

City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California

94612

Ceda Floyd, City Clerk

Online Meeting Minutes - Final

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>

6:00 PM

Oakland City Hall, 3rd Floor

Tuesday, September 30, 2003

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 6:24 p.m.

1 Pledge of Allegiance

2 Roll Call/ORA & Council

COUNCILMEMBERS: Jane Brunner, Dist. 1; Danny Wan, Dist. 2; Vice Mayor Nancy Nadel, Dist. 3; Jean Quan, Dist. 4; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Henry Chang, At-Large, and President Ignacio De La Fuente, Dist. 5

ORA/Councilmember Present:

Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

3 Open Forum/Citizen Comments
(Time Available: 15 minutes)

The following individuals spoke during Open Forum:

- Mrs. Farve
- Dorothy Coleman
- Thordie Ashley
- Sequonite Buggs
- Leo Handy
- Dwight McElroy
- Lynda Carson
- John Grace
- Al Marshall
- Hector Reyna
- Hugh Bassette
- Sanjiv Handa

4 Modifications to the Consent Calendar, and requests from Councilmember(s) to withdraw an item from the Consent Calendar to schedule for the next succeeding City Council meeting as a "non-consent" item

There were no modifications to the Consent Calendar but public speakers were noted on Items 10.15CC, 10.16CC, 10.17CC, 10.22CC, and 10.28CC.

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

No Action Taken

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

No Action Taken

Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment
Agency/City Council held on September 16, 2003

**A motion was made by Councilmember Reid, seconded by Councilmember
Chang, to *Approve the Minutes. The motion carried by the following vote:**

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
8 - Councilmember Quan, President of the Council De La Fuente,
Councilmember Brooks, Councilmember Reid and Councilmember
Chang

8. Presentation of Ceremonial Matters

8.1

Subject: Bob Pittman
From: Councilmember Wan
Recommendation: Adopt a Resolution designating the median islands located
at First Avenue and Lakeshore the "Pittman Green" in honor of Mr. Pittman's
generous contribution of talent, labor, and money towards the improvement of
the Lake Merritt Neighborhood and the Greater Oakland Community

Attachments: [78065 CMS.pdf](#),
[8.1 9-30-03.pdf](#)

Resolution Number 78065 C.M.S.

**A motion was made by Councilmember Wan, seconded by Councilmember Reid,
that this matter be Adopted. The motion carried by the following vote:**

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
8 - Councilmember Quan, President of the Council De La Fuente,
Councilmember Brooks, Councilmember Reid and Councilmember
Chang

Enactment No: 78065

8.2

Subject: Amit Kothari
From: Vice Mayor Nadel
Recommendation: Adopt a Resolution honoring Amit Kothari for his invaluable
contributions to the citizens of Oakland

Attachments: [78066 CMS.pdf](#),
[8.2 9-30-03.pdf](#)

Resolution Number 78066 C.M.S.

The following individual spoke in favor:

- Nicholas Vigilante

**A motion was made by Vice Mayor Nadel, seconded by Councilmember Brunner,
that this matter be Adopted. The motion carried by the following vote:**

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
8 - Councilmember Quan, President of the Council De La Fuente,
Councilmember Brooks, Councilmember Reid and Councilmember
Chang

Enactment No: 78066

8.3

Subject: United Nations Month
From: Vice Mayor Nadel
Recommendation: Adopt a Resolution declaring October, 2003 United Nations
Month in the City Of Oakland

Attachments: [78067 CMS.pdf](#),
[8.3 9-30-03.pdf](#)

Resolution Number 78067 C.M.S.

**A motion was made by Vice Mayor Nadel, seconded by Councilmember Brunner,
that this matter be Adopted. The motion carried by the following vote:**

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
8 - Councilmember Quan, President of the Council De La Fuente,
Councilmember Brooks, Councilmember Reid and Councilmember
Chang

Enactment No: 78067

9. Council Acknowledgements/Announcements

Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Andrew Vejmola, Gary Doyle, and Mabel Moore.

Agency/Councilmember Nadel took a point of personal privilege and requested that the meeting be adjourned in memory of Yolonda Woodard and Ben Rivera.

Agency/Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Chazarus Charles Hill, Jr.

10. CONSENT CALENDAR (CC) ITEMS:

The following Consent Calendar items are considered to be routine and will be acted upon by one motion of the City Council, unless a member of the public or a Councilmember requests the opportunity to speak on an item noticed.

10.1

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

Attachments: [10.1CC 9-30-03.pdf](#),
[78038 CMS.pdf](#),
[78068 CMS.pdf](#)

Resolution Number 78068 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78038

10.2

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

Attachments: [10.2CC 9-30-03.pdf](#),
[10.2CC.pdf](#),
[78039 CMS.pdf](#),
[78069 CMS.pdf](#),
[78111.pdf](#)

Resolution Number 78069 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78039

10.3

Subject: Edward Hannemann Patricia Restaino-Planning & Oversight Committee
From: Mayor Brown
Recommendation: Adopt a Resolution appointing Edward Hannemann and Patricia Restaino as members of the Children's Fund Planning and Oversight Committee

Attachments: [10.3CC 9-30-03.pdf](#),
[78070 CMS.pdf](#)

Resolution Number 78070 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78070

10.4

Subject: Monica Montenegro, Fhatima Paulino-Planning & Oversight Committee
From: President De La Fuente
Recommendation: Adopt a Resolution appointing Monica Montenegro and reappointing Fhatima Paulino as members of the Children's Fund Planning and Oversight Committee

Attachments: [10.4CC 9-30-03.pdf](#),
[78071 CMS.pdf](#)

Resolution Number 78071 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78071

10.5

Subject: Dr. John Cooke, Maribel Diaz-Planning & Oversight Committee
From: Councilmember Reid
Recommendation: Adopt a Resolution reappointing Dr. John Cooke and Maribel Diaz as members of the Children's Fund Planning and Oversight Committee

Attachments: [10.5CC 9-30-03.pdf](#),
[78072 CMS.pdf](#)

