 7 PWC 5-25-04.pdf,](#)

[Item S-10.16CC 6-1-04,](#)

[78578 CMS.pdf](#)

S-10.17CC

Subject: Earthquake Retrofit of Designated Bridges

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the acceptance and appropriation of an

additional seventy-three thousand six hundred dollars (\$73,600) in Federal Highway Funds for

the earthquake retrofit of Broadway-Patton, Hegenberger, and Hamilton bridges (Project

Number H24010) (04-0373)

**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 Nunmer 78579 C.M.S.*

[04-0373.pdf,](#)

[Item 8 PWC 5-25-04.pdf,](#)

[Item S-10.17CC 6-1-04,](#)

[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

Livable Communities Housing Incentive Program for the Acorn-Prescott Neighborhood

Improvements Phase 2 Project, the Eastlake Streetscape and Pedestrian Enhancement Project

and the Fruitvale Streetscape and Multi-Modal Transportation Improvement Project (04-0392)

**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 78580 C.M.S.*

[04-0392.pdf](#),

[Item 9 PWC 5-25-04.pdf](#),

[Item S-10.18CC 6-1-04,](#)

[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.*

[Item 10 PWC 5-25-04.pdf,](#)

[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

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

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

**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-10.21CC:*

*- Sanjiv Handa*

[04-0386.pdf](#),

[Item 8 FMC 5-25-04.pdf](#),

[Item S-10.21CC 6-1-04](#)

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

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.*

[Item 3 CEDC 5-25-04.pdf,](#)

[Item S-10.22CC 6-1-04,](#)

[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*

[Item 4 CEDC 5-25-04.pdf,](#)

[Item S-10.23CC 6-1-04.pdf,](#)

[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

terms of \$500,000 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 an

applicable Federal rate (currently 2.52%) to 0% interest; and (04-0382)

**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 78599 C.M.S.*

[Item 8 CEDC 5-25-04.pdf](#),

[Item S-10.24-1CC 6-1-04,](#)

[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

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

Chang

*ORA Resolution Number 2004-27*

[Item S-10.24-2CC 6-1-04,](#)

[2004-27 CMS.pdf](#)

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.*

*Contract Number 04-1751*

[Item 3 LEC 5-25-04.pdf,](#)

[Item S-10.25CC 6-1-04,](#)

[78583 CMS.pdf](#)

S-10.26CC

Subject: Museum's Restricted Deaccession Fund

From: Cultural Arts and Marketing Department

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

appropriate funds from the Museum's Restricted Deaccession Fund for the purpose of obtaining

Museum objects and to preserve, conserve, restore, and care for objects in the Museum's

collections (04-0379)

**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 78584 C.M.S.*

[Item 4 LEC 5-25-04.pdf,](#)

[Item S-10.26CC 6-1-04,](#)

[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

execution of a contract with Systems and Space, Inc., in an amount not to exceed six hundred

thousand dollars (\$600,000) to be funded by Capital Improvement Project funds necessary to

match a National Endowment For The Humanities Grant, the combined funds to be used for

manufacturing and installing a museum-quality shelving and collections storage system at the

California Collections and Research Center (04-0380)

**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 78585 C.M.S.*

*Contract Number 04-1752*

[Item 5 LEC 5-25-04.pdf,](#)

[Item S-10.27CC 6-1-04.pdf,](#)

[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*

[Item 4 PSC 5-25-04.pdf,](#)

[Item S-10.29CC 6-1-04,](#)

[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*

[Item 5 PSC 5-25-04.pdf,](#)

[Item S-10.30CC 6-1-04,](#)

[Item 10.10CC 6-15-04.pdf](#)

S-10.31CC

Subject: Oakland Safe Streets Task Force

From: Oakland Police Department

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

appropriate an aggregate amount not to exceed forty-two thousand eight hundred seventy-seven

dollars and ninety-two cents (\$42,877.92) in reimbursement costs from the Federal Bureau of

Investigation (FBI) of four (4) police officers assigned to the Oakland Safe Streets Task Force (

OSSTF) for the period of October 1, 2003 through September 30, 2004 (04-0385)

**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 78587 C.M.S.*

[Item 6 PSC 5-25-04.pdf,](#)

[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,*

**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: 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-

0174)

**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 4 4-27-04.pdf,](#)

[Item 9 5-11-04.pdf,](#)



[Item 14.1 5-18-04.pdf,](#)

[Item 9 SUPP CED 5-11-04.pdf,](#)

[Item 14.1-2 Revised Resolution.pdf,](#)

[78588 CMS.pdf](#)

2) Resolution to amend Resolution Number 76276 C.M.S. to change the Community

Development Block Grant (CDBG) proposal funding process so that Community Development

(CD) District Boards will review proposals and make funding recommendations only for

programs funded with CDBG District Allocations; and 2) limit the total amount of funding for

district allocations to the amount of CDBG funds unallocated after the annual City Council

budget review (TITLE CHANGE) (04-0174a)

**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 78589 C.M.S.*



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

*opened at 7:22 p.m.*



*The following individuals spoke on Item 14.1:*



- *Anthony Youngblood*

- *Emilia Otero*

- *Ocie Hall*

- *Raelle Wilson*

- *Philip Nguyen*



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

*Councilmember Nadel, to close the Public Hearing, and hearing no objections,*



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

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



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

*Councilmember Nadel, to adopt the resolutions on Items 14.1 and 14.2, and*

*amend the Committee recommendation to eliminate the phrase "district*

*programs next year," and replace with "both the District programs and*

*citywide programs before the Council starts reviewing the budget in Spring.*



2005." *The Council also directed staff to return before the Council Summer*

*Recess with suggestions and recommendations regarding how Community*

*District Boards can review Citywide and District programs; and upon the call*

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

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

*Fuente -8*



*The Council further directed staff to forward directly to the Workforce*



*Investment Board a request to review the possibility for additional funding for*

