

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

Tuesday, February 17, 2004

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 :10 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: 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 on this item:

- John Grace
- Roosevelt Mosby
- Billy Ray Trice, Jr.
- Dorothy M. Coleman
- Frank Henry Lucido
- Nathan A. Burris
- Delores Allen
- Hector Reyna
- 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 Meeting of the Oakland Redevelopment Agency/City Council held on February 3, 2004

Councilmember Brooks requested that her vote for Item 16, Medical Cannabis, found on page 19 of the February 3, 2004 Council minutes be changed to reflect a "No" vote rather than "Abstain", as that had been her intent.

A motion was made by Councilmember Reid, seconded by Councilmember Nadel, to *Approve with the following amendments. The motion carried by the following vote:

ORA\Councilmember Ayes: Councilmember Nadel, Councilmember Brunner, Councilmember
8 - 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: Russ Giuntini - 25 Years of Service
From: President De La Fuente and Vice Mayor Chang
Recommendation: Adopt a Resolution commending Russ Giuntini for 25 years
of service to the Alameda County District Attorney's Office

Attachments: [04-0054.pdf](#),
[78336 CMS.pdf](#),
[8.1.pdf](#)

Resolution Number 78336 C.M.S.

The following individuals spoke in favor of this item:

- Don Link
- Hannah James

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

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

Enactment No: 78336

8.2

Subject: West Coast Blues Hall of Fame
From: Councilmember Reid
Recommendation: Adopt a Resolution honoring the 2004 Inductees to the
West Coast Blues Hall of Fame

Attachments: [04-0112.pdf](#),
[78337 CMS.pdf](#),
[8.2.pdf](#)

Resolution Number 78337 C.M.S.

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

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

Enactment No: 78337

8.3

Subject: Winner of the Shop Oakland Contest
From: Councilmember Quan
Recommendation: A Presentation by Councilmember Quan announcing the
Winner of the Shop Oakland Contest

Attachments: [04-0118.pdf](#)

Councilmember Quan presented Eileen Baustian as the winner of the Shop Oakland contest, on behalf of the Oakland Merchants Retail Union.

8.4

Subject: Measure 2 Traffic Congestion Relief Plan
From: Councilmember Reid
Recommendation: Adopt a Resolution to support Regional Measure 2 Traffic
Congestion Relief Plan on the Alameda County March 2, 2004 Ballot with a 5
Minute Presentation

Attachments: [04-0114.pdf](#),
[78338 CMS.pdf](#),
[8.4.pdf](#)

Resolution Number 78338 C.M.S.

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

ORA\Councilmember Abstained: Councilmember Brunner and Councilmember Brooks
2 -

ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember Wan, Councilmember
Quan, President of the Council De La Fuente, Councilmember Reid
and Vice Mayor Chang

Enactment No: 78338

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmember Wan took a point of personal privilege and acknowledged
same sex marriages taking place in the City of San Francisco

Agency/Councilmember Nadel took a point of personal privilege and requested that the
meeting be adjourned in memory of Australia Paicely-Hayes

Agency/Councilmember Quan took a point of personal privilege and requested that the
meeting be adjourned in memory of Melinda Levine

Agency/Councilmember Reid took a point of personal privilege and requested that the
meeting be adjourned in memories of Lois Roy, Delois Turner, Marvin A. Booker

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

Attachments: [10.1CC.pdf](#),
[78339 CMS.pdf](#)

Resolution Number 78339 C.M.S.

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

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

Enactment No: 78339

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

Attachments: [10.2CC.pdf](#),
[78340 CMS.pdf](#)

Resolution Number 78340 C.M.S.

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

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

Enactment No: 78340

10.3CC

Subject: Maya Brown - 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 Maya Brown v. City of Oakland, et. al., Alameda County Superior Court case number 2001-036085, our file number 21536, in the amount of \$10,000. This case involves a claim of false arrest, assault and battery. (Oakland Police Department -Alleged Civil Rights Violation)

Attachments: [10.3CC.pdf](#),
[78341 CMS.pdf](#)

Resolution Number 78341 C.M.S.

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

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

Enactment No: 78341

10.4CC

Subject: Anquienette Grant - 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 Anquienette Grant, et al. v. City of Oakland, et al., United States District Court number C-02-3845-WHA, our file number 22230, in the amount of \$10,000.00 (Oakland Police Department - Warrantless Search)

Attachments: [10.4CC.pdf](#),
[78342 CMS.pdf](#)

Resolution Number 78342 C.M.S.

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

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

Enactment No: 78342

10.5CC

Subject: Corrine Marshall - 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 Corrine Marshall v. City of Oakland, et al., Alameda County Superior Court number 2002065926 our file number 21548, in the amount of \$6,000.00 (Oakland Police Department - Motor Vehicle Collision)

Attachments: [10.5CC.pdf](#),
[78343 CMS.pdf](#)

Resolution Number 78343 C.M.S.

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

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

Enactment No: 78343

10.6CC

Subject: California Department of Transportation - 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 City of Oakland, et al. v. California Department of Transportation et. al., (Federal District Court number C02-1307SI, Sacramento County Superior Court case number 02CS000391, our file number AO1091) with the acceptance of easements for the use of approximately 12.5 acres of land adjacent to the former Oakland Army Base (Community and Economic Development Agency); and

Attachments: [04-0133.pdf](#),
[10.3CC.pdf](#),
[10.6CC.pdf](#),
[78381 CMS.pdf](#)

Withdrawn and Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council
Enactment No: 78381

2) Adopt an Agency Resolution authorizing and directing the Agency Counsel to compromise and settle the case of City of Oakland, et. al. v. California Department of Transportation et.al., (Federal District Court case number C02-1307SI, Sacramento County Superior Court case number 02CS000391, our file number AO1091) with the acceptance of easements for the use of approximately 12.5 acres of land adjacent to the former Oakland Army Base (Community and Economic Development Agency)

Attachments: [10.3CC.pdf](#),
[10.6CC.pdf](#),
[2004-014 CMS.pdf](#)

Withdrawn and Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council
Enactment No: 2004-14

10.7CC

Subject: General Plan Designation and Rezone of Specific Areas
From: Community and Economic Development Agency
Recommendation: Approve Final Passage (Second Reading) of an Ordinance to rezone 928-998 66th Avenue and 801-931 69th Avenue from R-70 High Density Residential, M-30 General Industrial, and OS Open Space (Neighborhood Park) to C-25 Office Commercial and OS Open Space (Neighborhood Park)

Attachments: [10.7CC.pdf](#),
[12577 CMS.pdf](#),
[14.1 2-3-04.pdf](#),
[6 1-27-04.pdf](#)

Ordinance Number 12577 C.M.S.

