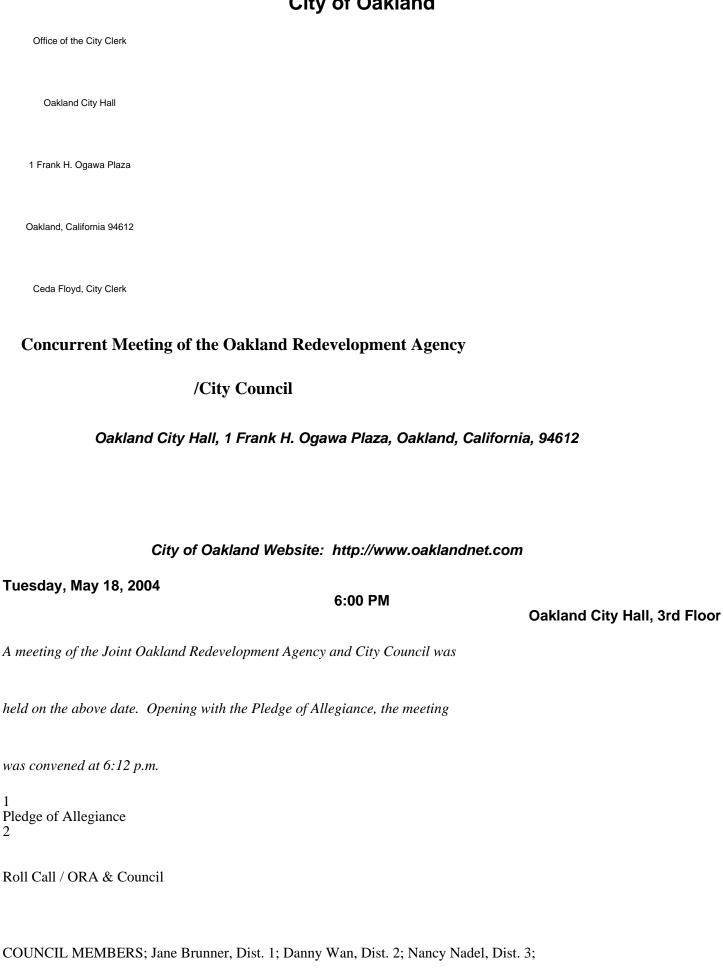
# Meeting Minutes City of Oakland



| 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 Excused: 1 - President of the Council De La Fuente                     |
| ORA\Councilmember Present: 7 - Councilmember Nadel, Councilmember                        |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,                    |
| Councilmember Reid and Vice Mayor Chang  |
| 3  |
| Open Forum / Citizens Comments   |
| (Time Available: 15 minutes)   |
| The following individuals spoke under Open Forum:  |
| - Sanjiv Handa   |
| - Delores Allen  |
| - Dorothy Coleman  |
| - John Grace   |

 $Modifications \ to \ the \ Consent \ Calendar, \ and \ requests \ from \ Councilmember(s) \ to \ pull \ an$ 

item from the Consent Calendar, shall be scheduled for the next-succeeding City Council

meeting as a non-consent item.

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)

No action was 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.

No action was necessary for this item.

7

Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment

Agency/City Council held on May 4, 2004.

### \*Approve as Submitted

## 8. PRESENTATION OF CEREMONIAL MATTERS

8.1

Subject: Bike to Work Day

From: President De La Fuente

Recommendation: Adopt a Resolution proclaiming Thursday, May 20, 2004 as City of Oakland

Bike To Work Day (04-0355)

A motion was made by Councilmember Nadel, seconded by Vice Mayor Chang, that this matter be Adopted. The motion carried by the following vote: Votes: ORA\Councilmember Excused: 1 - President of the Council De La Fuente ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks, Councilmember Reid and Vice Mayor Chang Resolution Number 78535 C.M.S. 04-0355.pdf, Item 8.1 5-18-04.pdf, 78535 CMS.pdf 8.2 Subject: Public Works Week Councilmember Nadel From: Recommendation: Adopt a Resolution celebrating the week of May 16th through 22nd as Public Works Week in the City of Oakland (04-0396)

A motion was made by Councilmember Reid, seconded by Councilmember

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

| Agency/Councilmember Reid took a point of personal privilege and requested                      |
|---|
| that the meeting be adjourned in memory of Dan Purnell, Sr., Patricia Freitas,                  |
| Reverend Earl Holloway, and Morris Soublet.   |
| 10. CONSENT CALENDAR (CC) ITEMS: 10.1CC   |
| Subject: Declaration of a Local Emergency due to AIDS epidemic                                  |
| From: Office of the City Attorney   |
| Recommendation: Adopt a Resolution renewing and continuing the City Council's Declaration       |
| of a Local Emergency due to the existence of a critical public health crisis with regard to the |
| AIDS epidemic (04-0404)   |
| A motion was made by Councilmember Wan, seconded by Councilmember                               |
| Reid, that this matter be Adopted. The motion carried by the following                          |
| vote:  Votes:   |

| ORA\Councilmember Excused: 1 - President of the Council De La Fuente                            |
|---|
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember                                  |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,                           |
| Councilmember Reid and Vice Mayor Chang   |
| Resolution Number 78537 C.M.S.  |
| Item 10.1CC 5-18-04.pdf,  |
| 79527 CMS ndf   |
| 78537 CMS.pdf<br>10.2CC   |
| Subject: Medical Cannabis Health Emergency  |
| From: Office of the City Attorney   |
| Recommendation: Adopt a Resolution renewing the City Council's Declaration of a local           |
| public health emergency with respect to safe, affordable access to Medical Cannabis in the City |
| of Oakland (04-0405)  |
| 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 Excused: 1 - President of the Council De La Fuente                    |
|---|
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember                          |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,                   |
| Councilmember Reid and Vice Mayor Chang   |
| Resolution Number 78538 C.M.S.  |
| Item 10.2CC 5-18-04.pdf,  |
| 78538 CMS.pdf   |
| 10.3CC  |
| Subject: Joseph Tuman and Kristen Weisser - Settlement Agreement                        |
| From: Office of the City Attorney   |
| Recommendation: Adopt a Resolution authorizing and directing the City Attorney to       |
| compromise and settle the claim of State Farm Insurance as subrogee of Joseph Tuman and |

Votes:

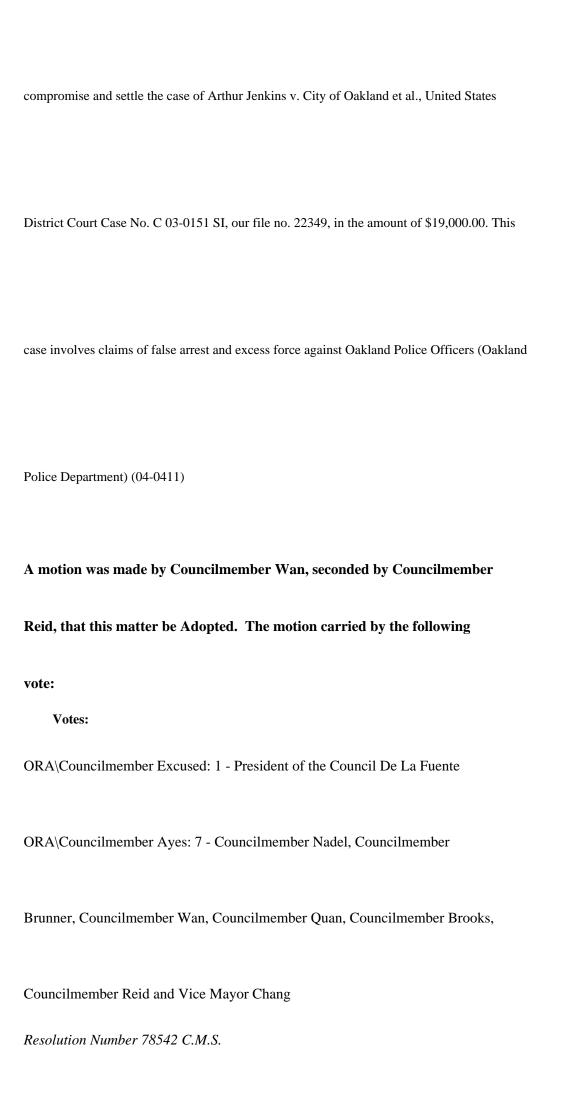
| Kristen Weisser in the amount of fourteen thousand three hundred seventy four dollars and no        |
|---|
| cents (\$14,374.00) as a result of a sewer trench failure that caused a tree to fall onto insured's |
| property (Public Works Agency) (04-0406)  |
| A motion was made by Councilmember Wan, seconded by Councilmember                                   |
| Reid, that this matter be Adopted. The motion carried by the following                              |
| vote:   |
| Votes:  |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente                                |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember                                      |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,                               |
| Councilmember Reid and Vice Mayor Chang   |
| Resolution Number 78539 C.M.S.  |
| <u>Item 10.3CC 5-18-04.pdf</u> ,  |
| 78539 CMS.pdf<br>10.4CC   |
|   |

| Subject: William Welch - 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 William Welch, et al. v. City of Oakland, et al., Superior |
| Court, County of Alameda, case no. RG03-089823, in the amount of \$100,000.00 as a result of |
| a trip and fall accident on Tunnel Road between Charing Cross Road and Hiller Drive,         |
| Oakland, on May 26, 2002 (Public Works Agency) (04-0407)                                     |
| A motion was made by Councilmember Wan, seconded by Councilmember                            |
| Reid, that this matter be Adopted. The motion carried by the following                       |

| vote:  |
|--|
| Votes:   |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente         |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember               |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,        |
| Councilmember Reid and Vice Mayor Chang                                      |
| Resolution Number 78540 C.M.S.   |
|  |
| The following individual spoke and did not indicate a position on this item: |
| - Sanjiv Handa   |
| <u>Item 10.4CC 5-18-04.pdf</u> ,   |
| 78540 CMS.pdf<br>10.5CC  |
| Subject: Brian Johnson - Settlement Agreement                                |
| From: Office of the City Attorney  |

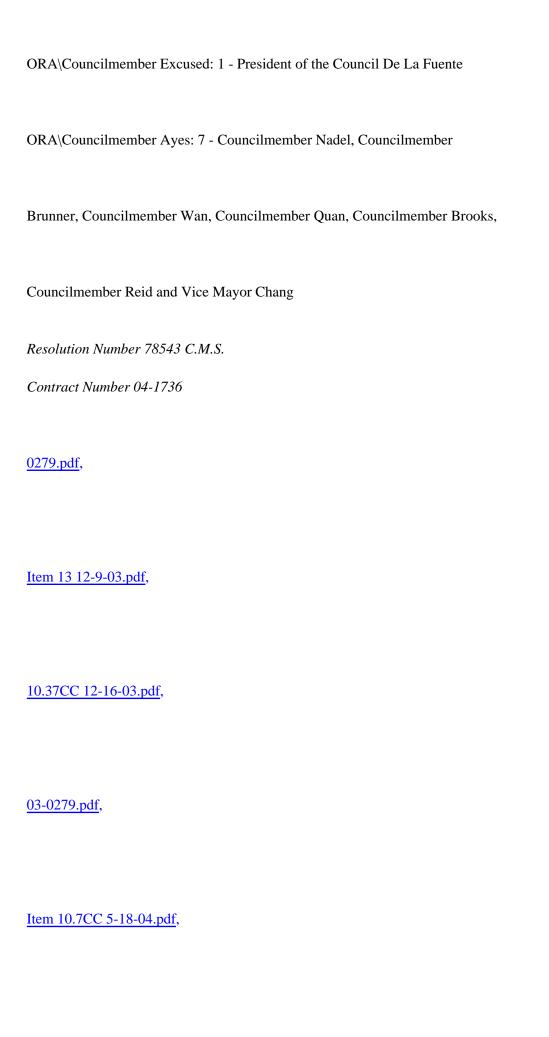
| Recommendation: Adopt a Resolution authorizing and directing the City Attorney to            |
|--|
| compromise and settle the case of Brian Johnson v. City of Oakland, et al., United States    |
| District Court Case No. C03-3165 JL, our file no. 23063, in the amount of \$70,000.00. This  |
| case involves claims of violations of civil rights against Oakland Police Officers. (Oakland |
| Police Department - Police Conduct) (04-0408)  |
| A motion was made by Councilmember Wan, seconded by Councilmember                            |
| Reid, that this matter be Adopted. The motion carried by the following                       |
| vote:  |
| Votes:   |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente                         |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember                               |

| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,             |
|---|
| Councilmember Reid and Vice Mayor Chang   |
| Resolution Number 78541 C.M.S.  |
| The following individual spoke and did not indicate a position on this item:      |
| - Sanjiv Handa  |
| <u>Item 10.5CC 5-18-04.pdf</u> ,  |
| 78541 CMS.pdf<br>10.6CC   |
| Subject: Arthur Jenkins - Settlement Agreement                                    |
| From: Office of the City Attorney   |
| Recommendation: Adopt a Resolution authorizing and directing the City Attorney to |



| <u>Item 10.6CC 5-18-04.pdf</u> ,  |
|---|
| <u>Item 10.6 CC SUPP 5-18-04.pdf</u> ,  |
| 78542 CMS.pdf   |
| 10.7CC  |
| Subject: McGuire Research Services, LLC   |
| From: Oakland Police Department   |
| Recommendation: Adopt a Resolution authorizing a professional services agreement between          |
| the City of Oakland and McGuire Research Services, LLC, in an amount not to exceed \$50,000       |
| to conduct a City-wide survey to determine the nature of citizen interaction with police, for the |
| purpose of gathering statistics on citizens' experiences (03-0279)                                |
| A motion was made by Councilmember Wan, seconded by Councilmember                                 |
| Reid, that this matter be Adopted. The motion carried by the following                            |
| vote:   |

Votes:



# 78543 CMS.pdf 10.8CC Subject: Landmark Designation - Victorian Legal Center From: Community and Economic Development Agency Recommendation: Approve the Final Passage (Second Reading) of an Ordinance designating

Wilson House) at 653 11th Street as a landmark pursuant to Section 17.102.030 of the Oakland

the Victorian Legal Center - Law Offices of Warren B. Wilson (historic name: Mason-Elsey-

Planning Code (Councilmember Nadel, District 3) (04-0267)