*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,](#)

14.2

Subject: Controls for Signs in Commercial and Industrial Zones - Public Hearing

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing and upon conclusion approve the Introduction (

First Reading) an Ordinance adopting new controls for business, civic, and residential signs

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

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

Regulations"; S-8, "Urban Street Combining Zone Regulations"; and S-15, "Transit Oriented

Development Zone Regulations")(Vice Mayor Chang, At- Large - Citywide) (04-0222)

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

**Brunner, that this matter be Approved on Introduction for Final Passage**

**to the Concurrent Meeting of the Oakland Redevelopment Agency / City**

**Council, due back on June 15, 2004. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Absent: 1 - Councilmember Reid

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*

*Agency/Councilmember Brunner 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*

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

*Councilmember Quan, to approve the Introduction of the Ordinance and*

*further directed staff to notify the ethnic Chambers of Commerce regarding new*



*regulations with respect to window coverage, and hearing no objections, the*

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

*Quan, Wan and President of the Council De La Fuente -6 Abstain - Brooks,*

*Absent - Reid*

[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*

[04-0434.pdf,](#)

[Item 15 6-01-04.pdf,](#)

[Item 10.8CC 6-15-04.pdf](#)

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*

[Item 6 4-27-04.pdf,](#)

[Item 6 CED 5-11-04.pdf,](#)

[Item 10.15CC SUPP 5-18-04.pdf,](#)

[Item 16 6-01-04.pdf,](#)

[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

CHANGE) (03-0328)

**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.*

[Item 4 12-9-03.pdf](#),

[Item 17 6-01-04.pdf](#),

[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

*Resolution Number 78591 C.M.S.*

[Item 18 6-01-04.pdf](#),

[78591 CMS.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.*

*Contract Number 04-1756*

*Agency/Councilmember Quan made a motion seconded by Agency/*

*Councilmember Brunner to approve an urgency finding pursuant to Section 2.*

*20.080 E(2) regarding Item S-21 that there is a need to take immediate action*

*which came to the attention of the local body after the agenda was posted, and*

*that the need to take immediate action is necessary to avoid a substantial*

*adverse impact to health and safety; and upon the call of the roll the motion*

*passed by Ayes: Brunner, Chang, Nadel, Quan, Reid, and Wan -6; Abstain:*

*Brooks -1; Absent: De La Fuente -1*

[Item 9 5-11-04.pdf,](#)

[Item S-21 6-1-04.pdf,](#)

[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:*



- *Sanjiv Handa*

- *Steve Lowe*

- *Antonio Christian*

- *Judy Goff*

- *Donald Puccini*

- *Simon Waddington*

- *Christopher Inverarity*

- *Joanna Adler*



- *Gary Knecht*

- *Heidi Li*





*Councilmember Nadel made a motion, seconded by Councilmember Quan, to*

*request a reconsideration of the original parking proposal submitted by the*

*Jack London District Committee.*





*Vice Mayor Chang made a substitute motion, seconded by Councilmember*

*Brooks, to approve the May 25, 2004 Public Works Committee recommendation*

*to eliminate the proposed permit parking system from further consideration and*

*to move forward on the time-restricted parking management system. Staff is to*

*return to Committee with a Resolution implementing the time limited zones and*

*incorporating funding for enforcement; and upon the call of the roll the motion*

*passed by Ayes: Brooks, Chang, Reid, Wan, and De La Fuente -5; Brunner,*

*Nadel, Quan -3*





*THE MAIN MOTION FAILED DUE TO ADOPTION OF THE SUBSTITUTE*

*MOTION.*

[Item 12 3-9-04.pdf](#),

[Item 3 4-27-04.pdf](#),

[Item 4 PWC 5-11-04.pdf](#),

[Item 4 SUPP PWC 5-11-04.pdf](#),

[Item 3 PWC 5-25-04.pdf,](#)

[Item S-22 6-1-04](#)

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 12 PWC 5-25-04.pdf,](#)

[Item S-23 6-1-04](#)

S-24

Subject: Affordable Housing Development Loans

From: Community and Economic Development Agency

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**

**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 individuals spoke on Item S-24:*

*- Raelle Wilson*

*- Ryan Chao*

*Resolution Number 78595 C.M.S.*

[Item 5 CEDC 5-25-04.pdf,](#)

[Item S-24 6-1-04,](#)

[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.*

[Item S-24-2 6-1-04,](#)

[78596 CMS.pdf](#)

(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

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

-0376b)

**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.*

[Item S-24-3 6-1-04,](#)

[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*

[Item 6 CEDC 5-25-04.pdf,](#)

[Item S-25 6-1-04,](#)

[2004-29 CMS.pdf](#)

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 Council

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

Chang

*The following individuals spoke on Item S-26:*

- *Val Serrant*

- *Tarika Lewis*

- *Cecilia Ndounda*

- *Muisi-Kongo Malonga*

*Resolution Number 78598 C.M.S.*

[Item 8 RLC 5-13-04.pdf](#),

[Item 7 SUPP 5-27-04.pdf](#),

[Item S-26 6-1-04](#),

[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/*

*Council adjourned the meeting at 10:10 p.m. in the memory of George Dixon*

*and Leonard Morgan.*

**Notes:**

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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.

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SAFETY OF THOSE ATTENDING MEETINGS. (...)

*City Clerk and Clerk of the Council*