The following individual spoke against this item:
- John Grace

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

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

Enactment No: 12577

10.8CC

Subject: Coliseum Gardens Park / Lion Creek
From: Office of Parks and Recreation
Recommendation: Approve the Final Passage (Second Reading) Ordinance approving the reconfiguring and reconstruction of the existing Coliseum Gardens Park and restoration of a portion of Lion Creek and authorizing the City Manager to enter into a Real Property Exchange Agreement with the Oakland Housing Authority to transfer fee title for 3.60 acres of City-owned park land in exchange for transfer of fee title for 3.60 acres of land owned by the Oakland Housing Authority, for the purpose of reconfiguring Coliseum Gardens Park and restoring a portion of Lion Creek in support of the Coliseum/ Oakland Airport BART Station Area Concept Plan

[0072.pdf](#),
Attachments: [10.8CC.pdf](#),
[12578 CMS.pdf](#),
[24 SUPP 2-3-04.pdf](#),
[3.pdf](#)

Ordinance Number 12578 C.M.S.
Contract Number 04-1662

The following individual spoke against this item:
- John Grace

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

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

Enactment No: 12578

10.9CC

Subject: Mosswood, FM Smith and Dimond Recreation Center
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing the City Manager to award
a construction contract for the Mosswood, FM Smith and Dimond recreation
center kitchen renovations to Wah Mei Construction Company in the amount
of two hundred ninety five thousand dollars (\$295,000) (PURSUANT TO
SECTION 902-E OF THE CITY CHARTER, THIS ITEM REQUIRES A 2/3
VOTE)

Attachments: [04-0046.pdf](#),
[3 2-10-04.pdf](#),
[78344 CMS.pdf](#),
[S-10.9CC 2-17-04.pdf](#)

Resolution Number 78344 C.M.S.
Contract Number 04-1663

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

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

10.10
CC

Subject: Sidewalk Repair - AJW Construction
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing award of a construction
contract to AJW Construction for on-call sidewalk repair at various locations
throughout the City of Oakland for Fiscal Year 2003-2004 for an amount of \$
346,000.50 (Project No. C78060)(PURSUANT TO SECTION 902-E OF THE
CITY CHARTER, THIS ITEM REQUIRES A 2/3 VOTE)

Attachments: [0062.pdf](#),
[4 2-10-04.pdf](#),
[78345 CMS.pdf](#),
[S-10.10CC 2-17-04.pdf](#),
[S-10.10CC Supp.pdf](#)

Resolution Number 78345 C.M.S.
Contract Number 04-1664

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

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

Enactment No: 78345

10.11
CC

Subject: Pavement Management Technical Assistance Program
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing application and acceptance of \$17,706 in metropolitan transportation funded services and payment of matching funds in the amount of \$7,294 for the Pavement Management Technical Assistance Program

Attachments: [0066.pdf](#),
[5 2-10-04.pdf](#),
[78346 CMS.pdf](#),
[S-10.11CC 2-17-04.pdf](#)

Resolution Number 78346 C.M.S.

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

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

Enactment No: 78346

10.12
CC

Subject: Irrigation System - Park Boulevard
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing the City Manager to bid, advertise, accept bids, negotiate, if necessary, and award a construction contract for installation of an irrigation system within the Park Boulevard median strip from Estates Drive to Excelsior Street, at triangular traffic islands and the mini park landscape area within Park Boulevard vicinity, for an amount not to exceed two hundred thousand dollars
(\$200,000)(PURSUANT TO SECTION 902-E OF THE CITY CHARTER, THIS ITEM REQUIRES A 2/3 VOTE)

Attachments: [04-0089.pdf](#),
[6 2-10-04.pdf](#),
[78347 CMS.pdf](#),
[S-10.12CC 2-17-04.pdf](#)

Resolution Number 78347 C.M.S.

Contract Number 04-1665

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

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

Enactment No: 78347

10.13
CC

Subject: 51st and Desmond Street - Surplus Property
From: Community & Economic Development Agency
Recommendation: Approve the Introduction (First Reading) of an Ordinance authorizing the City Manager to enter into an offer to purchase agreement with Frank L. Ciangi and Angelique B. Ciangi the adjoining property owners for 1, 500 square feet of surplus real property located at 51st Street and Desmond Street for the fair market value of \$1,500

Attachments: [0071.pdf](#),
[10.20CC.pdf](#),
[12587 CMS.pdf](#),
[3 2-10-04.pdf](#),
[S-10.13CC 2-17-04.pdf](#)

A motion was made by Councilmember Quan, 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 March 16, 2004. The motion carried by the following vote:

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

Enactment No: 12587

10.14
CC

Subject: Oak Street Housing, L.P.
From: Community and Economic Development Committee
Recommendation: Adopt a Resolution granting Oak Street Housing, L.P., a
California Limited Partnership, a conditional revocable permit for the
encroachment of enclosed common space on the third, fourth, and fifth floors
of a proposed building into the public right-of-way area of Oak Street

Attachments:
[0060.pdf](#),
[3 2-10-04.pdf](#),
[78348 CMS.pdf](#),
[S-10.14CC 2-17-04.pdf](#)

Resolution Number 78348 C.M.S.

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

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

Enactment No: 78348

10.15
CC

Subject: Oakland Business Development Corporation
From: Community and Economic Development Agency
Recommendation: Adopt a Resolution amending Resolution Number 77823 C.
M.S. to increase the amount of the contract with the Oakland Business
Development Corporation (OBDC) by \$80,000 for a total contract of \$395,000
during Fiscal Year 2003-2004 to continue the expansion of OBDC's lending
authority and provide loan servicing for the City's and Redevelopment
Agency's loan portfolio, and allocating \$ 2,400 for contract compliance

Attachments:
[0073.pdf](#),
[4 2-10-04.pdf](#),
[78349 CMS.pdf](#),
[S-10.15CC 2-17-04.pdf](#)

Resolution Number 78349 C.M.S.