Resolution Number 78072 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78072

10.6

Subject: Marsha Henry, Julia Weisner-Planning & Oversight Committee
From: Councilmember Quan
Recommendation: Adopt a Resolution appointing Marsha Henry and Julia Weisner as members of the Children's Fund Planning and Oversight Committee

Attachments: [10.6CC 9-30-03.pdf](#),
[78073 CMS.pdf](#)

Resolution Number 78073 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78073

10.7

Subject: Jumoke Hinton Hodge-Planning & Oversight Committee
From: Vice Mayor Nadel
Recommendation: Adopt a Resolution appointing Jumoke Hinton Hodge as a member of the Children's Fund Planning and Oversight Committee

Attachments: [10.7CC 9-30-03.pdf](#),
[78074 CMS.pdf](#)

Resolution Number 78074 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78074

10.8

Subject: Marilyn Montenegro-Planning & Oversight Committee
From: Councilmember Wan
Recommendation: Adopt a Resolution appointing Marilyn Montenegro as a member of the Children's Fund Planning and Oversight Committee

Attachments: [10.8CC 9-30-03.pdf](#),
[78075 CMS.pdf](#)

Resolution Number 78075 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78075

10.9

Subject: Jeffrey P. Fearn-Budget Advisory Committee
From: Councilmember Wan
Recommendation: Adopt a Resolution appointing Jeffrey P. Fearn as a member of Budget Advisory Committee

Attachments: [10.9CC 9-30-03.pdf](#),
[78076 CMS.pdf](#)

Resolution Number 78076 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78076

10.10

Subject: Debra Vinson-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 Debra Vinson v. City of Oakland, et al., Alameda County Superior Court Case No. 2001-20978, our file no. 21204, in the amount of \$15,000.00 as a result of a trip and fall on a sidewalk (Public Works Agency) (TITLE CHANGE)

Attachments: [10.10CC 9-30-03.pdf](#),
[10.10CC supplemental.pdf](#),
[78077 CMS.pdf](#)

Resolution Number 78077 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78077

10.11

Subject: Kevin and Regina Green-Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt a Resolution authorizing and directing the City Attorney to compromise and settle the claims of Kevin and Regina Green, in the amount of \$22,800.00, as a result of property damage sustained due to a sewer flood caused by a clogged City sewer main (Public Works Agency)

Attachments: [10.11CC 9-30-03.pdf](#),
[78078 CMS.pdf](#)

Resolution Number 78078 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78078

10.12

Subject: George Gundry-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 George Gundry, in the amount of eight thousand seven hundred forty-six dollars and eighty-seven cents (\$8,746.87), as a result of property damage sustained due to a sewer flood caused by a broken City sewer main (Public Works Agency)

Attachments: [10.12CC 9-30-03.pdf](#),
[78079 CMS.pdf](#)

Resolution Number 78079 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78079

10.13

Subject: Janae Carter-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 Janae Carter v. City of Oakland, et al., Alameda County Superior Court Case No. 2002-072353, our file no. 22812, in the amount of \$30,000.00 as a result of a trip and fall on uneven pavement (Public Works Agency)(TITLE CHANGE)

Attachments: [10.13CC 9-30-03.pdf](#),
[10.13CC Supplemental.pdf](#),
[78080 CMS.pdf](#)

Resolution Number 78080 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78080

10.14

Subject: Oregon Mutual Insurance Company-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 Oregon Mutual Insurance Company vs. City of Oakland, et al., Superior Court, County of Alameda, Case No. 2002-072752 in the amount of \$25,000.00 as a result of a sewer backup at 6148 Hillmont Avenue (Public Works Agency)(TITLE CHANGE)

Attachments: [10.14CC 9-30-03.pdf](#),
[10.14CC Supplemental.pdf](#),
[78081 CMS.pdf](#)

Resolution Number 78081 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78081

10.15

Subject: Sewer Service Charge Increase
From: Public Works Agency
Recommendation: Approve Final Passage (Second Reading) of an Ordinance amending Chapter 13 of the Oakland Municipal Code (Section 13.04.020) increasing the sewer service charge and providing for annual increases of eleven percent through January 1, 2009 and increases based on the Consumer Price Index thereafter
Attachments: [10.15CC 9-30-03.pdf](#),
[12540 CMS.pdf](#)
Ordinance Number 12540 C.M.S.

The following individual spoke against:
- John Grace

The following individual spoke and did not indicate a position:
- Sanjiv Handa

This Matter was Approved for Final Passage on the Consent Agenda.
Enactment No: 12540

10.16

Subject: Establishing Prohibitions on False Endorsements in Campaign Literature
From: Public Ethics Commission
Recommendation: Approve Final Passage (Second Reading) of an Ordinance establishing prohibitions on false endorsements in campaign literature
Attachments: [10.16CC 9-30-03.pdf](#),
[12536 CMS.pdf](#)
Ordinance Number 12536 C.M.S.
The following individual spoke and did not indicate a position:
- Sanjiv Handa
This Matter was Approved for Final Passage on the Consent Agenda.
Enactment No: 12536

10.17

Subject: Valentine Corporation - Bridge Earthquake Retrofit Project
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing award of a contract to Valentine Corporation for the Earthquake Retrofit of Broadway-Patten, Hegenberger, and Hamilton bridges (Project Number H24010) in the amount of one million eight hundred eighty-three thousand three hundred sixty-nine dollars (\$1,883,369) and appropriating \$420,898 in Federal Highway Funds (PURSUANT TO SECTION 902-E OF THE CITY CHARTER, THIS ITEM REQUIRES A 2/3 VOTE) (TITLE CHANGE)
Attachments: [10.17CC 9-30-03.pdf](#),
[10.17CC Supplemental.pdf](#),
[78082 CMS.pdf](#)
Resolution Number 78082 C.M.S.
Contract 03-1621
The following individual spoke and did not indicate a position:
- Sanjiv Handa
This Matter was Adopted on the Consent Agenda.
Enactment No: 78082