A motion was made by Councilmember Brunner, seconded by

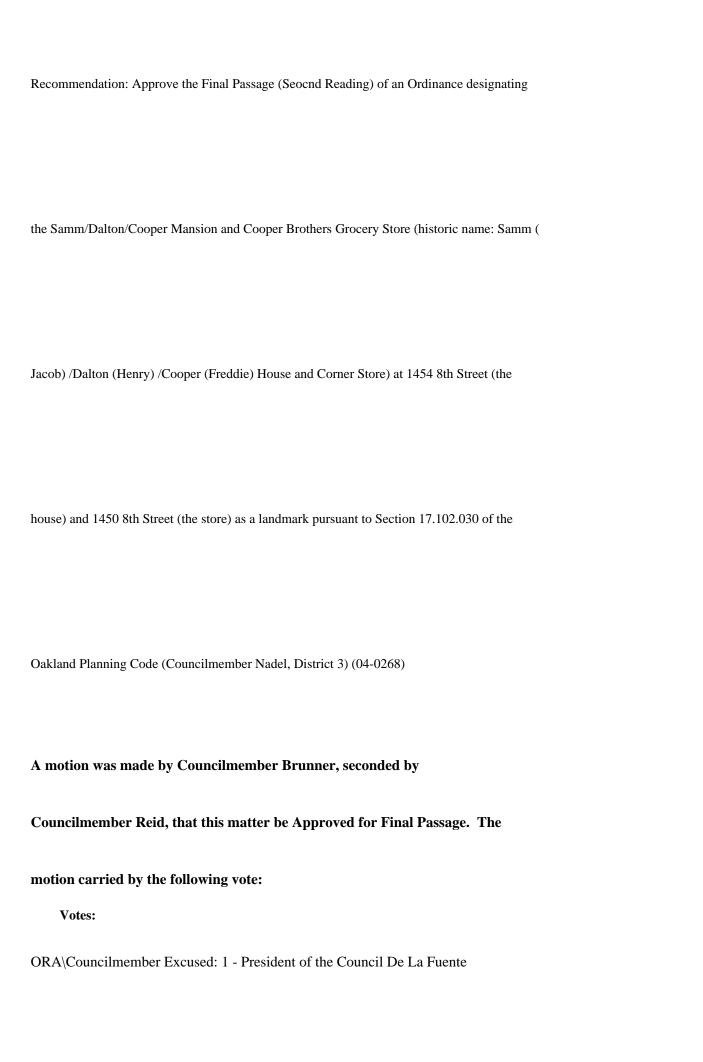
Councilmember Reid, that this matter be Approved for Final Passage. The

motion carried by the following vote:

Votes:

ORA\Councilmember Excused: 1 - President of the Council De La Fuente

| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember        |
|---|
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks, |
| Councilmember Reid and Vice Mayor Chang                               |
| Ordinance Number 12598 C.M.S.   |
| <u>04-0267.pdf</u> ,  |
| <u>Item 14.2 5-04-04.pdf</u> ,  |
| <u>Item 10.8CC 5-18-04.pdf</u> ,                                      |
| <u>12598 CMS.pdf</u>  |
| 10.9CC  |
| Subject: Landmark Designation - Samm/Dalton/Cooper Mansion            |
| and Cooper Brothers Grocery Store                                     |
| From: Community and Economic Development Agency                       |

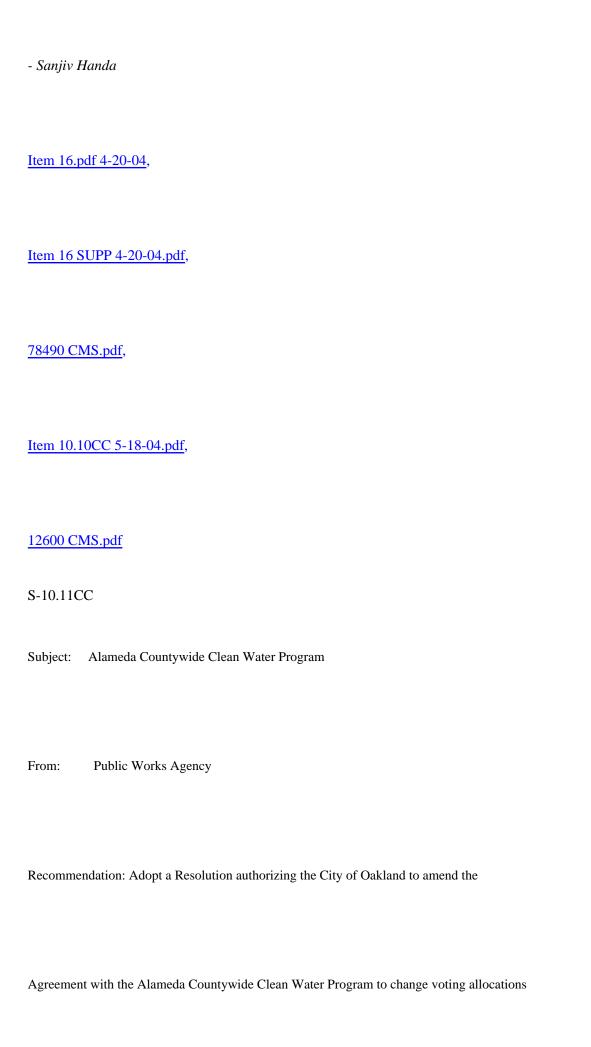


| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember        |  |
|---|--|
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks, |  |
| Councilmember Reid and Vice Mayor Chang                               |  |
| Ordinance Number 12599 C.M.S.   |  |
| <u>04-0268.pdf</u> ,  |  |
| <u>Item 14.1 5-04-04.pdf</u> ,  |  |
| Item 10.9CC 5-18-04.pdf,  |  |
| <u>12599 CMS.pdf</u>  |  |
| 10.10CC   |  |
| Subject: Public Employees' Retirement System Contract Amendment       |  |
| From: Office of the City Manager                                      |  |

| Recommendation Approve the Final Passage (Second Reading) of an Ordinance of the Council          |
|---|
| of the City of Oakland authorizing an amendment to the contract between the City of Oakland       |
| and the Board of Administration of the California Public Employees' Retirement Systems (          |
| PERS) that authorizes (1) 2.7% at age 55 retirement benefits for all City Officers and civilian ( |
| Non-Sworn) employees who are members of PERS; and (2) 3.0% at age 50 retirement benefits          |
| for employeees who are members of the International Association of Firefighters, Local 55 (04-    |

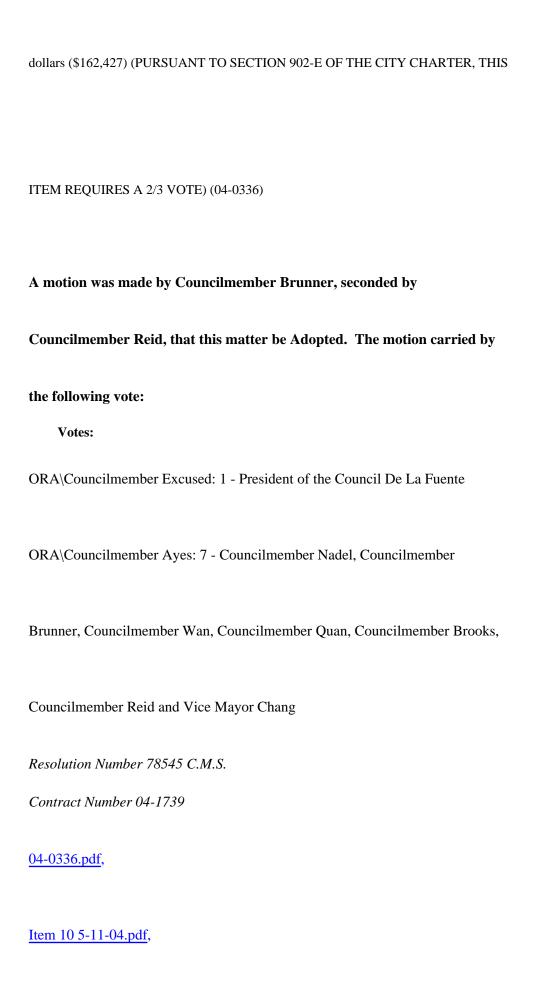
| A motion was made by Councilmember Brunner, seconded by                 |
|---|
| Councilmember Reid, that this matter be Approved for Final Passage. The |
| motion carried by the following vote:                                   |
| Votes:  |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente    |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember          |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,   |
| Councilmember Reid and Vice Mayor Chang                                 |
| Ordinance Number 12600 C.M.S.   |
| Contract Number 04-1737   |
|   |