Contract Number 04-1666

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

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

Enactment No: 78349

10.16
CC

Subject: Mandela Gateway Associates - West Block
From: Community and Economic Development Agency
Recommendation: Adopt a Resolution granting Mandela Gateway Associates,
a conditional revocable permit for the encroachment of specialty pavers into
the public right-of-way area on 7th Street and Mandela Parkway (West)

Attachments:
[0079.pdf](#),
[5 2-10-04.pdf](#),
[78350 CMS.pdf](#),
[S-10.16CC 2-17-04.pdf](#)

Resolution Number 78350 C.M.S.

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

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

Enactment No: 78350

10.17
CC

Subject: Mandela Gateway Associates - East Block
From: Community and Economic Development Agency
Recommendation: Adopt a Resolution granting Mandela Gateway Associates,
a conditional revocable permit for the encroachment of specialty pavers into
the public right-of-way area on 7th Street and Mandela Parkway (East)

Attachments: [5.1 2-10-04.pdf](#),
[78351 CMS.pdf](#),
[S-10.17CC 2-17-04.pdf](#)

Resolution Number 78351 C.M.S.

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

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

Enactment No: 78351

10.18
CC

Subject: Continuum of Care Council Consultation - Kathie Barkow
From: Department of Human Services
Recommendation: Adopt a Resolution authorizing 1) Acceptance and
appropriation of \$49,458 in funds allocated from the County of Alameda for
homeless program services; 2) Negotiation and execution of a Memorandum
of Understanding approved by the County of Alameda Board of Supervisors to
provide such funds; and 3) The City Manager to enter into a professional
services contract with Kathie Barkow for \$49,458 for a period ending no later
than June 30, 2004, for consultation services to the Alameda County-wide
Continuum of Care Council

Attachments: [03-0303.pdf](#),
[03-0303.pdf resched](#),
[3 2-10-04.pdf](#),
[78352 CMS.pdf](#),
[S-10.18CC 2-17-04.pdf](#)

Resolution Number 78352 C.M.S.

Contract Number 04-1667 (Memorandum of Understanding)

Contract Number 04-1668 (Kathie Barkow)

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

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

Enactment No: 78352

10.19
CC

Subject: Oakland Community Action Agency
From: Department of Human Services
Recommendation: Adopt a Resolution authorizing the application,
acceptance, and appropriation of a two year grant from the State of California
Department of Community Services and Development (CSD) in the amount of
\$174,939 to the Oakland Community Action Partnership (CAP) for calendar
years 2004 and 2005

Attachments: [04-0045.pdf](#),
[4 2-10-04.pdf](#),
[78353 CMS.pdf](#),
[S-10.19CC 2-17-04.pdf](#),
[S-10.19CC Supp.pdf](#)

Resolution Number 78353 C.M.S.

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

- Sanjiv Handa

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

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

Enactment No: 78353

Subject: Union Point Park Project

From: Public Works Agency

Recommendation: Adopt a Resolution amending Resolution No. 78202, C.M.S

., which authorized the Spanish Speaking Unity Council ("Unity Council") to
develop, design, and manage soil remediation and construction of
improvements, to further authorize the City Manager to execute remediation
and other construction agreements with contractors selected by Unity Council
for the Union Point Park Project in an amount not to exceed the project
construction budget, said amount to be determined by Unity Council and shall
not exceed available total project funds of eight million six hundred eighty-four
thousand dollars (\$8,684,000)

Attachments:

[04-0091.pdf](#),

[6 2-10-04.pdf](#),

[78354 CMS.pdf](#),

[S-10.20CC 2-17-04.pdf](#)

Resolution Number 78354 C.M.S.

Contract Number 04-1669

The following individual spoke regarding this item and did not indicate a position:

- Sanjiv Handa

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

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

Enactment No: 78354

Subject: East Bay Task Force

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the acceptance and
appropriation of forty thousand four hundred nineteen dollars (\$40,419) in
Federal funds from the United States Department of Justice, Drug
Enforcement Administration (DEA), for overtime costs of four (4) police officers
assigned to the East Bay Task Force from October 1, 2003 through
September 30, 2004, to the Oakland Police Department

Attachments:

[0064.pdf](#),

[3 2-10-04.pdf](#),

[78355 CMS.pdf](#),

[S-10.21CC 2-17-04.pdf](#)

Resolution Number 78355 C.M.S.

The following individual spoke in this item and did not indicate a position:

- Sanjiv Handa

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

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

Enactment No: 78355

10.20
CC

10.21
CC

10.22
CC

Subject: State Office of Traffic Safety Grant
From: Oakland Fire Department
Recommendation: Adopt a Resolution authorizing the City Manager to accept and appropriate a grant for one hundred twenty seven thousand eight hundred and twenty eight dollars (\$127,828) from the State Office of Traffic Safety to the Oakland Fire Department for extrication equipment and training

Attachments: [0067.pdf](#),
[4 2-10-04.pdf](#),
[78356 CMS.pdf](#),
[S-10.22CC 2-17-04.pdf](#)

Resolution Number 78356 C.M.S.

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

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

Enactment No: 78356

10.23
CC

Subject: Wildland Firefighting Equipment and Training Grant
From: Oakland Fire Department
Recommendation: Adopt a Resolution authorizing the City Manager to accept and appropriate a grant for fifty one thousand five hundred eighty six dollars (\$ 51,586) from the Federal Emergency Management Agency (FEMA), United States Fire Administration (USFA), for wildland firefighting equipment and training

Attachments: [0068.pdf](#),
[5 2-10-04.pdf](#),
[78357 CMS.pdf](#),
[S-10.23CC 2-17-04.pdf](#)

Resolution Number 78357 C.M.S.

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

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

Enactment No: 78357

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

There was one final decision made in Closed Session:

Item 2e: Toni Weathers v. City of Oakland
Council authorized a settlement in the amount of \$50,000.00 in a case involving a trip and fall incident in the City of Oakland in January of 2002.