10.18

Subject: Residential Parking on Richmond Boulevard
From: Public Works Agency
Recommendation: Adopt a Resolution approving implementation of Residential Permit Parking on Richmond Boulevard Between West Macarthur Boulevard and Frisbie Street
Attachments: [10.18CC 9-30-03.pdf](#),
[78083 CMS.pdf](#)
Resolution Number 78083 C.M.S.
This Matter was Adopted on the Consent Agenda.
Enactment No: 78083

10.19

Subject: Andes Construction Inc. - Rehabilitation of Sanitary Sewers
From: Public Works Agency
Subject: Adopt a Resolution authorizing award of a contract to Andes Construction Inc. for the rehabilitation of sanitary sewers at various locations-Oak Street, Locarno Path, the easement between Acacia Avenue and Margarido Drive, Poplar Street, Florida Street, along the path between Longridge and Sunnyhills roads, and the Easement between Manzanita Drive and Skyline Boulevard (Project No. C171110) for the amount of One Hundred Seventy Five Thousand Seventy Three Dollars (\$175,073) (PURSUANT TO SECTION 902-E OF THE CITY CHARTER, THIS ITEM REQUIRES A 2/3 VOTE)

Attachments: [10-19CC 9-30-03.pdf](#),
[10.19CC Supplemental.pdf](#),
[78084 CMS.pdf](#)

Resolution Number 78084 C.M.S.

Contract Number 03-1622

This Matter was Adopted on the Consent Agenda.

Enactment No: 78084

10.20

Subject: Union Point Park Project
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing the City Manager to amend a professional services contract with the Spanish Speaking Unity Council to add design work for the Union Point Park Project for a total contract amount not-to-exceed one hundred forty-nine thousand nine hundred twenty dollars (\$149,920)

Attachments: [10.20CC 9-30-03.pdf](#),
[10.20CC Supplemental.pdf](#),
[78085 CMS.pdf](#)

Resolution Number 78085 C.M.S.

Contract Number 03-1623

This Matter was Adopted on the Consent Agenda.

Enactment No: 78085

10.21

Subject: Peralta Hacienda Historical Park Improvement Project
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing the City Manager to amend the existing contract with PGA Design, Inc. for additional design and engineering services for the Peralta Hacienda Historical Park Improvement project to increase the contract to an amount not-to-exceed four hundred thousand (\$400,000)

Attachments: [10.21CC 9-30-03.pdf](#),
[10.21CC Supplemental.pdf](#),
[78086 CMS.pdf](#)

Resolution Number 78086 C.M.S.

Contract Number 03-1624

This Matter was Adopted on the Consent Agenda.

Enactment No: 78086

10.22

Subject: Business Tax Incentive Program
From: Finance & Management Agency
Recommendations: Approve the Final Passage (Second Reading) of an Ordinance amending Section 5.04.151 of the Oakland Municipal Code to provide that all businesses regardless of location are eligible to participate in the Tax Abatement Program, to codify the definition of the benchmark year for both new and existing businesses, to require the completion of an application for any business that wants to enroll in the program, and to codify the sunset date for enrollment in the Program

Attachments: [10.11CC.pdf](#),
[10.22CC 9-30-03.pdf](#),
[10.22CC Supplemental.pdf](#),
[12541.pdf](#)

The following individual spoke and did not indicate a position:

- Sanjiv Handa

This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on October 21, 2003 on the Consent Agenda.

Enactment No: 12541

10.23

Subject: City Auditor's Quarterly Report

From: Office of the City Auditor

Recommendation: Receive the City Auditor's Quarterly Informational Report on the status of recommendations for the quarter ended March 31, 2003

Attachments: [10.23CC 9-30-03.pdf](#),
[10.23CC Supplemental.pdf](#)

This Matter was *Received and Filed on the Consent Agenda.

10.24

Subject: Annual Report For Fiscal Year 2002-2003

From: Office of the City Attorney

Recommendations: Receive the City Attorney's Annual Informational Report for Fiscal Year 2002-2003

Attachments: [10.24CC 9-30-03.pdf](#),
[10.24CC Supplemental.pdf](#)

This Matter was *Received and Filed on the Consent Agenda.

10.25

Subject: Oakland Workforce Investment Board

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution authorizing the City Manager to apply for, appropriate, and accept a grant from the U.S. Department of Labor for up to \$3,500,000 on behalf of the Oakland Workforce Investment Board to fund a three-year program to serve youth offenders, foster care youth, and disabled youth

Attachments: [10.25CC 9-30-03.pdf](#),
[10.25CC Supplemental.pdf](#),
[78087 CMS.pdf](#)

Resolution Number 78087 C.M.S.

Contract Number 03-1625

This Matter was Adopted on the Consent Agenda.

Enactment No: 78087

10.26

Subject: Workforce Investment Boards's Business Services Plan

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution appropriating revenues generated through the implementation of the Oakland Workforce Investment Board's Business Services Plan to business services activities

Attachments: [10.26CC 9-30-03.pdf](#),
[10.26CC Supplemental.pdf](#),
[78088 CMS.pdf](#)

Resolution Number 78088 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 78088

10.27

Subject: Development of Infiniti Automobile Dealership

From: Community and Economic Development Agency

Recommendation: Adopt the following legislation:

(1) Agency Resolution adopting a Mitigated Negative Declaration and authorizing the sale of approximately 4.35 acres of real property located on Oakport Street near Hassler Way for \$3,318,047 to, and authorizing the negotiation and execution of, a Disposition and Development Agreement with Hendrick Automotive Group for the development of an Infiniti automobile dealership; and

Attachments: [10.27-1CC Supplemental.pdf](#),
[10.27CC 9-30-03.pdf](#),
[2003-70 CMS.pdf](#)

Agency Resolution Number 2003-70 C.M.S.

This Matter was Adopted on the Consent Agenda.