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



| and contracting authorization to implement the Alameda Countywide Clean Water Program (0 | 4 |
|--|---|
| -0283)   |   |
| A motion was made by Councilmember Brunner, seconded by                                  |   |
| Councilmember Reid, that this matter be Adopted. The motion carried by                   |   |
| the following vote:  Votes:  |   |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente                     |   |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember                           |   |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,                    |   |
| Councilmember Reid and Vice Mayor Chang  |   |
| Resolution Number 78544 C.M.S.   |   |
| Contract Number 04-1738  |   |
| <u>04-0283.pdf</u> ,   |   |
| <u>Item 7 4-27-04.pdf</u> ,  |   |

| <u>Item 7 PWC 5-11-04.pdf</u> ,  |
|--|
| <u>Item 10.11CC SUPP 5-18-04.pdf</u> ,   |
| 78544 CMS.pdf  |
| S-10.12CC  |
| Subject: Garfield Park Field Repair Project  |
| From: Public Works Agency  |
| Recommendation: Adopt a Resolution authorizing the City Manager to award a construction          |
| contract to American Civil Constructors, Inc., for the Garfield Park Field Repair (Project No. C |
| 196610) in the amount of one hundred sixty two thousand four hundred and twenty seven            |

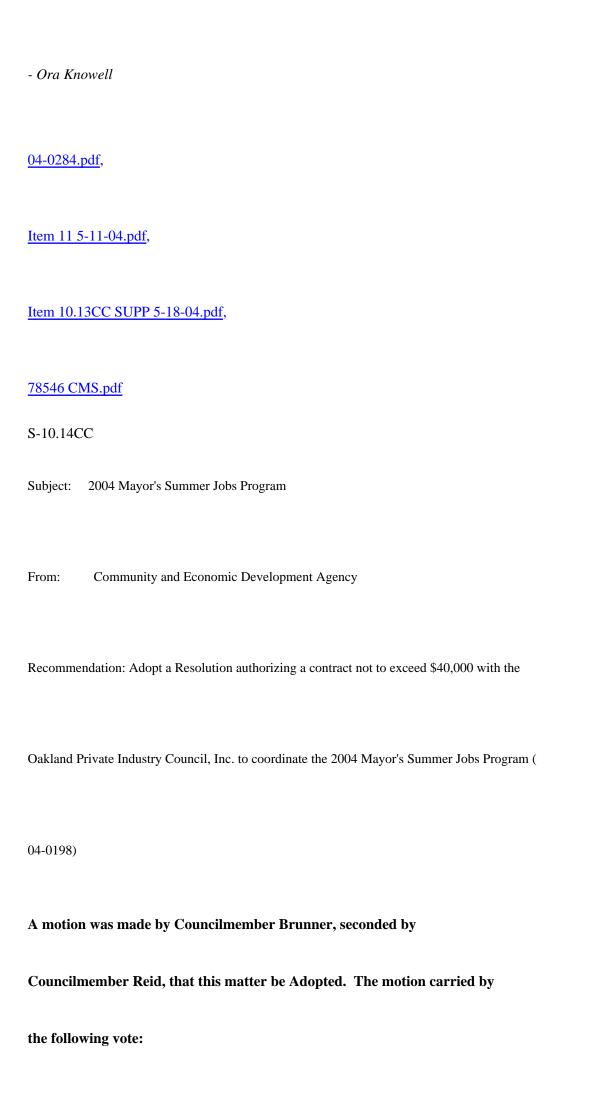


# Item 10.12CC SUPP 5-18-04.pdf,

| 78545 CMS.pdf  |
|--|
| S-10.13CC  |
| Subject: Main Library Children's Room Renovation Project                                   |
| From: Public Works Agency  |
| Recommendation: Adopt a Resolution authorizing the City Manager to reject all bids for the |
| Main Library Children's Room Renovation Project, to negotiate a contract, and to award a   |
| construction contract within budget in an amount not to exceed \$270,000 (PURSUANT TO      |
| SECTION 902-E OF THE CITY CHARTER, THIS ITEM REQUIRES A 2/3 VOTE) (04-0284                 |

| )  |
|--|
|  |
| A motion was made by Councilmember Brunner, seconded by                |
| Councilmember Reid, that this matter be Adopted. The motion carried by |
| the following vote:  |
| Votes:   |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente   |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember         |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,  |
| Councilmember Reid and Vice Mayor Chang                                |
| Resolution Number 78546 C.M.S.   |
| Contract Number 04-1740 C.M.S.   |
|  |
|  |
|  |

The following individual spoke against this item:



| Votes:  |
|---|
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente  |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember        |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks, |
| Councilmember Reid and Vice Mayor Chang                               |
| Resolution Number 78547 C.M.S.  |
| Contract Number 04-1741   |
| <u>04-0198.pdf</u> ,  |
| <u>Item 3 4-27-04.pdf</u> ,   |
| <u>Item 4 CED 5-11-04.pdf</u> ,                                       |
| Item 10.14CC SUPP 5-18-04.pdf,  |
| 78547 CMS.pdf   |
| S-10.15CC   |
| Subject: Construction Monitoring Services                             |

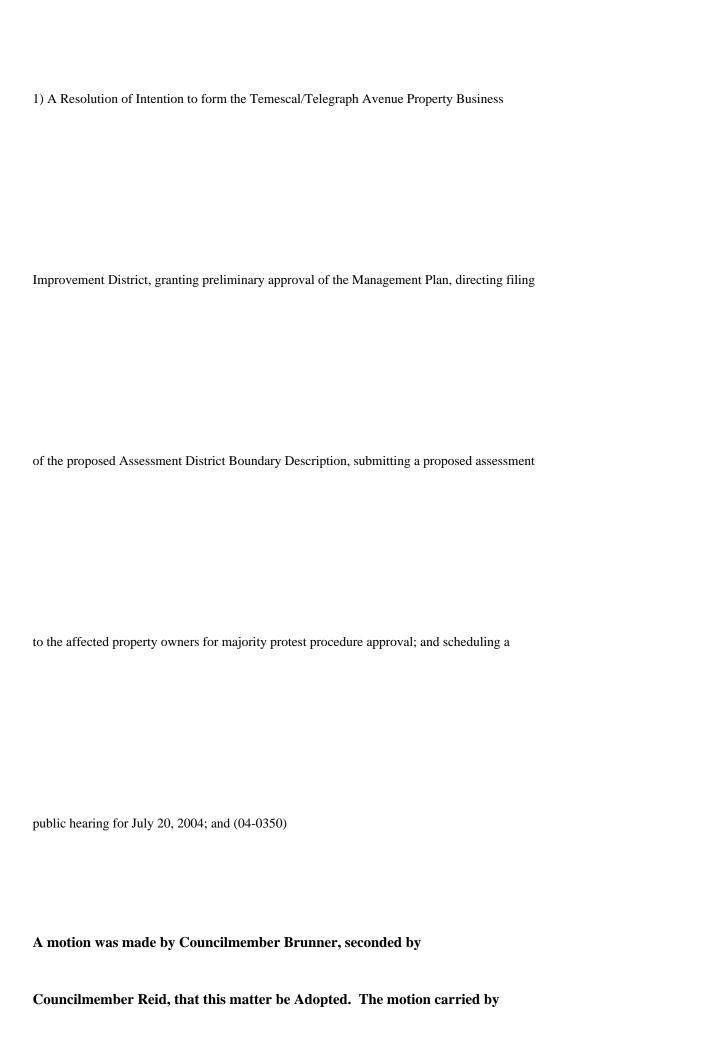
| From:              | Community and Economic Development Agency  |
|--------------------|--|
| Recommend          | dation: Adopt an Agency Resolution authorizing increases in contracts to provide   |
| construction       | n monitoring services for affordable housing projects with Advanced Resources in   |
| Constructio        | on Services Ltd. in an amount not to exceed \$38,420 and Don Todd Associates in an |
| amount not         | to exceed \$38,420 from reallocated funds (04-0216)                                |
| Withdraw           | vn and Rescheduled to Concurrent Meeting of the Oakland                            |
| Redevelop          | oment Agency / City Council on 6/1/2004  |
| <u>04-0216.p</u> 0 | <u>df</u> ,  |
| <u>Item 6 4-2</u>  | <u>7-04.pdf</u> ,  |
| Item 6 CE          | <u>D 5-11-04.pdf</u> ,   |
| Item 10.15         | 5CC SUPP 5-18-04.pdf,  |