Motion made by Councilmember Reid, seconded by Councilmember Nadel to authorize settlement, and hearing no objections, all members present were recorded as voting:
Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Nadel, Quan, Reid, Wan and President of the Council De La Fuente - 8

Agency/Councilmember Wan made a motion, seconded by Agency/Councilmember Reid, to accept the oral report from the City Attorney on final decisions made during Closed Session, and hearing no objections, all members present were recorded as voting: Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Nadel, Quan, Reid, 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, Quan, Reid, Wan and President of the Council De La Fuente -8

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: Leona Quarry Residential Project - 7100 Mountain Blvd. - Public Hearing

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing and upon conclusion:

1) Adopt a Resolution approving the applications of the DeSilva Group to close the Leona Quarry, reclaim it and redevelop the site for 477 residential units at 7100 Mountain Boulevard in compliance with the Alameda Superior Court Order (Action Number RG-03077607); and

Attachments: [0070.pdf](#),
[14.1.pdf](#),
[78358 CMS.pdf](#)

Resolution Number 78358 C.M.S.

Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was opened at 7:58 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, Wan and President of the Council De La Fuente -8

The following individual spoke in favor of this item:
- Frank Rose

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

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

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

Enactment No: 78358

2) Adopt a Resolution modifying Resolution Number 78358 C.M.S. regarding the Leona Quarry Residential Project at 7100 Mountain Boulevard to incorporate additional conditions of approval consistent with the approved Settlement Agreement in the matter of Maureen Dorsey, et al v. City of Oakland, et al. (Councilmember Brooks, District 6)

Attachments: [14.1.pdf](#),
[78359 CMS.pdf](#),
[Leona Quarry Draft SEIR.pdf](#),
[Leona Quarry Final SEIR.pdf](#)

Resolution Number 78359 C.M.S.

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

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

Enactment No: 78359

Subject: Sale of Preservation Park - Public Hearing
 From: Community and Economic Development Agency
 Recommendation: Conduct a Public Hearing and upon conclusion adopt an Agency Resolution authorizing the sale of Preservation Park to the East Bay Asian Local Development Corporation for a purchase price of up to \$7.0 million and authorizing execution of a purchase and sales agreement for the sale of the property (TITLE CHANGE) (Councilmember Nadel, District 3)

Attachments:
[14.2 Supp 2-17-04.pdf](#),
[14.2.pdf](#),
[2004-04 CMS.pdf](#),
[7 1-27-04.pdf](#),
[Item 7 SUPP 1-27-04.pdf](#)

Resolution Number 2004-04 C.M.S.

Contract Number 04-1670

Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was opened at 8:03 p.m.

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

The following individuals spoke in favor of this item:

- Linda Collins
- Davis Baltz
- Sue Hutchinson
- Joshua Simon

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

- Daniel Julien
- Sanjiv Handa

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

ORA\Councilmember Nos:	1 -	Councilmember Quan
ORA\Councilmember Ayes:	7 -	Councilmember Nadel, Councilmember Brunner, Councilmember Wan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor Chang

Enactment No: 2004-04

ACTION ON NON-CONSENT ITEMS:

Subject: Deborah Edgerly as City Manager
 From: Office of the Mayor
 Recommendation: Consider a Motion to confirm the appointment of Deborah Edgerly as City Manager and official swearing-in by the City Clerk

Attachments:
[15.pdf](#)

The following individual spoke in favor of this item:

- Marlene Dufour

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

- Sanjiv Handa

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Brooks, to confirm the appointment of Deborah Edgerly as City Manager 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

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

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

COUNCILMEMBER BROOKS AND VICE MAYOR CHANG WERE NOTED ABSENT
AT 8:37 P.M.

At this time, and at the request of Councilmember Nadel, the City Council considered
Items 22, S-32, and S-33. Please refer to those items for Council action.

VICE MAYOR CHANG WAS NOTED PRESENT AT 8:43 P.M.

COUNCILMEMBER BROOKS WAS NOTED PRESENT AT 8:45 P.M.

Subject: Affordable Housing Developer Funding
From: Community and Economic Development Agency
Recommendation: Adopt the following Resolutions authorizing loans in the
aggregate amount of up to \$10 Million to affordable housing developers:

1) Agency Resolution appropriating \$4,557,089 in Low and Moderate Income
Housing Funds to the Housing Development Program;

[0213.pdf](#),
Attachments: [16.pdf](#),
[2004-05 CMS.pdf](#),
[4.pdf](#),
[Item 16 Supp 2-17-04.pdf](#),
[Item 4 SUPP 1-27-04.pdf](#)

Resolution Number 2004-05 C.M.S.

The following individuals spoke in favor of this item:

- Jim Bergdoll
- Joan Catherine Braun
- Kaori Tokunaga
- Brendan Mulholland
- Meea Kang
- Joshua Simon

The following individual spoke on this item and indicated a neutral position;
- Kenoli Oleari

Agency/Councilmember Brunner made a motion, seconded by Agency/Councilmember
Reid, to accept the recommendations of the January 27, 2004 Community and
Economic Development Committee, that the top 5 highest ranking proposals at the time
of Committee totaling \$4 million, be approved and staff to return to Committee on
March 9, 2004, to discuss the reallocation of the remaining \$3.2 million for
homeownership or redevelopment activities, and hearing no objections, the motion
passed by Ayes: Agency/Councilmember: Brunner, Chang, Nadel, Reid, Quan, Wan
and President of the Council De La Fuente -7; Abstain: Brooks -1

THIS TIME WAS TAKEN IN CONJUNCTION WITH ITEM 23
**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 Abstained: Councilmember Brooks
1 -

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

Enactment No: 2004-05

2) Resolution finding that the use of Redevelopment Agency Low And
Moderate Income Housing Funds to increase, improve and preserve the City's
supply of low and moderate income housing throughout the City of Oakland,
and administrative activities in support of such housing, benefit existing
Oakland redevelopment projects

Attachments: [16.pdf](#),
[4.pdf](#),
[78360 CMS.pdf](#)

Resolution Number 78360 C.M.S.

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 Abstained: Councilmember Brooks
1 -

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

Enactment No: 78360

3) Agency Resolution finding that the use of Low And Moderate Income Housing Funds to increase, improve and preserve the City's supply of low and moderate income housing throughout the City of Oakland, and administrative activities in support of such housing, benefit existing Oakland redevelopment projects

Attachments: [16.pdf](#),
[2004-06 CMS.pdf](#),
[4.pdf](#)

Resolutin Number 2004-06 C.M.S.