Enactment No: 2003-70

(2) Adopt an Ordinance authorizing sale of .93 acres of City land near Oakport Street and Hassler Way to the Redevelopment Agency for \$40,593, for sale to Hendrick Automotive Group for development of an Infiniti dealership

Attachments:

[10.12CC.pdf](#)

[10.27-1CC 9-30-03.pdf](#)

[10.27-2CC Supplemental.pdf](#)

[12542.pdf](#)

This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on October 21, 2003 on the Consent Agenda.

Enactment No: 12542

10.28

Subject: Forest City Residential West, Inc.

From: Community and Economic Development Agency

Recommendation: Adopt an Agency Resolution authorizing the Agency Administrator to negotiate and execute a second amendment to the Exclusive Negotiating Agreement between the Redevelopment Agency and Forest City Residential West, Inc. regarding development of the Uptown Project in downtown Oakland extending the Exclusive Negotiating Agreement for an additional term of one-hundred and eighty (180) days

Attachments:

[10.28CC 9-30-03.pdf](#)

[10.28CC Supplemental.pdf](#)

[2003-71 CMS.pdf](#)

Agency Resolution Number 2003-71 C.M.S.

Contract Number 03-020

The following individual spoke and did not indicate a position:

- Sanjiv Handa

This Matter was Adopted on the Consent Agenda.

Enactment No: 2003-71

10.29

Subject: Senior Companion Program Grant

From: Department of Human Services

Recommendation: Adopt a Resolution authorizing the City Manager to accept and appropriate grant funds from the City of Berkeley in the amount of fifteen thousand dollars (\$15,000) and the Alameda County Area Agency on Aging in the amount of thirty-one thousand, four hundred seventy-six dollars (\$31,476) for the Senior Companion Program for the Fiscal Year 2003-2004

Attachments:

[10.29CC 9-30-03.pdf](#)

[10.29CC Supplemental.pdf](#)

[78089 CMS.pdf](#)

Resolution Number 78089 C.M.S.

Contract 03-1626

This Matter was Adopted on the Consent Agenda.

Enactment No: 78089

10.30

Subject: California Library, Library Services, and Technology Act Grants

From: Oakland Public Library

Recommendation: Adopt the following Resolutions regarding California State Library, Library Services and Technology Act (LSTA) grants:

Attachments:

[10.30CC 9-30-03.pdf](#)

This Matter was Adopted on the Consent Agenda.

(1) A Resolution authorizing the City Manager, on behalf of the City of Oakland, to accept and appropriate a grant in the amount of \$51,150 from the California State Library, Library Services, and Technology Act for Fiscal Year 2003-2004, for the Computer Literacy for Asian Elderly and New Americans Project

Attachments:

[10.30-1CC Supplemental.pdf](#)

[78090 CMS.pdf](#)

Resolution Number 78090 C.M.S.

Contract Number 03-1627

This Matter was Adopted on the Consent Agenda.

Enactment No: 78090

(2) A Resolution authorizing the City Manager, on behalf of the City of Oakland, to accept and appropriate a grant in the amount of \$3,558 from the California State Library, Library Services, and Technology Act (LSTA), Speaking of Reading Program for Fiscal Year 2003-2004

Attachments: [10.30-2CC Supplemental.pdf](#),
[78091 CMS.pdf](#)

Resolution Number 78091 C.M.S.

Contract Number 03-1628

This Matter was Adopted on the Consent Agenda.

Enactment No: 78091

(3) A Resolution authorizing the City Manager, on behalf of the City of Oakland, to accept and appropriate a grant in the amount of \$33,285 from the California State Library, Library Services, and Technology Act, Public Library Services for People with Disabilities Program for Fiscal Year 2003-2004

Attachments: [10.30-3CC Supplemental.pdf](#),
[78092 CMS.pdf](#)

Resolution Number 78092 C.M.S.

Contract Number 03-1629

This Matter was Adopted on the Consent Agenda.

Enactment No: 78092

(4) A Resolution authorizing the City Manager, on behalf of the City of Oakland, to accept and appropriate a grant in the amount of \$27,375 from the California State Library, Library Services, and Technology Act, Public Library Staff Education Program for Fiscal Year 2003-2004

Attachments: [10.30-4CC Supplemental.pdf](#),
[78093 CMS.pdf](#)

Resolution Number 78093 C.M.S.

Contract Number 03-1630

This Matter was Adopted on the Consent Agenda.

Enactment No: 78093

(5) A Resolution authorizing the City Manager, on behalf of the City of Oakland, to apply for, accept and appropriate a grant in the amount of \$25,000 from the California State Library, Library Services, and Technology Act (LSTA), A Quicker, Safer Trip to the Library Program for Fiscal Year 2003-2004

Attachments: [10.30-5CC Supplemental.pdf](#),
[78094 CMS.pdf](#)

Resolution Number 78094 C.M.S.

Contract Number 03-1631

This Matter was Adopted on the Consent Agenda.

Enactment No: 78094

Subject: Playground Equipment - Head Start Centers

From: Department of Human Services

Recommendation: Adopt a Resolution authorizing and directing the City Manager to execute a purchase order to purchase playground equipment for two Head Start Centers from Ross Recreation Equipment in the estimated amount of \$78,587

Attachments: [10.31CC 9-30-03.pdf](#),
[10.31CC Supplemental.pdf](#),
[78095 CMS.pdf](#)

Resolution Number 78095 C.M.S.

Contract Number 03-1632

This Matter was Adopted on the Consent Agenda.

Enactment No: 78095

10.32

Subject: Brooklyn Basin and 66th Avenue Projects
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing the application, acceptance and appropriation of funds from the California Department of Parks and Recreation Habitat Conservation competitive grant program, for the following projects: Brooklyn Basin, in the amount of two hundred thirty-two thousand dollars (\$232,000); and 66th Avenue Gateway, in the amount of two-hundred fifty-thousand dollars (\$250,000)

Attachments: [10.32CC 9-30-03.pdf](#),
[10.32CC Supplemental.pdf](#),
[78096 CMS.pdf](#)

Resolution Number 78096 C.M.S.

Contract Number 03-1633

This Matter was Adopted on the Consent Agenda.

