

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/Joint Powers Financing Authority

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

City of Oakland Website: <http://www.oaklandnet.com>

Tuesday, January 18, 2005

6:00 PM

City Council Chambers - 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 6:08 p.m.

1
Pledge of Allegiance

2

Roll Call / ORA & Council

COUNCIL MEMBERS; Vice Mayor Jane Brunner, Dist. 1; Danny Wan, 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 Excused: 1 - Councilmember Wan

ORA\Councilmember Present: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

The following individual(s) spoke under Open Forum:

- *Hugh Bassett*

- *Ronald Muhammad*

- *Deloris Allen*

- *Hector Reyna*

- *Dorothy Coleman*

- *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 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 Meetings of the Oakland

Redevelopment Agency/City Council held on January 4, 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 Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

8. PRESENTATION OF CEREMONIAL MATTERS

8.1

"State of the City" by Mayor Jerry Brown

At this time, Mayor Jerry Brown made a presentation to the Oakland City

Council and City of Oakland citizens regarding the State of the City.

The following individual(s) spoke and indicated a neutral position on this item:

- *Hugh Bassette*

- *Sanjiv Handa*

8.2

Subject: Calvin N. Wong - Service Recognition

From: Councilmember Chang

Recommendation: Adopt a Resolution honoring Calvin N. Wong for thirty-two years of

distinguished service to the Citizens of Oakland (04-0993)

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79009 C.M.S.

[Council Rpt 8.2 1-18-05.pdf,](#)

[79009 CMS.pdf](#)

8.3

~~Subject: Jim Brown Dedicated Service~~

~~From: Councilmember Larry Reid~~

~~Recommendation: Adopt a Resolution honoring and recognizing Jim Brown for his 27 years of~~

~~service and dedication to the City of Oakland and congratulating him on his retirement~~

~~(05-0003)~~

8.4

Subject: "Rebuilding Together Oakland"

From: Councilmember Nancy Nadel

Recommendation: A Presentation and adoption of a Resolution in appreciation of the work of

"Rebuilding Together Oakland" (05-0017)

A motion was made by Councilmember Nadel, seconded by

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

the following vote:

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79010 C.M.S

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

- *Sue Yascolt*

[Council Rpt 8.4 1-18-05.pdf](#),

[79010 CMS.pdf](#)

8.5

Subject: "Stand Up for Choice Day"

From: Councilmember Nancy Nadel

Recommendation: A Presentation and adoption of a Resolution recognizing January 22, 2005

as "Stand Up for Choice Day" (05-0018)

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 Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 70911 C.M.S.

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

- *Dian J. Harrison*

- *Becky Lyman*

[Council Rpt 8.5 1-18-05.pdf,](#)

[79011 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 Hubbard.

10. CONSENT CALENDAR (CC) ITEMS:

10.1CC-CC

Subject: Declaration of a Local Emergency due to AIDS epidemic

From: Office of the City Attorney

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

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

AIDS epidemic (04-1025)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79012 C.M.S.

[Council Rpt 10.1CC 1-18-05.pdf,](#)

[79012 CMS.pdf](#)

10.2CC-CC

Subject: Medical Cannabis Health Emergency

From: Office of the City Attorney

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

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

of Oakland (04-1026)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79013 C.M.S.

[Council Rpt 10.2CC 1-18-05.pdf,](#)

[79013 CMS.pdf](#)

10.3CC-CC

Subject: Ester S. Concepcion - Dedicated Service

From: Finance and Management Agency

Recommendation: Adopt a Resolution commending Esther S. Concepcion for 34 years of

devoted and dedicated service and congratulating her on her retirement (04-0956)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79014 C.M.S.

[Council Rpt 10.3CC 1-18-05.pdf,](#)

[79014 CMS.pdf](#)

10.4CC-CC

Subject: Ponce G. Flores - Devoted and Dedicated Service

From: Finance and Management Agency

Recommendation: Adopt a Resolution commending Ponce G. Flores for 31 years of devoted

and dedicated service and congratulating him on his retirement (04-0958)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79015 C.M.S.

[Council Rpt 10.4CC 1-18-05.pdf,](#)

[79015 CMS.pdf](#)

10.5CC-CC

Subject: Iona Young - Dedicated Service

From: Finance and Management Agency

Recommendation: Adopt a Resolution commending Iona Young for 10 years of outstanding

dedicated service to the City of Oakland (05-0001)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79016 C.M.S.