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 Abstained: Councilmember Brooks
1 -

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

Enactment No: 2004-06

4) Agency Resolution authorizing an Affordable Housing Development Loan in an amount not to exceed \$1,778,560 to Citizens Housing Corporation for the Altenheim Senior Homes Project located at 1720 MacArthur Boulevard

Attachments: [16.pdf](#),
[2004-07 CMS.pdf](#),
[4.pdf](#)

Resolution Number 2004-07 C.M.S.

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 Abstained: Councilmember Brooks
1 -

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

Enactment No: 2004-07

5) Resolution Authorizing an Affordable Housing Development Loan in an amount not to exceed \$1,901,740 to Citizens Housing Corporation for the Altenheim Senior Homes Project located at 1720 MacArthur Boulevard

Attachments: [16.pdf](#),
[4.pdf](#),
[78361 CMS.pdf](#)

Resolution Number 78361 C.M.S.

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 Abstained: Councilmember Brooks

1 -

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

Enactment No: 78361

6) Agency Resolution authorizing an Affordable Housing Development Loan in an amount not to exceed \$2,548,500 to Affordable Housing Associates, Inc. for the Calaveras Townhomes Project located at 4856-4868 Calaveras Avenue and consolidating an existing \$1,310,000 Site Acquisition Loan with the development loan, for a new total development loan in an amount not to exceed \$3,858,424

Attachments: [16.pdf](#),
[2004-08 CMS.pdf](#),
[4 1-27-04.pdf](#)

Resolution Number 2004-08 C.M.S.

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 Abstained: Councilmember Brooks

1 -

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

Enactment No: 2004-08

7) Resolution authorizing a \$1,216,600 Affordable Housing Development Loan to Seven Directions, Inc. for the Seven Directions Project located at 2946 International Boulevard

Attachments: [16.pdf](#),
[4 1-27-04.pdf](#),
[78362 CMS.pdf](#)

Resolution Number 78362 C.M.S.

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 Abstained: Councilmember Brooks

1 -

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

Enactment No: 78362

8) Agency Resolution authorizing an Affordable Housing Development Loan in an amount not to exceed \$2,000,000 to Self-Help for the Elderly for the Lincoln Court Project located at 2400 MacArthur Boulevard

Attachments: [16.pdf](#),
[2004-09 CMS.pdf](#),
[4 1-27-04.pdf](#)

Resolution Number 2004-09 C.M.S.

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

Councilmember Brooks

ORA\Councilmember Abstained: 1 -

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

Enactment No: 2004-09

9) Resolution authorizing an Affordable Housing Development Loan in an amount not to exceed \$1,500,000 to Self-Help for the Elderly for the Lincoln Court Project located at 2400 MacArthur Boulevard

Attachments: [4.pdf](#),
[78363 CMS.pdf](#)

Resolution Number 78363 C.M.S.

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

Councilmember Brooks

ORA\Councilmember Abstained: 1 -

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

Enactment No: 78363

10) Agency Resolution authorizing an Affordable Housing Development Loan in an amount not to exceed \$1,700,000 to East Bay Habitat for Humanity for the Edes Avenue Homes located at 10900 Edes Avenue and consolidating an existing \$375,000 site acquisition loan with the development loan, for a new total development loan in an amount not to exceed \$2,075,000(TITLE CHANGE)

Attachments: [16.pdf](#),
[2004-10 CMS.pdf](#),
[4.pdf](#)

Resolution Number 2004-10 C.M.S.

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

Councilmember Brooks

ORA\Councilmember Abstained: 1 -

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

Enactment No: 2004-10

11) Agency Resolution authorizing an Affordable Housing Development Loan in an amount not to exceed \$2,329,000 to Homeplace Initiatives Corporation for the Sausal Creek Townhomes Project located at 2464 26th Avenue

Attachments: [16.pdf](#),
[2004-11 CMS.pdf](#),
[4.pdf](#)

Resolution Number 2004-11 C.M.S.

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

Councilmember Brooks

ORA\Councilmember Abstained: 1 -

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

Enactment No: 2004-11

12) Resolution authorizing amendments to the repayment agreements with the Redevelopment Agency and increasing City appropriations by \$96,610 for costs of contract compliance services for low and moderate income housing developments benefiting redevelopment project areas

Attachments: [16.pdf](#),
[4.pdf](#),
[78364 CMS.pdf](#)

Resolution Number 78364 C.M.S.

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 Abstained: Councilmember Brooks
1 -

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

Enactment No: 78364

13) Agency Resolution authorizing payment of a \$96,610 fee to the City of Oakland for costs of contract compliance services on agency low and moderate income housing projects, and authorizing amendments to the repayment agreements with the City for this payment

Attachments: [16.pdf](#),
[2004-12 CMS.pdf](#),
[4.pdf](#)

Resolution Number 2004-12 C.M.S.

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 Abstained: Councilmember Brooks
1 -

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

Enactment No: 2004-12

Subject: Vehicular Food Program
From: Community and Economic Development Agency
Recommendation: Approve Final Passage (Second Reading) of an Ordinance establishing a permanent vehicular food vending program to be located within the manufacturing and commercial corridors on Fruitvale Avenue and High Street between I-880 to the South and Foothill Boulevard to the North, Foothill Boulevard between 19th Avenue to the West and MacArthur to the East, International Boulevard between First Avenue to the West and 105th Avenue to the East, San Leandro Street between Fruitvale Avenue to the West and 98th Avenue to the East, East 12th Street between 4th Avenue to the West and 23rd Avenue to the East, 14th Avenue between East 11th Street to the South and East 19th Avenue to the North;

Attachments: [12579 CMS.pdf](#),
[14.3 2-3-04.pdf](#),
[17.pdf](#),
[8.pdf](#)

Ordinance Number 12579 C.M.S.

The following individual against this item:

- Toni Cook

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

- Sanjiv Handa

THIS ITEM WAS TAKEN IN CONJUNCTION WITH ITEM 18.

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

ORA\Councilmember Nos: Councilmember Brooks and Councilmember Reid
2 -

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

Enactment No: 12579

2) Approve the Final Passage (Second Reading) of an Ordinance amending the Master Fee Schedule (Ordinance Number 9336 C.M.S. as Amended) to amend the Vehicular Food Vending Fee; and

Attachments: [12580 CMS.pdf](#),
[14.3 2-3-04.pdf](#),
[17.pdf](#),
[8.pdf](#)

Ordinance Number 12580 C.M.S.