## Item 16 6-01-04.pdf

| S-10.16CC   |
|---|
| Subject: Broadway/MacArthur/San Pablo Redevelopment Project Area                        |
| From: Community and Economic Development Agency   |
| Recommendation: Adopt a Resolution authorizing a one year extension of the Project Area |
| Committee for the Broadway/MacArthur/San Pablo Redevelopment Project to July 25, 2005 ( |
| 04-0272)  |
| A motion was made by Councilmember Brunner, seconded by                                 |
| Councilmember Reid, that this matter be Adopted. The motion carried by                  |
| the following vote:   |
| Votes:  |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente                    |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember                          |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,                   |

| Councilmember Reid and Vice Mayor Chang                                      |
|--|
| Resolution Number 78548 C.M.S.   |
|  |
| The following individual spoke and did not indicate a position on this item: |
| The following inalviaual spoke and all not malcule a position on this tiem.  |
| - Sanjiv Handa   |
| <u>04-0272.pdf</u> ,   |
|  |
| <u>Item 10 4-27-04.pdf</u> ,   |
|  |
| <u>Item 7 CED 5-11-04.pdf</u> ,  |
| Item 10.16CC SUPP 5-18-04.pdf,   |
|  |
| 78548 CMS.pdf  |
| S-10.17CC  |
|  |

| Subject:  | Temescal Business Improvement Management District                                    |
|-----------|--|
| From:     | Community and Economic Development Agency  |
| Recomme   | ndation: Adopt the following pieces of legislation related to the Temescal/Telegraph |
| Avenue Pr | roperty Business Improvement District:   |
|           |  |



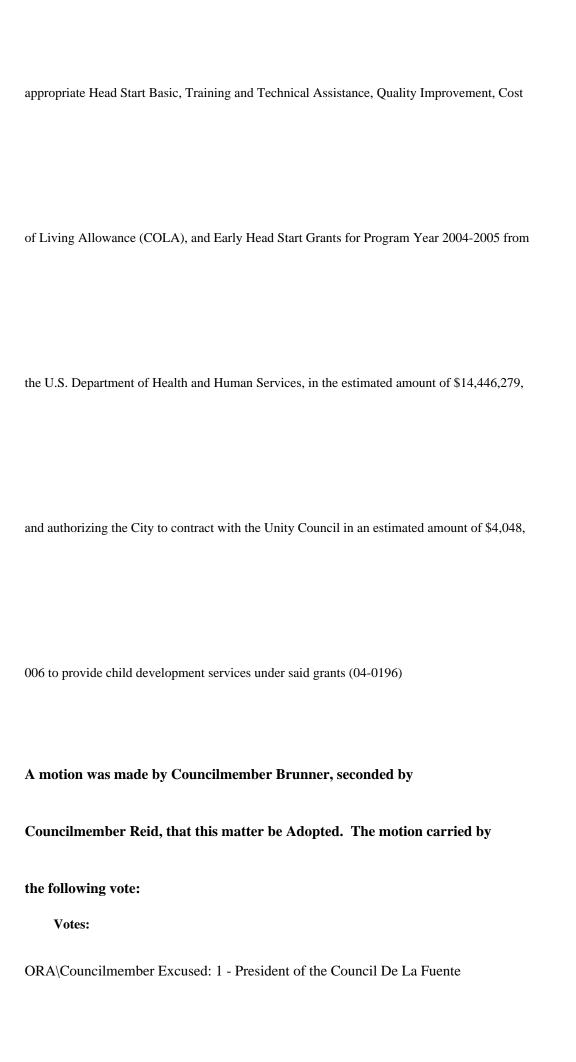
| the following vote:  |
|--|
| Votes:   |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente         |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember               |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,        |
| Councilmember Reid and Vice Mayor Chang                                      |
| Resolution Number 78549 C.M.S.   |
|  |
| The following individual spoke and did not indicate a position on this item: |
| - Sanjiv Handa   |
| <u>04-0350.pdf</u> ,   |
| <u>Item 8 5-11-04.pdf</u> ,  |
| Item 8 CED 5-11-04.pdf,  |

## Item 10.17CC SUPP 5-18-04.pdf,

| 78549 CMS.pdf   |
|---|
| 2) A Resolution authorizing the City Manager to execute the ballot for one City-owned       |
| property on which assessments are to be levied (APN 014-1219-003-00 - the Temescal Library) |
| to support the formation of the Temescal/Telegraph Avenue Property Business Improvement     |
| District of 2005; and (04-0350a)  |
| A motion was made by Councilmember Brunner, seconded by                                     |
| Councilmember Reid, that this matter be Adopted. The motion carried by                      |
| the following vote:   |
| Votes:  |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente                        |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember                              |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,                       |
| Councilmember Reid and Vice Mayor Chang   |

| Resolution Number 78550 C.M.S   |
|---|
|   |
|   |
|   |
|   |
| The following individual spoke and did not indicate a position on this item:              |
|   |
|   |
| - Sanjiv Handa  |
|   |
| <u>Item 8 5-11-04.pdf</u> ,   |
|   |
| L 0 CED 5 11 04 16  |
| <u>Item 8 CED 5-11-04.pdf</u> ,   |
|   |
| Item 10.17CC SUPP 5-18-04.pdf,  |
|   |
| 79550 CMC4f   |
| 78550 CMS.pdf   |
|   |
| 3) A Resolution appointing the Temescal/Telegraph Avenue Advisory Board as the Advisory   |
| Board of the Temescal/Telegraph Avenue Property Business Improvement District of 2005 (04 |
|   |
| -0350b)   |
|   |
| A motion was made by Councilmember Brunner, seconded by                                   |
|   |
| Councilmember Reid, that this matter be Adopted. The motion carried by                    |
|   |
| the following vote:   |
| Votes:  |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente                      |