[Council Rpt 10.5CC 1-18-05.pdf,](#)

[79016 CMS.pdf](#)

10.6CC-CC

Subject: Michael T. McBride - Dedicated Service

From: Finance and Management Agency

Recommendation: Adopt a Resolution commending Michael T. McBride for 27 years of

outstanding dedicated service to the City of Oakland (05-0002)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79017 C.M.S.

[Council Rpt 10.6CC 1-18-05.pdf,](#)

[79017 CMS.pdf](#)

~~10.7CC~~

~~Subject: Police Services Agency Performance Audit~~

~~From: Finance and Management Agency~~

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

~~professional services contract with Public Financial Management, Inc. to conduct a~~

~~performance audit of the Oakland Police Service Agency overtime and related staffing issues~~

~~for an amount not to exceed \$180,000 (05-0022)~~

[Council Rpt 10.7CC 1-18-05 & Cmte Rpt 10 1-25-05.p....pdf,](#)

[Council Rpt 16 1-18-05 & Cmte Rpt 10 1-25-05.pdf,](#)

[Cmt Rpt Item S-10 1-25-05 & Council Rpt 21 2-01-05....pdf,](#)

[79046 CMS.pdf](#)

S-10.8CC-

CC

Subject: Lion Creek Restoration Project at Coliseum Gardens Park

From: Public Works Agency

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

appropriate funds from Union Pacific Railroad in the amount of \$579,000 and from the

Oakland Army Base in the amount of \$70,000 for the implementation of the Lion Creek

Restoration Project at Coliseum Gardens Park (04-0971)

This Matter was Adopted on the Consent Agenda.
Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79018 C.M.S.

[Cmte Rpt Item 3 1-11-05 & Council Rpt S-10.8CC 1-1....pdf,](#)

[79018 CMS.pdf](#)

S-10.9CC-

CC

Subject: 8th Street Parking Improvements

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the installation of diagonal parking and a

bike lane on 8th Street from Broadway to Jefferson Street by reducing traffic lanes from four

(4) lanes to two (2) lanes for approximately fifteen thousand dollars (\$15,000) (04-1018)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79019 C.M.S.

[Cmte Rpt Item 4 1-11-05 & Council Rpt S-10.9CC 1-1....pdf,](#)

[79019 CMS.pdf](#)

S-10.10CC

-CC

Subject: Establishment of Parking Zones on Designated Streets

From: Public Works Agency

Recommendation: Adopt a Resolution approving the establishment of two-hour parking zones

on both sides of International Boulevard and East 12th Street between 5th Avenue and 10th

Avenue, for an amount not to exceed seventeen hundred dollars (\$1,700) (04-1020)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79020 C.M.S.

[Cmte Rpt Item 5 1-11-05 & Council Rpt S-10.10CC 1-....pdf,](#)

[79020 CMS.pdf](#)

S-10.11CC

-CC

Subject: Installation of Stop Signs Brann Street

From: Public Works Agency

Recommendation: Adopt a Resolution approving installation of stops signs on Brann Street at

Morcom Avenue and on 22nd Avenue at East 32nd Street, for an amount not to exceed eight

hundred fifty dollars (\$850.00) (04-1019)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79021 C.M.S.

[Cmte Rpt Item 6 1-11-05 & Council Rpt S-10.11CC 1-....pdf,](#)

[79021 CMS.pdf](#)

S-10.12CC

-CC

Subject: Citizens Survey - Agreement

From: Office of the City Administrator

Recommendation: Adopt a Resolution authorizing a professional services agreement between

the City of Oakland and Fairbank, Maslin, Maullin, and Associates, a Public Opinion Research

Firm, in an amount not to exceed sixty thousand dollars (\$60,000), to administer a City of

Oakland Citizens Survey for the purposes of gathering statistics on citizen's experiences

(04-0952)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79022 C.M.S.

Contract Number 05-0005

The following individual(s) spoke and indicated a neutral position on this item:

- Sanjiv Handa

[Cmte Rpt 10 12-14-04 & Cmte Rpt 6 1-11-05.pdf](#),

[Cmte Rpt Item 6 1-11-05.pdf](#),

[Council Rpt S-10.12CC 1-18-05.pdf](#),

[79022 CMS.pdf](#)

S-10.13CC

-CC

Subject: Racial Profiling Program

From: Oakland Police Department

Recommendation: Receive a Report from the Oakland Police Department outlining the

Department's Racial Profiling Program and technical guide on promoting cooperative strategies

to reduce racial profiling (04-1021)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

The following individual(s) spoke and indicated a neutral position on this item:

- *Sanjiv Handa*

[Cmte Rpt Item 3 1-11-05 & Council Rpt S-10.13CC 1-....pdf](#)

S-10.14CC

-CC

Subject: Purchase of Urban Search and Rescue Equipment

From: Oakland Fire Department

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

and appropriate a grant from the Federal Emergency Management Agency (FEMA) for the

period of September 1, 2004 to August 31, 2006 in the amount of one million three thousand

thirty five dollars (\$1,003,035) for training, personnel and administrative costs and acquisition,

storage and maintenance of equipment for the Fire Department's Urban Search and Rescue

(USAR) Team; and, waiving formal bidding and authorizing the City Administrator to purchase

USAR Team equipment from the General Service Administration (GSA) without return to

Council (04-0992)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79023 C.M.S.