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

ORA\Councilmember Nos: Councilmember Brooks and Councilmember Reid
2 -

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

Enactment No: 12580

3) Approve the Final Passage (Second Reading) of an Ordinance amending the Oakland Planning Code to reference a permanent Vehicular Food Vending Program

Attachments: [12581 CMS.pdf](#),
[14.3 2-3-04.pdf](#),
[17.pdf](#),
[8.pdf](#)

Ordinance Number 12581 C.M.S.

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

ORA\Councilmember Nos: Councilmember Brooks and Councilmember Reid
2 -

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

Enactment No: 12581

Subject: Pushcart Food Vending Program
 From: Community and Economic Development Agency
 Recommendation: Approve the Final Passage (Second Reading) of an Ordinance establishing a permanent Pushcart Food Vending Program to be located within the manufacturing and commercial corridors on Fruitvale Avenue and High Street between I-880 to the South and Foothill Boulevard to the North, Foothill Boulevard between 19th Avenue to the West and MacArthur to the East, International Boulevard between First Avenue to the West and 105th Avenue to the East, San Leandro Street between Fruitvale Avenue to the West and 98th Avenue to the East, East 12th Street between 4th Avenue to the West and 23rd Avenue to the East, 14th Avenue between East 11th Street to the South and East 19th Avenue to the North; and

Attachments: [12582 CMS.pdf](#),
[15 2-3-04.pdf](#),
[18.pdf](#),
[Item 9.pdf](#)

Ordinance Number 12582 C.M.S.

THIS ITEM WAS TAKEN IN CONJUNCTION WITH ITEM 17.

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

ORA\Councilmember Nos: Councilmember Brooks and Councilmember Reid
 2 -

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

Enactment No: 12582

2) Approve the Final Passage (Second Reading) of an Ordinance amending the Master Fee Schedule (Ordinance Number 9336 C.M.S. as Amended) to amend a Pushcart Food Vending Fee

Attachments: [12583 CMS.pdf](#),
[15 2-3-04.pdf](#),
[18.pdf](#),
[Item 9.pdf](#)

Ordinance Number 12583 C.M.S.

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

ORA\Councilmember Nos: Councilmember Brooks and Councilmember Reid
 2 -

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

Enactment No: 12583

Subject: Illegal Activities Evictions
 From: Councilmember Reid
 Recommendation: A continued discussion to Adopt an Ordinance requiring rental property owners to evict tenants engaged in certain illegal activities on the premises and including off-premises drug related activities that use the premises to further the off-premises illegal drug activity and authorizing the City Attorney to accept assignment of eviction causes of action from rental property owners for evictions involving certain illegal activities by establishing Section 8.23.100 of the Oakland Municipal Code, "Nuisance Eviction Ordinance"

[03-0329.pdf](#),
Attachments: [19.pdf](#),
[Item 16 3-16-04.pdf](#),
[Item 3 1-27-04.pdf](#),
[Item 3 12-9-03.pdf](#)

The following individual spoke in favor of this item:

- Steven Edrington

The following individuals spoke against this item:

- Eddie Ytuarte
- James Vann

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

- Dave Kadlecek
- Sanjiv Handa

Agency/Councilmember Quan made a motion, seconded by Agency/Councilmember Reid, to approve the Introduction of the Ordinances on Items 19 and 19.2, approve the recommendations contained in the report on Item 19.1, and to adopt the Resolution on Item 19.3 "Alternative A", and upon the call of the roll the motion passed by Ayes: Agency/Councilmember: Chang, Reid, Quan, Wan and President of the Council De La Fuente -5; Noes: Brooks -1; Abstain: Brunner and Nadel -2

The Council directed staff to report back to the Public Safety Committee within one year regarding the program status, and requested that staff include in the administrative procedures that a tenant will receive a second copy of the arbitration notice with each eviction notice.

A motion was made by Councilmember Quan, 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 March 16, 2004. The motion carried by the following vote:

ORA\Councilmember Abstained:	Councilmember Nadel and Councilmember Brunner
2 -	
ORA\Councilmember Nos:	Councilmember Brooks
1 -	
ORA\Councilmember Ayes:	5 - Councilmember Wan, Councilmember Quan, President of the Council De La Fuente, Councilmember Reid and Vice Mayor Chang

19.1

Subject: Nuisance Eviction Ordinance
From: Office of the City Manager
Recommendation: Approve Recommendations on implementation of the "Public Nuisance Ordinance" and the "Nuisance Eviction Ordinance"

Attachments: [0077.pdf](#),
[19.1.pdf](#),
[Item 3.1 1-27-04.pdf](#)

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

ORA\Councilmember Abstained:	Councilmember Nadel and Councilmember Brunner
2 -	
ORA\Councilmember Nos:	Councilmember Brooks
1 -	
ORA\Councilmember Ayes:	5 - Councilmember Wan, Councilmember Quan, President of the Council De La Fuente, Councilmember Reid and Vice Mayor Chang

Subject: Nuisance Enforcement Schedule Fees
 From: Office of the City Manager
 Recommendation: Approve the Introduction (First Reading) of an Ordinance amending Ordinance Number 12443 C.M.S. (Master Fee Schedule), as amended, to establish fees assessed by the Office of the City Manager, Nuisance Enforcement Unit, and the Office of the City Attorney for Public Nuisance and Nuisance Eviction cases

Attachments: [12588 CMS.pdf](#),
[19.2.pdf](#),
[Item 16.3 3-16-04.pdf](#)

A motion was made by Councilmember Quan, 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 March 16, 2004. The motion carried by the following vote:

ORA\Councilmember Abstained: Councilmember Nadel and Councilmember Brunner
 2 -

ORA\Councilmember Nos: Councilmember Brooks
 1 -

ORA\Councilmember Ayes: 5 - Councilmember Wan, Councilmember Quan, President of the Council De La Fuente, Councilmember Reid and Vice Mayor Chang

Enactment No: 12588

Subject: Nuisance Enforcement Unit - Alternative "A"
 From: Office of the City Manager
 Recommendation: Adopt a Resolution appropriating \$300,000 for the Nuisance Enforcement Unit in the Office of the City Manager, including additional City Attorney services to support nuisance enforcement

Attachments: [19.3.pdf](#),
[78365 CMS.pdf](#)

Resolution Number 78365 C.M.S.