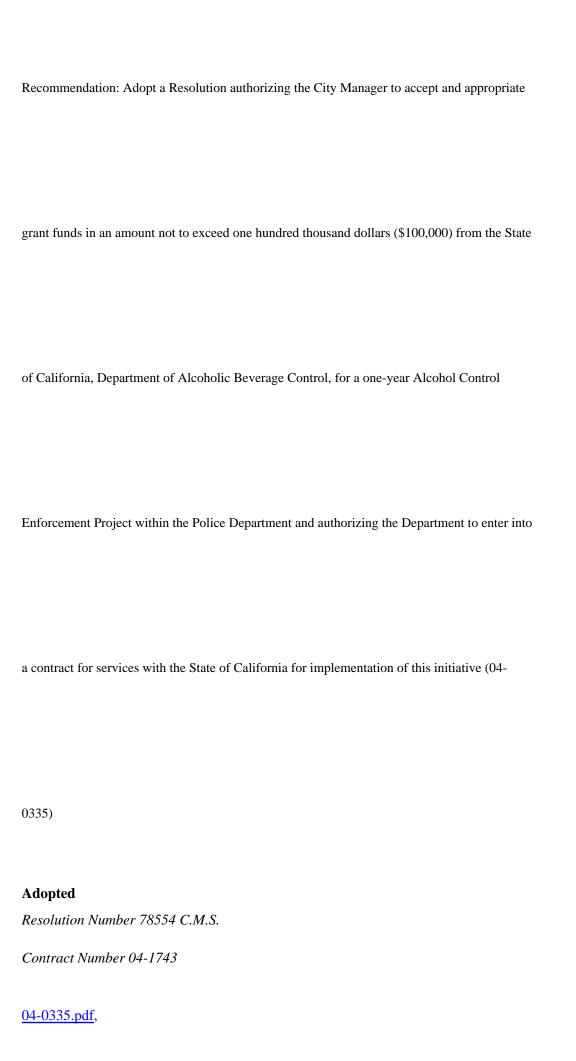
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember                            |
|---|
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,                     |
| Councilmember Reid and Vice Mayor Chang   |
| Resolution Number 78551 C.M.S.  |
| <u>Item 8 5-11-04.pdf</u> ,   |
| <u>Item 8 CED 5-11-04.pdf</u> ,   |
| <u>Item 10.17CC SUPP 5-18-04.pdf</u> ,  |
| 78551 CMS.pdf   |
| S-10.18CC   |
| Subject: Child Development Services Grants  |
| From: Department of Human Services  |
| Recommendation: Adopt a Resolution authorizing the City Manager to apply for, accept, and |



ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks, Councilmember Reid and Vice Mayor Chang Resolution Number 78552 C.M.S. Contract Number 04-1742 04-0196.pdf, Item 3 5-11-04, Item 10.18CC SUPP 5-18-04.pdf, 78552 CMS.pdf S-10.19CC Subject: City's Head Start Advisory Panel From: Department of Human Services Recommendation: Adopt a Resolution extending the duration of the Head Start Advisory Panel and confirming the appointment of two new members to fill current vacancies (04-0195) A motion was made by Councilmember Brunner, seconded by

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

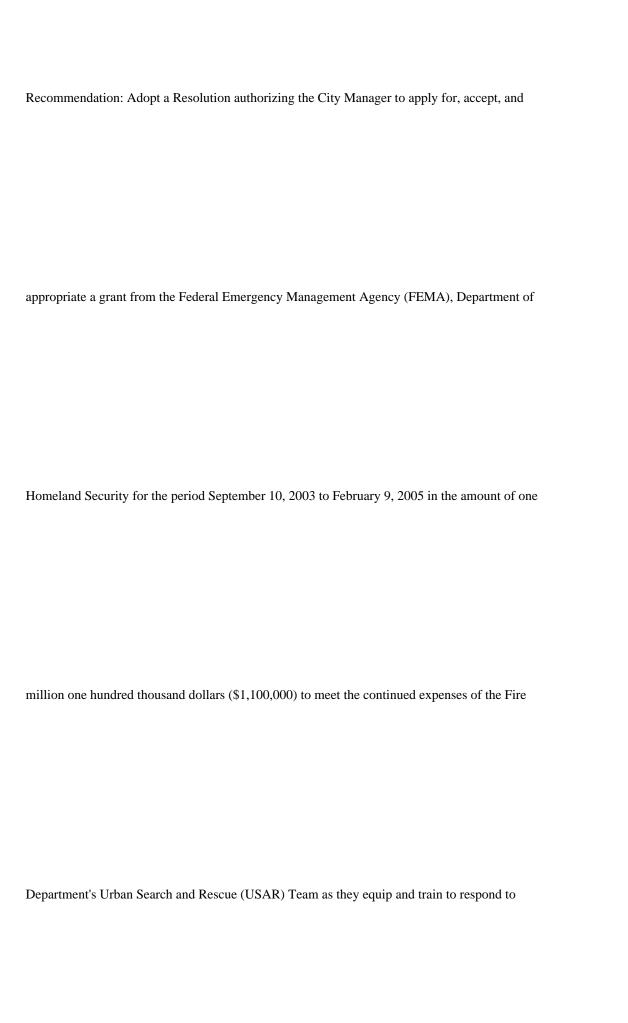
| the following vote:   |
|---|
| Votes:  |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente  |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember        |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks, |
| Councilmember Reid and Vice Mayor Chang                               |
| Resolution Number 78553 C.M.S.  |
| <u>04-0195.pdf</u> ,  |
| <u>Item 4 5-11-04.pdf</u> ,   |
| Item 10.19CC SUPP 5-18-04.pdf,  |
| 78553 CMS.pdf   |
| S-10.20CC   |
| Subject: Alcohol Control Enforcement Project                          |
| From: Oakland Police Department                                       |



| <u>Item 3 5-11-04.pdf</u> ,  |
|--|
| <u>Item 10.20CC SUPP 5-18-04.pdf</u> ,   |
| 78554 CMS.pdf  |
| S-10.21CC  |
| Subject: Project Safe Neighborhoods Grant Funds  |
| From: Oakland Police Department  |
| Recommendation: Adopt a Resolution authorizing the City Manager to accept and appropriate      |
| grant funds in an amount not to exceed one hundred forty thousand dollars (\$140,000) from the |

| State of California, Office of Emergency Services, serving as the fiscal agent for Project Safe |
|---|
| Neighborhoods as administered through the Office of the U.S. Attorney, Northern District of     |
| California for the U.S. Department of Justice, Bureau of Justice Assistance, in support of the  |
| Oakland Homicide Task Force Program and the Drug Education for Youth Program within the         |
| Police Department (04-0341)   |
| A motion was made by Councilmember Brunner, seconded by   |
| Councilmember Reid, that this matter be Adopted. The motion carried by                          |
| the following vote:   |
| Votes:  |

| ORA\Councilmember Excused: 1 - President of the Council De La Fuente  |
|---|
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember        |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks, |
| Councilmember Reid and Vice Mayor Chang                               |
| Resolution Number 78555 C.M.S.  |
| <u>04-0341.pdf</u> ,  |
| <u>Item 4 5-11-04.pdf</u> ,   |
| <u>Item 10.21CC SUPP 5-18-04.pdf</u> ,                                |
| 78555 CMS.pdf   |
| S-10.22CC   |
|   |
| Subject: Urban Search and Rescue Team                                 |
|   |
|   |
| From: Oakland Fire Department   |



| natural disasters and/or weapons of mass destruction (WMD) incidents; and authorizing the      |
|--|
| City Manager to competitively bid and award contracts for the purchase of trucks, trailers and |
| forklifts as required by FEMA, without return to Council up to a total amount not to exceed    |
| four hundred thousand dollars (\$400,000) (04-0351)  |
| A motion was made by Councilmember Brunner, seconded by  |
| Councilmember Reid, that this matter be Adopted. The motion carried by                         |
| the following vote:  Votes:  |

| ORA\Councilmember Excused: 1 - President of the Council De La Fuente  |
|---|
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember        |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks, |
| Councilmember Reid and Vice Mayor Chang                               |
| Resolution Number 78556 C.M.S.  |
| <u>04-0351.pdf</u> ,  |
| <u>Item 5 5-11-04.pdf</u> ,   |
| <u>Item 10.22CC SUPP 5-18-04.pdf</u> ,                                |
| 78556 CMS.pdf   |
| S-10.23CC   |
| Subject: West Oakland Weed and Seed Initiative                        |
| From: Oakland Police Department                                       |

| Recommendation: Adopt a Resolution authorizing the City Manager, on behalf of the City of       |
|---|
| Oakland, to accept and appropriate a grant in an amount not to exceed two hundred twenty-five   |
| thousand dollars (\$225,000) from the U.S. Department of Justice (USDOJ), Office of Justice     |
| Programs, Executive Office of Weed and Seed for the continued program implementation of         |
| the West Oakland Weed and Seed Initiative and authorizing a funding agreement in an amount      |
| not to exceed twenty-five thousand dollars (\$25,000) with the Oakland Police Activities League |