Enactment No: 78096

10.33

Subject: Project Funding for Cryer Site, Derby and Street Park
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing the application, acceptance and appropriation of funds from the California Department of Parks and Recreation "Recreational Trails" competitive grant program, for the following projects: the Cryer Site, in the amount of one hundred thirty-two thousand dollars (\$132,000); and Derby Street Park, in the amount of four hundred thousand dollars (\$400,000)

Attachments: [10.33CC 9-30-03.pdf](#),
[10.33CC Supplemental.pdf](#),
[78097 CMS.pdf](#)

Resolution Number 78097 C.M.S.

Contract Number 03-1634

This Matter was Adopted on the Consent Agenda.

Enactment No: 78097

10.34

Subject: Oakland-Alameda County Coliseum Security
From: Oakland Police Department
Recommendation: Approve the Final Passage (Second Reading) of an Ordinance amending Oakland Municipal Code Chapter 8.44, "Security for events at the Oakland-Alameda County Coliseum Complex, Section 8.44.040, "Activities Prohibited within The Oakland-Alameda County Coliseum Complex Parking Facility" and Section 8.44.050, "Penalties" and amending Chapter 1.28, "General Penalty," Section 1.28.020, "Violations as Infraction," Subsection A.1.E.

Attachments: [10.34CC 9-30-03.pdf](#),
[10.34CC Supplemental.pdf](#),
[12543.pdf](#)

This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on October 21, 2003 on the Consent Agenda.

Enactment No: 12543

10.35

Subject: Truancy Reduction and Intervention Program
From: Oakland Police Department
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to enter into a Memorandum of Understanding (MOU) with the Oakland Unified School District (OUSD) and accept and appropriate grant funds in the amount of fifty thousand dollars (\$50,000) from OUSD for appropriation to the Police Department to support Fremont High School in the implementation and enforcement of a Truancy Reduction and Intervention Program (TRIP)

Attachments: [10.35CC 9-30-03.pdf](#),
[10.35CC Supplemental.pdf](#),
[78098 CMS.pdf](#)

Resolution Number 78098 C.M.S.

Contract Number 03-1635

This Matter was Adopted on the Consent Agenda.

Enactment No: 78098

10.36

Subject: Boykin Consulting Services
From: Oakland Fire Department
Recommendation: Adopt a Resolution authorizing the City Manager to enter into a Professional Services Agreement with Boykin Consulting Services for conducting hazardous materials inspections in an amount not to exceed seventy thousand dollars (\$70,000) for a 12 month term upon approval by City Council (PURSUANT TO SECTION 902-E OF THE CITY CHARTER, THIS ITEM REQUIRES A 2/3 VOTE)

Attachments: [10.36CC 9-30-03.pdf](#),
[10.36CC Supplemental.pdf](#),
[78099 CMS.pdf](#)

Resolution Number 78099 C.M.S.

Contract Number 03-1636

This Matter was Adopted on the Consent Agenda.

Enactment No: 78099

10.37

Subject: Alameda County Oil Spill Contingency Plan
From: Oakland Fire Department
Recommendation: Adopt a Resolution authorizing the City Manager, or her designee, to apply for, accept and appropriate grant PO275028 in the amount of twenty five thousand dollars (\$25,000.00), from the California Department of Fish and Game to reimburse the City's costs and costs of participating agencies to update and revise the Alameda County Oil Spill Contingency Plan

Attachments: [10.37CC 9-30-03.pdf](#),
[10.37CC Supplemental.pdf](#),
[78100 CMS.pdf](#)

Resolution Number 78100 C.M.S.

Contract Number 03-1637

This Matter was Adopted on the Consent Agenda.

Enactment No: 78100

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:

ORAI Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
8 - Councilmember Quan, President of the Council De La Fuente,
Councilmember Brooks, Councilmember Reid and Councilmember Chang

11 An oral report from the Agency Counsel / City Attorney of final decisions made during Closed Session

The following individual spoke and did not indicate a position:
- Sanjiv Handa

There was a final decision made on one item of pending litigation on the Closed Session agenda.

Item 2d Thurston vs. City of Oakland: Motion made by Councilmember Brooks and seconded by Councilmember Reid to authorize settlement in the amount of \$15,000.00. In this case, plaintiff claimed that the police used excessive force against him in attempting to clear a restaurant parking lot after they ordered a group of citizens to disburse because they believed they were involved in sideshow activity. The plaintiff was arrested and spent five hours in City jail. Motion made by Councilmember Brooks, seconded by Councilmember Reid, 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

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

Agency/Councilmember Reid 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, Wan and President of the Council De La Fuente -8

No Action Taken

Consideration of Items with Statutory Public Hearing Requirements:

13.1

Subject: Planning Commission Appeal-4690 Tompkins-Public Hearing
From: Community and Economic Development Agency
Recommendation: Conduct a Public Hearing and upon conclusion adopt a Resolution denying the appeal and sustaining the decision of the City Planning Commission in approving the application for a major Conditional Use Permit to convert an existing rest home facility into a twenty-seven unit residential project located at 4690 Tompkins Avenue, Oakland

Attachments: [13.1 9-30-03.pdf](#),
[Item 14.2 11-18-03.pdf](#)

Upon the reading of Item 13.1 by the City Clerk, the Public Hearing was opened at 7:15 p.m.

The following individual spoke in favor:

- Walter Loo

Agency/Councilmember Quan made a motion, seconded by Agency/Councilmember Nadel, to continue this item until the November 18, 2003, City Council meeting, 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
Continued to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council

ACTION ON NON-CONSENT ITEMS:

14

Subject: Ratification of Action by City Manager
From: Office of the City Clerk
Recommendation: Adopt a Resolution ratifying action taken by the City Manager during the Oakland City Council 2003 Annual Recess in conformance with Resolution No. 77709 C.M.S., dated March 25, 2003

Attachments: [14 9-30-03.pdf](#),
[78101 CMS.pdf](#)

Resolution Number 78101 C.M.S.