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 Abstained: Councilmember Nadel and Councilmember Brunner
 2 -

ORA\Councilmember Nos: Councilmember Brooks
 1 -

ORA\Councilmember Ayes: 5 - Councilmember Wan, Councilmember Quan, President of the Council De La Fuente, Councilmember Reid and Vice Mayor Chang

Enactment No: 78365

Subject: Nuisance Enforcement Unit - Alternative "B"
 From: Office of the City Attorney
 Recommendation: Adopt a Resolution appropriating \$358,000 for the Nuisance Enforcement Unit in the Office of the City Manager, including additional City Attorney services to support nuisance enforcement

Attachments: [04-0125.pdf](#),
[19-4.pdf](#),
[19.4](#)

Not Adopted

The Council moved, seconded and carried a motion to extend the meeting time past 10:30 p.m.

Subject: Medical Cannabis Distribution and Permitting
 From: City Council Legislative Analyst
 Recommendation: Approve the Final Passage (Second Reading) of an Ordinance amending Section 8.46.030 of the Oakland Municipal Code entitled Medical Cannabis Distribution Program to provide that the City Manager may designate no more than one (1) entity as a medical cannabis provider association (TITLE CHANGE);

[12584 CMS.pdf](#),

Attachments:

[16 2-3-04.pdf](#),

[16 SUPP 2-3-04.pdf](#),

[20.pdf](#),

[26 11-4-03.pdf](#),

[Item 6 10-28-03](#)

Ordinance Number 12584 C.M.S.

The following individuals spoke in favor of Item 20:

- Forrest Anderson
- Lauren McGregor

The following individuals spoke against Item 20:

- Josh John
- Patricia Burfford
- Mandingo Hayes
- Dale Geiringer
- Jeff Jones
- Kathy Veloza
- Edwin Ortega
- Kennan Scott
- Robert Raich
- Marti DeWolfe
- Richard Lee
- Kenny Mostern
- Angel McClary Raich

The following individuals spoke on Item 20 and indicated a neutral position:

- John Pavletich
- Don Konecny

The following individuals spoke on Item 20 and did not indicate a position:

- Clare Lewis
- Carrie McCosker
- Roosevelt Mosby
- Sanjiv Handa

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

ORA\Councilmember Nos:	Councilmember Brooks
1 -	
ORA\Councilmember Ayes:	Councilmember Nadel, Councilmember Brunner, Councilmember Wan, Councilmember Quan, President of the Council De La Fuente, Councilmember Reid and Vice Mayor Chang
7 -	

Enactment No: 12584

2) Approve the Final Passage (Second Reading) of an Ordinance amending Title 5 of the Oakland Municipal Code entitled Business Licenses and Regulations to add Chapter 5.80 pertaining to Medical Cannabis Dispensary Permitting and amending the Master Fee Schedule (Ordinance 9336, as amended) to establish regulatory fees (TITLE CHANGE)

[12585 CMS.pdf](#),

Attachments:

[16 2-3-04.pdf](#),

[16 SUPP 2-3-04.pdf](#),

[20.pdf](#),

[26 11-4-03.pdf](#),

[Item 6 10-28-03](#)

Ordinance Number 12585 C.M.S.

Agency/Councilmember Quan made a motion, seconded by Agency/Councilmember Reid, to approve the Final Passage of the Ordinance on Item 20 as amended to revise the following section to read:

Section 5.80.040 Performance Standards (Section A):

A. "Dispensaries may possess no more than 8 ounces of dried marijuana per qualified patient or caregiver, and no more than 6 mature marijuana plants and 12 immature marijuana plants per qualified patient."

and upon the call of the roll, the motion passed by Ayes: Agency/Councilmember: Brunner, Chang, Nadel, Reid, Quan, Wan and President of the Council De La Fuente -7
; No: Brooks -1

The Council directed that, in addition to staff returning to the Public Safety Committee within 6 months with a review of the number of dispensaries, that the City Manager would review, in conjunction with a task force, the issue of on-site consumption, and return to Council prior to the effective date of the ordinance (June 1, 2004).

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

ORA\Councilmember Nos: Councilmember Brooks
1 -

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

Enactment No: 12585

20.1

Subject: Medical Cannabis Distribution and Permitting
From: City Council Legislative Analyst
Recommendation: Approve the Introduction (First Reading) of an Ordinance amending the Master Fee Schedule to add a \$400.00 application fee related to Chapter 5.80 of the Oakland Municipal Code entitled Medical Cannabis Dispensary Permits

Attachments: [12589 CMS.pdf](#),
[20.1.pdf](#),
[Item 17 3-16-04.pdf](#)

A motion was made by Councilmember Quan, 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 March 16, 2004. The motion carried by the following vote:

ORA\Councilmember Nos: Councilmember Brooks
1 -

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

Enactment No: 12589

21

Subject: Wildcat Canyon Ranch - Boarding Fees
From: Office of Parks and Recreation
Recommendation: Approve the Final Passage (Second Reading) of an Ordinance amending Ordinance Number 9336 C.M.S.(Master Fee Schedule) as amended, to increase the horse boarding fees collected at the City of Oakland stables

[03-0219-2.pdf](#),
Attachments: [12586 CMS.pdf](#),
[21.pdf](#),
[22 SUPP 2-3-04.pdf](#),
[Item 4 1-27-04.pdf](#)

Ordinance Number 12586 C.M.S.

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

ORA\Councilmember Nos: Councilmember Brooks
1 -

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

Enactment No: 12586

Subject: Temescal Pool Renovation Project,
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing the City Manager to reject all bids for the Temescal Pool Renovation Project, to informally rebid the project, and to award a construction contract to BBI Construction in the amount of six hundred forty-nine thousand six hundred seventy-two dollars (\$649,672) (TITLE CHANGE)(PURSUANT TO SECTION 902-E OF THE CITY CHARTER, THIS ITEM REQUIRES A 2/3 VOTE)

[0080.pdf](#),
Attachments: [22.pdf](#),
[4 1-27-04.pdf](#),
[78366 CMS.pdf](#),
[S-10.14 CC.pdf](#)

Resolution Number 78366 C.M.S.