[Cmte Rpt Item 4 1-11-05 & Council Rpt S-10.14CC 1-....pdf,](#)

[79023 CMS.pdf](#)

S-10.15CC

-CC

Subject: East Bay Task Force - Overtime Reimbursement Costs

From: Oakland Police Department

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

appropriate fifty-eight thousand six hundred sixty-five dollars (\$58,665) from the United States

Department of Justice, Drug Enforcement Administration (DEA), to the Oakland Police

Department for overtime reimbursement costs of four (4) police officers assigned to the East

Bay Task Force for the period October 1, 2004 through September 30, 2005 (04-0998)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79024 C.M.S.

[Cmte Rpt Item 5 1-11-05 & Council Rpt S-10.15CC 1-....pdf](#),

[79024 CMS.pdf](#)

S-10.16CC

-CC

Subject: Oakland Area Violent Drug Task Force

From: Oakland Police Department

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

appropriate one hundred and two thousand six hundred and sixty-three dollars and seventy-five

cents (\$102,663.75) in Federal funds from the United States Department of Justice, Drug

Enforcement Administration (DEA), to the Oakland Police Department, for overtime

reimbursement costs of six (6) police officers and one (1) sergeant assigned to the Oakland

Area Violent Drug Task Force, for the period October 1, 2004 through September 30, 2005

(04-1002)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79025 C.M.S.

[Cmte Rpt Item 6 1-11-05 & Council Rpt S-10.16CC 1-....pdf](#),

Passed The Consent Agenda

A motion was made by Councilmember Reid, seconded by Councilmember

Chang, including all the preceding items marked as having been adopted

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

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

11

(Closed Sess 1-18-05)

The following individual(s) spoke and indicated a neutral position on this item:

- *Sanjiv Handa*

[CLOSED SESSION REPORT OUT FORM 1-18-05.DOC](#)

12

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

Sunshine Ordinance

Agency/Councilmember Brunner made a motion seconded by

Agency/Councilmember Chang confirming that there were no discussions

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

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

Nadel, Reid, Quan, and President of the Council De La Fuente -7, Excused:

Wan -1

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

THEREAFTER:

13

Reconsideration of Ordinances pursuant to Charter Section 216

There was no action necessary for this item.

14. Consideration of items with statutory Public Hearing Requirements:

14.1

Subject: Central City East 5 Year Implementation Plan - Public Hearing

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing and upon conclusion adopt the following pieces

of Legislation:

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

Redevelopment Project (04-0841)

A motion was made by Councilmember Brooks, seconded by

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

the following vote:

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

ORA Resolution Number 2005-0003 C.M.S.

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

opened at 7:15 p.m.

Agency/Councilmember Brooks made a motion, seconded by

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

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

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

Fuente -7, Excused: Wan - 1

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

- *Thomas M. Thurston*

- *Sylvester Grisby, Chairperson*

- *Audrey D. Grisby*

- *Sheryl Walton*

The following individual(s) spoke and indicated a neutral position on this item:

- *Carol Uril*

- *Charles M. Weber*

- *Jerry Grace*

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

[2005-0003 CMS.pdf](#)

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

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

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

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

A motion was made by Councilmember Brooks, seconded by

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

the following vote:

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

ORA Resolution Number 2005-0004 C.M.S.

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

[2005-0004 CMS.pdf](#)

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

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

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

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

A motion was made by Councilmember Brooks, seconded by

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

the following vote:

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

ORA Resolution Number 2005-0005 C.M.S.

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

[2005-0005 CMS.pdf](#)

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

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

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

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

A motion was made by Councilmember Brooks, seconded by

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

the following vote:

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

ORA Resolution Number 2005-0006 C.M.S.

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

[2005-0006 CMS.pdf](#)

ACTION ON NON-CONSENT ITEMS:

15

Subject: Vacancy of District Two City Council Office

From: Councilmember Danny Wan

Recommendation: Adopt a Resolution declaring a vacancy in the District Two City Council

Office as of January 18, 2005 (05-0023)

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 Vacant: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79026 C.M.S.