The following individual spoke and did not indicate a position:

- Sanjiv Handa

A motion was made by Councilmember Wan, seconded by Councilmember Chang, that this matter be Adopted. The motion carried by the following vote:

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
8 - Councilmember Quan, President of the Council De La Fuente,
Councilmember Brooks, Councilmember Reid and Councilmember Chang

Enactment No: 78101

14.1

Subject: Oracle Corporation Agreement-Impartial Financial Analysis
From: Office of the City Auditor
Recommendation: Accept an Informational Report regarding Resolution Number 78018 C.M.S. authorizing the City Manager to negotiate and execute a 5-year Licensing and Support Agreement with Oracle Corporation for the City's Human Resources, Payroll and Financial applications software for an amount not-to-exceed four million, one hundred thirty-two thousand, one hundred twenty-four dollars (\$4,132,124.00) as approved by the City Manager during the City Council 2003 Annual Recess

Attachments: [14.1 9-30-03.pdf](#)

The following individual spoke and did not indicate a position:

- Sanjiv Handa

A motion was made by Councilmember Wan, seconded by Councilmember Chang, that this matter be *Received and Filed. The motion carried by the following vote:

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
8 - Councilmember Quan, President of the Council De La Fuente,
Councilmember Brooks, Councilmember Reid and Councilmember
Chang

Subject: Measure X - Strong Mayor Initiative
From: Measure X Limited Charter Review Committee
Recommendation: Approve Recommendations from the Measure X Limited
Charter Review Committee Related to the Mayor-Council form of government
regarding: (A) Balance of Power among Branches of Government, (B) the
Elected City Attorney, (C) Setting Pay for Elected Officials, (D) Term Limits for
Elected Officials, (E) Mayor's Attendance at Council Meetings, (F) Number of
Councilmembers and At-Large Representatives, (G) City Council Structure and
Procedures; and (H) Role of City Manager

Attachments: [15 9-30-03.pdf](#),
[Final Charter Report v6.pdf](#)

The following individuals spoke and did not indicate a position:

- Sanjiv Handa
- Judi Banks
- Carol Isen
- Gene Hazzard

**A motion was made by Councilmember Quan, seconded by Vice Mayor Nadel,
that this matter be Approved. The motion carried by the following vote:**

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
8 - Councilmember Quan, President of the Council De La Fuente,
Councilmember Brooks, Councilmember Reid and Councilmember
Chang

Subject: Safety Element of the General Plan
From: Community and Economic Development Agency
Recommendation: Receive an Informational Report regarding the update to the
Safety Element of the City of Oakland's General Plan

Attachments: [14.2.pdf](#),
[16 9-30-03.pdf](#),
[19.pdf](#)

The following individual spoke and did not indicate a position:

- Mattie Floyd

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember
Wan, to accept the report.

Agency/Councilmember Reid withdrew his motion.

Agency/Councilmember Brooks made a motion, seconded by Vice Mayor Nadel, to
continue the report regarding this item until the October 21, 2003 City Council meeting,
and directed staff to provide a Supplemental Report with information regarding the
concerns with the concentration of poverty issue, and hearing no objections, the motion
passed by Ayes: Agency/Councilmember: Brooks, Brunner, Change, Nadel, Reid,
Quan, Wan and President of the Council De La Fuente -8

**A motion was made by Councilmember Brooks, seconded by Vice Mayor Nadel,
that this matter be Continued to the Concurrent Meeting of the Oakland
Redevelopment Agency / City Council, due back on October 21, 2003. The
motion carried by the following vote:**

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
8 - Councilmember Quan, President of the Council De La Fuente,
Councilmember Brooks, Councilmember Reid and Councilmember
Chang

Subject: Just Cause for Eviction Ordinance (Measure EE)
From: Community and Economic Development Agency
Recommendation: Approve Final Passage (Second Reading) of an Ordinance
codifying Measure EE, the Just Cause for Eviction Ordinance, adopted by the
Electorate at the Municipal Election on November 5, 2002

Attachments: [12537 CMS.pdf](#),
[17 9-30-03.pdf](#)

The speakers for Items 17, 18, and 19 were taken together.

The following speakers spoke in favor:

- Pedram Karbassi
- Jason Crapo
- Florence Milton
- Joseph Milton
- James Ensley
- Anne Bruff
- Selwyn Whiteyed
- D'Anna Slobocnink

The following individuals spoke against:

- Adam Gold
- Marta Guzman
- Ladd Baldwin
- Joyce Cutler
- Mahader Tesfai
- James Vann

The following individuals spoke and did not indicate a position:

- Steve Edrington
- Janet Arnold
- Sean McVey
- Ed Severinghaus
- Astrid Lacitis
- Wayne Rowland
- Crystal Weston
- Susan Schach
- Eddie Ytuarte
- Sanjiv Handa

A motion was made by Councilmember Reid, seconded by Councilmember Chang, that this matter be Approved for Final Passage. The motion carried by the following vote:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

Enactment No: 12537

Subject: Residential Rent Arbitration Program and Evictions
From: Community and Economic Development Agency
Recommendation: Approve Final Passage (Second Reading) an Ordinance amending Chapter 8.22 of the Oakland Municipal Code, Residential Rent Arbitration Program and Evictions, to amend provisions concerning increasing rents after certain terminations of tenancies, to remove the Rent Program Service Fee for insertion in a different part of the Municipal Code, to modify controls on rents following terminations of tenancies and to exempt owner-occupied properties with a maximum of three units

Attachments: [12538 CMS.pdf](#)
[Item 18 9-30-03.pdf](#)

Ordinance Number 12538 C.M.S.

Agency/Councilmember Wan made a motion, seconded by Agency/Councilmember Chang to approve the final passage of the ordinance on Item 18, and upon the call of the roll the motion passed with the following Ayes: Agency/Councilmember: Brooks, Chang, Reid, Wan and President of the Council De La Fuente -5; Noes: Brunner, Nadel and Quan.