Contract Number 04-1671

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

ORA\Councilmember Absent: Councilmember Brooks and Vice Mayor Chang
2 -

ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember Brunner, Councilmember Wan, Councilmember Quan, President of the Council De La Fuente and Councilmember Reid

Enactment No: 78366

Subject: Community Land Trust Program
From: Community and Economic Development Agency
Recommendation: Adopt an Agency Resolution terminating and reallocating funding for the Oakland City-wide Community Land Trust Program established by Resolution Number 02-79 C.M.S.

[002659-2.pdf](#),
Attachments: [2004-13 CMS.pdf](#),
[23.pdf](#),
[3.pdf](#),
[S-10.15 CC.pdf supp](#)

Resolution Number 2004-13 C.M.S.

THIS ITEM WAS TAKEN IN CONJUNCTION WITH ITEM 16.

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

24

Subject: Michael E. Montag - Housing, Residential Rent, and Relocation Board
From: Office of the Mayor
Recommendation: Adopt a Resolution appointing Michael E. Montag as tenant representative, as a member of the Housing, Residential Rent, and Relocation Board

Attachments: [10.5CC.pdf](#),
[24.pdf](#),
[78367 CMS.pdf](#),
[Item 24 Supp 2-17-04.pdf](#)

Resolution Number 78367 C.M.S.

The following individual spoke against Item 24:

- Eddie Ytuarte

The following individuals spoke on Item 24 and did not indicate a position:

- Susan Schacher
- Sanjiv Handa

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

ORA\Councilmember Abstained: Councilmember Nadel and Councilmember Quan
2 -

ORA\Councilmember Ayes: Councilmember Brunner, Councilmember Wan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor Chang
6 -

Enactment No: 78367

25

Subject: Pamela S. Sher - Oakland Museum Board
From: Office of the Mayor
Recommendation: Adopt a Resolution confirming Pamela S. Sher as a trustee of the Oakland Museum of California Foundation Board

Attachments: [25.pdf](#),
[78368 CMS.pdf](#)

Resolution Number 78368 C.M.S.

The following individual spoke on Item 25 and did not indicate a position:

- Sanjiv Handa

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

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

Enactment No: 78368

26

Subject: Andrew Radlow - Citizen's Police Review Board
From: Office of the Mayor
Recommendation: Adopt a Resolution appointing Andrew Radlow as a member of the Citizen's Police Review Board

Attachments: [26.pdf](#),
[78369 CMS.pdf](#)

Resolution Number 78369 C.M.S.

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

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

Enactment No: 78369

27

Subject: Barbara Montgomery - Citizen's Police Review Board
From: Office of the Mayor
Recommendation: Adopt a Resolution appointing Barbara Montgomery as a member of the Citizen's Police Review Board

Attachments: [27.pdf](#),
[78370 CMS.pdf](#)

Resolution Number 78370 C.M.S.

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

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

Enactment No: 78370

28

Subject: Corey Dishmon - Citizen's Police Review Board
From: Office of the Mayor
Recommendation: Adopt a Resolution appointing Corey Dishmon as a member of the Citizen's Police Review Board

Attachments: [28.pdf](#),
[78371 CMS.pdf](#)

Resolution Number 78371 C.M.S.

The following individual spoke on Item 28 and did not indicate a position:

- Sanjiv Handa

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

ORA\Councilmember Abstained: Councilmember Nadel
1 -

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

Enactment No: 78371

29

Subject: Michael T. Liener - Cultural Affairs Commission
From: Office of the Mayor
Recommendation: Adopt a Resolution appointing Michael T. Liener as a member of the Cultural Affairs Commission

Attachments: [29.pdf](#),
[78372 CMS.pdf](#)

Resolution Number 78372 C.M.S.

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

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

Enactment No: 78372

30

Subject: Devin Satterfield - Cultural Affairs Commission
From: Office of the Mayor
Recommendation: Adopt a Resolution appointing Devin Satterfield as a member of the Cultural Affairs Commission

Attachments: [30.pdf](#),
[78373 CMS.pdf](#)

Resolution Number 78373 C.M.S.

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

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

Enactment No: 78373

31

Subject: Suki O'Kane - Cultural Affairs Commission
From: Office of the Mayor
Recommendation: Adopt a Resolution appointing Suki O'Kane as a member of
the Cultural Affairs Commission

Attachments: [31.pdf](#),
[78374 CMS.pdf](#)

Resolution Number 78374 C.M.S.

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

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

Enactment No: 78374

32

Subject: Creekside Properties - WRECO Group
From: Community & Economic Development Agency
Recommendation: Adopt a Resolution authorizing a professional services
contract with WRECO Group in an amount not to exceed \$70,000 to develop
standards and guidelines to assist the development of creekside properties

Attachments: [04-0088.pdf](#),
[7 2-10-04.pdf](#),
[78375 CMS.pdf](#),
[S-32 2-17-04.pdf](#)

Resolution Number 78375 C.M.S.

Contract Number 04-1672

Vice Mayor Chang declared a conflict of interest with this item and recused himself
from the discussion.

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

ORA\Councilmember Recused: Vice Mayor Chang
1 -

ORA\Councilmember Absent: Councilmember Brooks
1 -

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

Enactment No: 78375

33

Subject: Watershed Improvement Program
From: Public Works Agency
Recommendation: Receive the annual informational report regarding the
Creek Program elements of the City of Oakland Watershed and Waterways
Program for 2003

Attachments: [8 2-10-04.pdf](#),
[S-33 2-17-04.pdf](#)

Vice Mayor Chang declared a conflict of interest with this item and recused himself
from the discussion.

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

ORA\Councilmember Recused:	Vice Mayor Chang
1 -	
ORA\Councilmember Absent:	Councilmember Brooks
1 -	
ORA\Councilmember Ayes:	Councilmember Nadel, Councilmember Brunner, Councilmember Wan, Councilmember Quan, President of the Council De La Fuente and Councilmember Reid
6 -	
Enactment No: 78344	

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 Australia Paicely-Hayes, Melinda Levine, Lois Roy, Delois Turner, and Marvin A. Booker at 12:10 a.m.

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