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

- *John Morton*

- *Judy Belcher*

The following individual(s) spoke and indicated a neutral position on this item:

- *Ralph Kanz*

- *Sanjiv Handa*

- *Chris Kavanagh*

[Council Rpt 15 1-18-05.pdf,](#)

[79026 CMS.pdf](#)

15.1

Subject: Special Election to Fill Vacancy in District Two

From: Councilmember Danny Wan

Recommendation: Adopt a Resolution calling a Special Election to fill the vacancy in the

District 2 City Council Office and directing the City Administrator and City Clerk to prepare

and conduct the Special Election consistent with State and Local Requirements including the

possibility of an all Mail Ballot Election (05-0024)

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 Vacant: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79027 C.M.S.

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

- *Helen Hutchison*

- *Judi Bank*

The following individual(s) spoke and indicated a neutral position on this item:

- *Bonnie McB Hamlin*

- *Dave Kadlecek*

- *Ralph Kans*

- *Andre L. Spearman*

- *Michael-David Sasson*

[Council Rpt 15.1 1-18-05.pdf,](#)

[79027 CMS.pdf](#)

16

Subject: Police Services Agency - Performance Audit

From: Finance and Management Agency

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

professional services contract with Public Financial Management, Inc. to conduct a

performance audit of the Oakland Police Service Agency overtime and related staffing issues

for an amount not to exceed \$180,000 (05-0022)

Withdrawn and Rescheduled to *Finance & Management Committee on

1/25/2005

Agency/Councilmember Reid made a motion seconded by

Agency/Councilmember Brunner to approve an urgency finding to schedule

item 16 to the January 25, 2005 Finance and Management Committee agenda,

pursuant to Section 2.20.080 E(2) regarding Item 16, 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 required to avoid a

substantial adverse impact that would occur if the action were deferred to a

subsequent special or regular meeting

The following individual(s) spoke against this item:

- *Gene Hazzard*

[Council Rpt 10.7CC 1-18-05 & Cmte Rpt 10 1-25-05.p....pdf,](#)

[Council Rpt 16 1-18-05 & Cmte Rpt 10 1-25-05.pdf,](#)

[Cmt Rpt Item S-10 1-25-05 & Council Rpt 21 2-01-05....pdf,](#)

[79046 CMS.pdf](#)

Subject: 1728 San Pablo Avenue - Sale of Real Property

From: Community and Economic Development Agency

Recommendation: Adopt the following pieces of legislation:

1) A Resolution approving the sale of real property located at 1728 San Pablo Avenue for \$1.3

Million to Silver Sound Electronics Inc., for rehabilitation as a retail and office project

(04-0960-1)

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 Vacant: 1 - Councilmember Wan

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Noes: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 5 - President of the Council De La Fuente,

Councilmember Nadel, Councilmember Quan, Councilmember Reid and

Councilmember Chang

Resolution Number 79028 C.M.S.

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

- *Cynthia L. Shartzner*

- *Parvis Poustinchian*

- *Thomas J. Towey*

[Cmte Rpt Item 4 1-11-05 & Council Rpt S-17 1-18-05....pdf,](#)

[79028 CMS.pdf](#)

2) An Agency Resolution authorizing the sale of real property located at 1728 San Pablo

Avenue for \$1.3 Million to Silver Sound Electronics Inc., for rehabilitation as a retail and office

project, and authorizing a disposition and development agreement for the project (04-0960)

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 Abstained: 1 - Councilmember Brooks

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Noes: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 5 - President of the Council De La Fuente,

Councilmember Nadel, Councilmember Quan, Councilmember Reid and

Councilmember Chang

ORA Resolution Number 2005-0007 C.M.S.

[Cmte Rpt Item 4 1-11-05 & Council Rpt S-17 1-18-05....pdf,](#)

[2005-0007 CMS.pdf](#)

S-18

Subject: Central District Redevelopment Project Tax Allocation Bonds

From: Finance and Management Agency

Recommendation: Adopt the following pieces of legislation:

1) Adopt a Resolution of the City Council of the City of Oakland approving issuance by the

Redevelopment Agency of the City of Oakland of not to exceed \$55,000,000 aggregate

principal amount of Redevelopment Agency of the City of Oakland Central District

Redevelopment Project Subordinated Tax Allocation Bonds, Series 2005, the execution of an

interest rate swap, and providing other matters properly relating thereto (04-1000)

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 Vacant: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79029 C.M.S.