Agency/Councilmember Quan made a substitute motion, seconded by Agency/Councilmember Vice Mayor Nadel, to amend the ordinance to grandfather in the people currently residing in the 2 and 3 unit properties covered by rent control, and upon the call of the roll the motion failed due to lack of Ayes: Agency/Councilmember: Brunner, Nadel, Quan -3; Brooks, Chang, Reid, Wan and President of the Council De La Fuente -5

MAIN MOTION PASSED DUE TO FAILURE OF THE SUBSTITUTE MOTION

A motion was made by Councilmember Wan, seconded by Councilmember Chang, that this matter be Approved for Final Passage. The motion carried by the following vote:

ORA\Councilmember Nos:

3 - Councilmember Brunner, Vice Mayor Nadel and Councilmember Quan

ORA\Councilmember Ayes:

5 - Councilmember Wan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

Enactment No: 12538

Subject: Just Cause for Eviction Ordinance

From: Community and Economic Development Agency

Recommendation: Approve Final Passage (Second Reading) of an Ordinance adopting requirements pursuant to the Ellis Act (California Government Code Sections 7060, et seq) and the Just Cause for Eviction Ordinance for landlords desiring to evict tenants in order to withdraw residential rental units from the market

Attachments: [12539 CMS.pdf](#),
[19 9-30-03.pdf](#)

Ordinance Number 12539 C.M.S.

A motion was made by Councilmember Reid, seconded by Councilmember Chang, that this matter be Approved for Final Passage. The motion carried by the following vote:

ORA\Councilmember Ayes:

8 - Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

Enactment No: 12539

Subject: Hillery Bolt Trippe and Jean Rubsamen - Housing,

Residential Rent and Relocation Board

From: Office of the Mayor

Recommendation: Adopt a Resolution appointing Hillery Bolt Trippe and Jean Rubsamen as members of the Housing, Residential Rent, and Relocation Board

Attachments: [20 9-30-03.pdf](#)

The following individual spoke against this item:

- James Vahn

The following individual spoke and did not indicate a position:

- Susan Schach

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Chang, to adopt the resolution on Item 20, and upon the call of the roll the motion failed due to lack of Ayes: Agency/Councilmember: Chang, Reid, Quan, Wan and President of the Council De La Fuente -4; Noes: Brunner -1' Abstain: Brooks, Nadel, and Quan -3 Agency/Councilmember Brunner requested that the Rules and Legislation Committee consider a process to forward Boards and Commissions nominations to the respective Council Committee prior to consideration by the full Council.

A motion was made by Councilmember Reid, seconded by Councilmember Chang, that this matter be Adopted. The motion failed by the following vote:

ORA\Councilmember Abstained:

3 - Vice Mayor Nadel, Councilmember Quan and Councilmember Brooks

ORA\Councilmember Nos:

Councilmember Brunner
1 -

ORA\Councilmember Ayes:

4 - Councilmember Wan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang

Subject: CDBG District Boundaries Adjustments

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution to amend Resolution No. 76276 C.M.S.

to extend the term of elected Community Development District Board and Citizens Advisory Committee members to two-years; and to realign Community Development District boundaries based upon the new low and moderate income block group determinations from the 2000 Census data and the redistricting of City Council District boundaries

-

Attachments:

[21 9-30-03.pdf](#),

[78102 CMS.pdf](#)

Resolution Number 78102 C.M.S.

A motion was made by Councilmember Wan, seconded by Councilmember Quan, that this matter be Adopted. The motion was to adopt Staff Recommendation Alternative B. The motion carried by the following vote:

ORA\Councilmember Nos:

Councilmember Brooks and Councilmember Reid
2 -

ORA\Councilmember Ayes:

6 - Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel, Councilmember Quan, President of the Council De La Fuente and Councilmember Chang

Enactment No: 78102

Subject: Salary Ordinance Amendment

From: Finance and Management Agency

Recommendation: Approve Introduction (First Reading) of an Ordinance amending the salary schedule of Ordinance No. 12298 C.M.S. (The Salary Ordinance) to add the classifications of Animal Care Attendant, PT, Animal Care Attendant, PPT, Animal Care Attendant, Assistant Budget Analyst, Curator of Special Projects, Curator of Special Projects, PPT, Financial Analyst, PPT, Marine and Aquatics Supervisor and Sports Official, PT, and to amend the classifications of Assistant to the City Auditor, Complaint Investigator II, Jailer III, Legal Secretary II, Legal Secretary, Supervising, Payroll Control Specialist, Program and Performance Auditor, Senior Aide, PT and Special Needs Coordinator

Attachments: [10.20CC 11-4-03.pdf](#),
[18.pdf](#),
[22 9-30-03.pdf](#)

The following individual spoke and did not indicate a position:

- Sanjiv Handa

A motion was made that this matter be Continued to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on October 21, 2003. As the Introduction (First Reading) of this ordinance. The motion carried by the following vote:

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
8 - Councilmember Quan, President of the Council De La Fuente,
Councilmember Brooks, Councilmember Reid and Councilmember
Chang

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember
Change to extend the meeting time, 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

Subject: Robert C. Bobb-Settlement and Employment Agreement
From: Office of the City Attorney
Recommendation: Adopt a Resolution authorizing the City to enter into
Settlement and Employment Agreements with Robert Bobb ("Bobb"), former
City Manager, pursuant to which Bobb will release claims he may have against
the City and provide transition assistance and services to facilitate a smooth,
effective continuation of City services for a total amount not to exceed two
hundred seventy five thousand dollars (\$275,000)

Attachments: [23 9-30-03.pdf](#)

Resolution Number 78103 C.M.S.
Contract 03-1638

The following individual spoke in favor:

- Walter Thomas

The following individual spoke and did not indicate a position:

- Sanjiv Handa

**A motion was made by Councilmember Brunner, seconded by Councilmember
Reid, that this matter be Adopted. The motion carried by the following vote:**

ORA\Councilmember Nos: Councilmember Brooks
1 -

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
7 - Councilmember Quan, President of the Council De La Fuente,
Councilmember Reid and Councilmember Chang

Enactment No: 78103

Subject: Prevailing Wage Law-SCR 49
From: Councilmember Brunner
Recommendation: Adopt a Resolution endorsing the California State
Legislature's Conclusion (Senate Concurrent Resolution No. 49) that the
Prevailing Wage Law addresses statewide concerns

Attachments: [24 9-30-03.pdf](#),
[78104 CMS.pdf](#)

Resolution Number 78104 C.M.S.

The following individual spoke and did not indicate a position:

- Barry Lubovski

**A motion was made by Councilmember Brunner, seconded by Councilmember
Reid, that this matter be Adopted. The motion carried by the following vote:**

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
8 - Councilmember Quan, President of the Council De La Fuente,
Councilmember Brooks, Councilmember Reid and Councilmember
Chang

25

Subject: Clear Channel Billboard Relocation Agreement
From: Community and Economic Development Agency
Recommendation: Adopt a Resolution authorizing the City Manager to enter into a Billboard Relocation Agreement with Clear Channel Outdoor Inc. to waive its rights to compensation, including all real property and personal property interests for twelve billboards located at 2024, 2564, and 6518 San Pablo Ave. (total of seven billboards), 6115 and 7326 International Blvd., 743 High Street, 2715 Foothill Blvd., and 1028 98th Ave. in exchange for the reconstruction of an existing billboard at 743 High Street, a new billboard at 3425 Ettie Street, and the commitment of Clear Channel Outdoor, Inc. to retain its office and operational facilities in the City of Oakland for a minimum period of ten years

Attachments: [16.pdf](#),
[25 9-30-03.pdf](#)

Withdrawn and Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council

26

Subject: Endymion Systems, Inc.
From: Finance and Management Agency
Recommendation: Adopt a Resolution authorizing the City Manager to negotiate and execute a professional services contract with Endymion Systems, Inc., for a telecommunications inventory in an amount not-to-exceed eighty one thousand dollars (\$81,000)

Attachments: [17.pdf](#),
[26 9-30-03.pdf](#),
[26 Supplemental.pdf](#)

Withdrawn and Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council

27

Subject: Golden State Warriors-Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt a Resolution approving the execution and delivery of a Settlement Agreement with the Golden State Warriors and related Amendment No. 2 to the License Agreement between the Oakland Alameda County Coliseum Authority, Oakland Alameda County Coliseum, Inc., and the Golden State Warriors

Attachments: [27 9-30-03.pdf](#),
[27 Supplemental.pdf](#),
[78108.pdf](#)

The following individual spoke and did not indicate a position:

- Sanjiv Handa

Continued to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council

28

Subject: Tobacco Law Enforcement Project
From: Oakland Police Department
Recommendation: Adopt a Resolution authorizing the City Manager to accept and appropriate thirty-seven thousand dollars (\$37,000) from the Alameda County Public Health Department, Tobacco Control Program for a seven-month Tobacco Law Enforcement Project within the Police Department

Attachments: [28.pdf](#),
[78105 CMS.pdf](#),
[S-28 Supplemental.pdf](#)

Resolution Number 78105 C.M.S.

Contract Number 03-1639

A motion was made by Councilmember Reid, seconded by Councilmember

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

ORACouncilmember Ayes:	Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
8 -	Councilmember Quan, President of the Council De La Fuente,
	Councilmember Brooks, Councilmember Reid and Councilmember
	Chang

Enactment No: 78105

Agency/Councilmember Reid made a motion seconded by Agency/Councilmember Chang to approve an urgency finding pursuant to Section 2.20.070 E(2) regarding Items 29 and 30: (A) that there is a need to take immediate action to prevent serious injury to the public interest, (B) that the need for such action came to the attention of the body after the posting of the 10-day agenda.

Subject: Local Law Enforcement Block Grant
 From: Oakland Police Department
 Recommendation: Adopt a Resolution authorizing the acceptance and appropriation of eight hundred seventy nine thousand, one hundred seventy-seven dollars (\$879,177) in federal Local Law Enforcement Block Grant (LLEBG) funds to the Police Department and ninety-seven thousand, six hundred eighty six dollars (\$97,686) in matching funds from Federal Asset Forfeiture Fund to supplement front line policing efforts by providing additional support personnel and community outreach

Attachments: [78106 CMS.pdf](#),
[S-29 Supplemental.pdf](#)

Resolution Number 78106 C.M.S.

Contract Number 03-1640

A motion was made by Councilmember Reid, seconded by Councilmember Chang, that this matter be Adopted. The motion carried by the following vote:

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
 8 - Councilmember Quan, President of the Council De La Fuente,
 Councilmember Brooks, Councilmember Reid and Councilmember Chang

Enactment No: 78106

Subject: Local Law Enforcement Block Grant- Impartial Financial Analysis
 From: Office of the City Auditor

Attachments: [S-29-1 Supplemental.pdf](#)

***Received and Filed**

Subject: First Time Homebuyer Mortgage Assistance
 From: Community and Economic and Development Agency
 Recommendation: A Resolution authorizing the City Manager to apply to the California Department of Housing and Community Development (HCD) for grant funding in an amount not to exceed \$1 Million for First Time Homebuyer Mortgage Assistance and to approve other related actions

Attachments: [78107 CMS.pdf](#),
[S-30 Supplemental.pdf](#),
[Scheduling.pdf](#)

Resolution Number 78107 C.M.S.

Contract Number 03-1641

A motion was made by Councilmember Quan, seconded by Councilmember Reid, that this matter be Adopted. The motion carried by the following vote:

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, Vice Mayor Nadel,
 8 - Councilmember Quan, President of the Council De La Fuente,
 Councilmember Brooks, Councilmember Reid and Councilmember Chang

Enactment No: 78107

Continuation of Open Forum

There were no additional Open Forum speakers.

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 Andrew Vejmolá, Gary Doyle, Mabel Moore, Yolanda Woodard, Ben Rivera, and Chazarus Charles Hill, Jr. at 11:29 p.m.

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