[Cmte Rpt Item 5 1-11-05 & Council Rpt S-18 1-18-05....pdf,](#)

[Council Rpt S-18 1-18-05.pdf,](#)

[79029 CMS.pdf,](#)

[2005-0001 JPFA CMS.pdf,](#)

[2005-0008 CMS.pdf](#)

2) Adopt an Agency Resolution authorizing the issuance and prescribing the terms, conditions

and form of not to exceed \$55,000,000 principal amount of the Redevelopment Agency of the

City of Oakland Central District Redevelopment Project Subordinated Tax Allocation Bonds,

Series 2005, approving the form of and authorizing the execution and delivery of a first

amendment to indenture of trust, a first supplemental indenture of trust, a bond purchase

agreement, an interest rate swap and related agreements, an auction agent agreement and

broker-dealer agreements; approving the form of and authorizing the distribution of a

preliminary official statement and authorizing execution and delivery of an official statement;

approving the retention of bond counsel and other agents; authorizing payment of costs of

issuance; and authorizing and approving necessary actions in connection therewith (04-1000-1)

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 Vacant: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

[Cmte Rpt Item 5 1-11-05 & Council Rpt S-18 1-18-05....pdf,](#)

[Council Rpt S-18 1-18-05.pdf,](#)

[79029 CMS.pdf,](#)

[2005-0008 CMS.pdf,](#)

[2005-0001 JPFA CMS.pdf](#)

3) Adopt a Resolution of the Oakland Joint Powers Financing Authority authorizing the

purchase and sale of not to exceed \$55,000,000 principal amount of Redevelopment Agency of

the City of Oakland Central District Redevelopment Project Subordinated Tax Allocation

Bonds, Series 2005, upon certain terms and conditions, approving distribution of official

statement relating thereto, and proving other matters properly relating thereto (04-1000-2)

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 Vacant: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

JPFA Resolution Number 2005-0001 C.M.S.

[Cmte Rpt Item 5 1-11-05 & Council Rpt S-18 1-18-05....pdf,](#)

[Council Rpt S-18 1-18-05.pdf,](#)

[79029 CMS.pdf,](#)

[2005-0001 JPFA CMS.pdf,](#)

[2005-0008 CMS.pdf](#)

S-19

Subject: Thirteen (13) Off-Street Parking Facilities - Management Agreement

From: Public Works Agency

Recommendation: Action on a Report to request authorization to negotiate a contract, starting

with the first-ranked parking management firm for the management of thirteen (13) off-street

parking facilities (04-0950)

A motion was made by Councilmember Quan, seconded by President of the

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

motion carried by the following vote:

Votes:

ORA\Councilmember Excused: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Agency/Councilmember Quan made a motion, seconded by Agency/Council

President De La Fuente to reject staff's recommendations, extend the contract

with Douglass parking to allow the City Administrator to establish a new

process on the awarding of the parking services contract, on Item 19, and upon

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 -7 Vacant District 2

The following individual(s) spoke and indicated a neutral position on this item:

- *Diras K. Abay*

- *Lisa Medina*

- *Michael Jones*

- *Donnell Larkin*

- *Steven Blaine Douglas*

- *Sanjiv Handa*

The following individual(s) spoke against this item:

- Leland Douglas

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

- *Kendra J. Petty*

[Cmt. Rpt Item 6 12-14-04 & Cmte Rpt Item 7 1-11-05....pdf,](#)

[S-19 1-18-05.pdf](#)

S-20

Subject: State of California Emergency Housing and Assistance Program

From: Department of Human Services

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

and appropriate loan funding in an amount up to \$1,000,000 from the State of California

Emergency Housing and Assistance Program (EHAP) for major rehabilitation of the City's

transitional housing facilities (04-0970)

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 Vacant: 1 - Councilmember Wan

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente, Vice

Mayor Brunner, Councilmember Nadel, Councilmember Quan, Councilmember

Brooks, Councilmember Reid and Councilmember Chang

Resolution Number 79030 C.M.S.

Agency/Councilmember Brooks made a motion seconded by

Agency/Councilmember Reid, to approve an urgency finding pursuant to

Section 2.20.080 E(2) regarding Item S-20 that the matter is time sensitive and

that the need to take immediate action is required to avoid a substantial adverse

impact that would occur if the action were deferred to a subsequent special or

regular meeting.

[Cmte Rpt Item 5 1-11-05 & Council Rpt S-20 1-18-05....pdf,](#)

[79030 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 George Hubbard at 10:16

p.m.

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City Clerk and Clerk of the Council