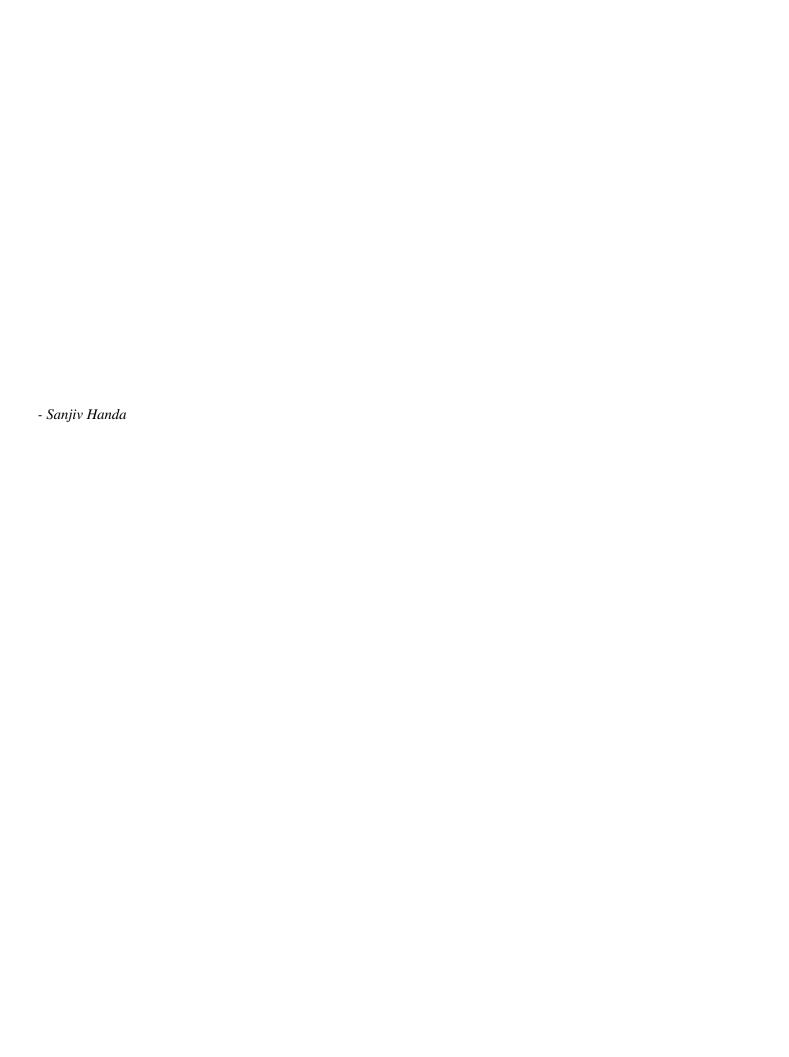
the following vote:

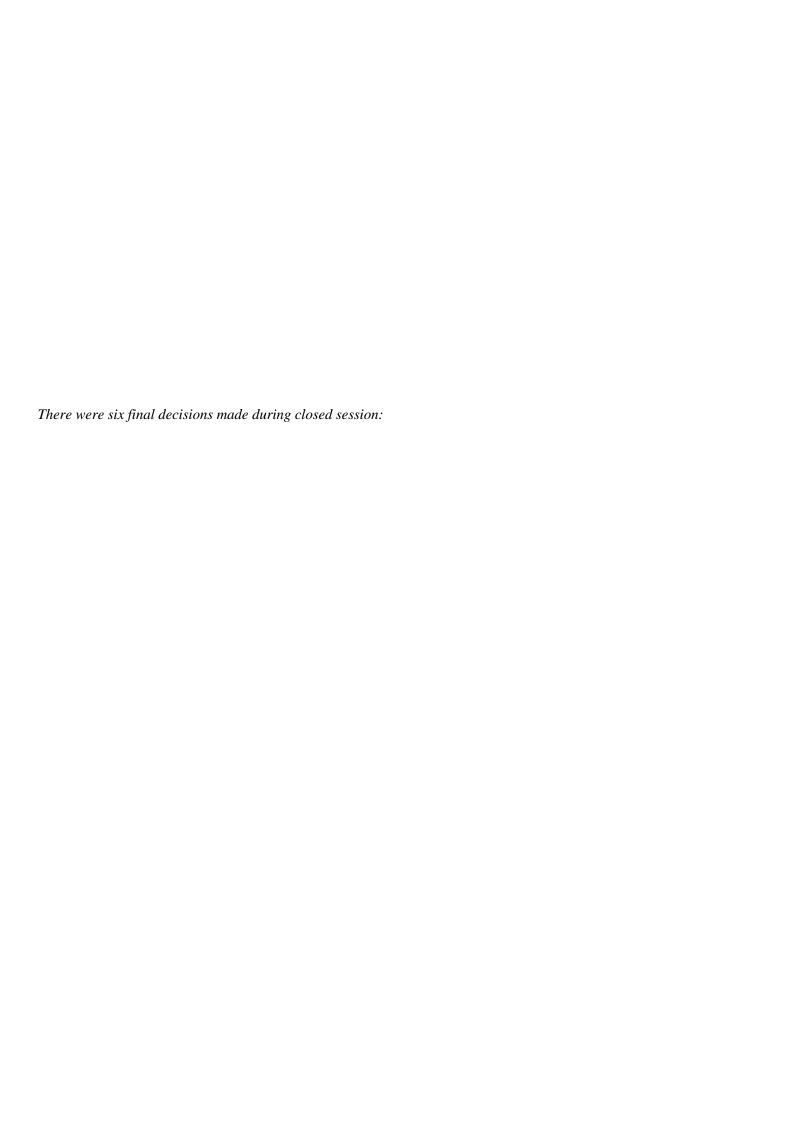
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente                  |
|---|
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember                        |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,                 |
| Councilmember Reid and Vice Mayor Chang   |
| Resolution Number 78558 C.M.S.  |
| <u>04-0297.pdf</u> ,  |
| <u>04-0291.pdf</u> ,  |
| <u>Item 7 RLC 5-13-04.pdf</u> ,   |
| <u>Item 10.24CC SUPP 5-18-04.pdf</u> ,  |
| 78558 CMS.pdf   |
| 11  |
| An oral report from the Agency Counsel / City Attorney of final decisions made during |
| Closed Session  |
| A motion was made by Councilmember Brunner, seconded by                               |
| Councilmember Reid, to *Approve as Submitted. The motion carried by                   |

Votes:

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







Item 2(e): Saroeum Sam v. City of Oakland

















| Quan, Wan, and Reid - 6, Abstain: Brooks -1; Excused: De La Fuente - 1 |  |
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Item 2(g): Thina Faison v. City of Oakland

















Item 2(h): Lolinh Saelle v. City of Oakland















| C | Shano Nadel Quan I    | Reid and Wan - 7; Exc | used: De La Fuente | - 1 |  |
|---|-----------------------|-----------------------|--------------------|-----|--|
| C | riang, Pauci, Quan, I | cea and wan 7, Exc    | useu. De La l'ueme | •   |  |
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Item 2(f): Silveira v. City of Oakland















Item 2(c): Lynn Beamon v. City of Oakland





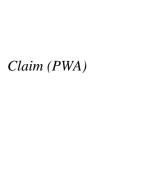








| Item 1: | California Waste Solutions- Settlement of Host Fees |  |  |
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| 1) City's payment of | f the \$109,405; 2) City's an | d CWS' agreement to i | ndemnify |  |
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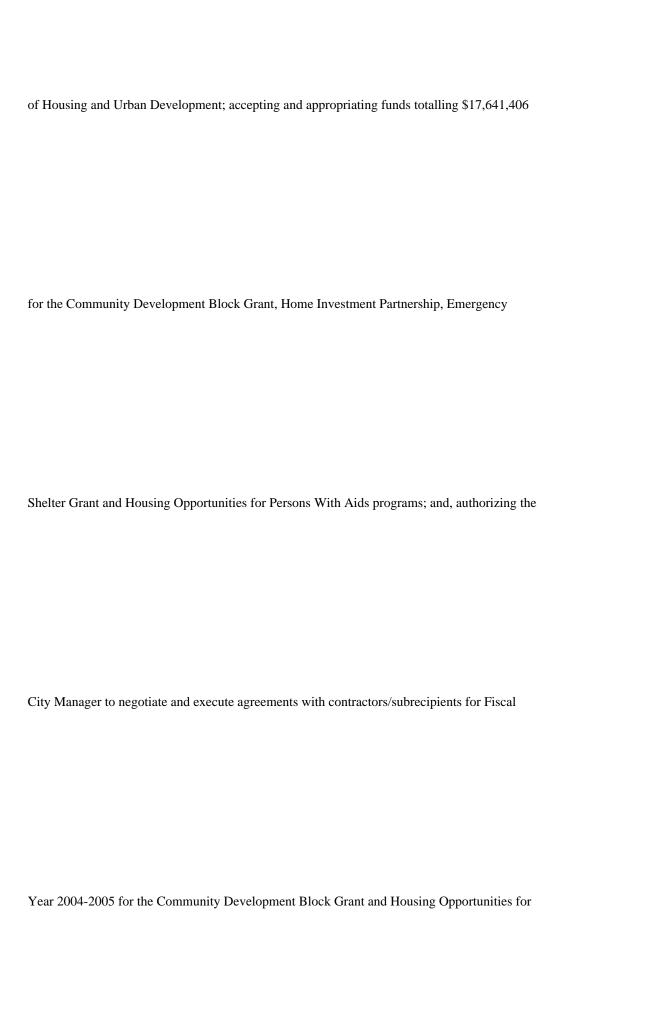
| members present were recorded as voting: Ayes: Agency/Councilmember:                     |
|--|
| Brooks, Brunner, Chang, Nadel, Reid, Quan, and Wan-7, Excused: De La                     |
| Fuente -1  |
| 12   |
| A disclosure of non-confidential Closed Session Discussion pursuant to Section 15 to the |
| Sunshine Ordinance   |
| Agency/Councilmember Brooks made a motion seconded by Agency/                            |
| Councilmember Reid confirming that there were no discussions pursuant to                 |
| Section 15 of the Sunshine Ordinance, and hearing no objections, the motion              |
| passed by Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Nadel, Reid,               |
| Quan, and Wan -7, Excused: De La Fuente-1  |
| COMMENCING AT 7:00 P.M. OR AS SOON AS REASONABLY PRACTICAL                               |

## **THEREAFTER:**

13

Reconsideration of Ordinances pursuant to Charter Section 216 *There was no action neccessary for this item.*14. Consideration of items with statutory Public Hearing Requirements:

| Subject:    | Community Development Block Grant Programs - Public Hearing                       |
|-------------|---|
| From:       | Community and Economic Development Agency   |
| Recommen    | ndation: Conduct a Public Hearing and upon conclusion adopt a Resolution          |
| authorizing | g the City Manager to prepare and submit the Consolidated Plan Annual Action Plan |
| for Housin  | g and Community Development for Fiscal Year 2004-2005 to the U.S. Department      |



| Persons with Aids programs (Vice Mayor Chang, City-wide) (04-0174)                             |
|--|
| Continued to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/1/2004 |
| Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was                        |
|  |
| opened at 7:02 p.m.  |
|  |





| - Johnathan Winters            |  |  |
|--------------------------------|--|--|
| - Martin Carey Rios            |  |  |
| <u>04-0174.pdf</u> ,           |  |  |
| <u>Item 4 4-27-04.pdf</u> ,    |  |  |
| <u>Item 9 5-11-04.pdf</u> ,    |  |  |
| <u>Item 14.1 5-18-04.pdf</u> , |  |  |

| Item 9 SUPP CED 5-11-04.pdf,   |
|--|
| Item 14.1-2 Revised Resolution.pdf   |
| 2) Resolution to amend Resolution Number 76276 C.M.S. to change the Community                  |
| Development Block Grant (CDBG) proposal funding process so that Community Development          |
| (CD) District Boards will review proposals and make funding recommendations only for           |
| programs funded with CDBG District Allocations; and 2) limit the total amount of funding for   |
| district allocations to the amount of CDBG funds unallocated after the annual City Council     |
| budget review (TITLE CHANGE) (04-0174a)  |
| Continued to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/1/2004 |

| Agency/Councilmember Nadel made a motion, seconded by Agency/              |
|--|
| Councilmember Brooks, continue the Public Hearing to June 1, 2004 to take  |
| action on the Revised Recommendation noticed for item 14.1, and hearing no |
| objections, the motion passed by Ayes: Agency/Councilmember: Brooks,       |
| Brunner, Chang, Nadel, Reid, Quan, and Wan-7, Excused: De La Fuente -1     |
| <u>Item 4 4-27-04.pdf</u> ,  |
| <u>Item 9 5-11-04.pdf</u> ,  |
| <u>Item 14.1 5-18-04.pdf</u> ,   |
| Item 14.1-2 Revised Resolution.pdf   |
| 14.2   |
| Subject: Planning Commission Appeal-VMD04-401 - Public Hearing             |
| From: Community and Economic Development Agency                            |

| Recommendation: Conduct a Public Hearing and adopt a Resolution denying the appeal and       |
|--|
| sustaining the decision of the City Planning Commission in approving construction of a new   |
| single-family residence located on a vacant lot adjacent to 3601 Lakeshore Avenue (Case File |
| Number VMD03-401)(Councilmember Wan, District 2) (04-0246)                                   |
| A motion was made by Councilmember Wan, seconded by Councilmember                            |
|  |
| Reid, that this matter be Adopted. The motion carried by the following                       |
| Reid, that this matter be Adopted. The motion carried by the following vote:                 |
|  |
| vote:  |
| vote:<br>Votes:  |
| vote:  Votes:  ORA\Councilmember Excused: 1 - President of the Council De La Fuente          |



| - Cameron C. Brown  |
|---|
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| The following individual spoke under this item and did not indicate a position: |
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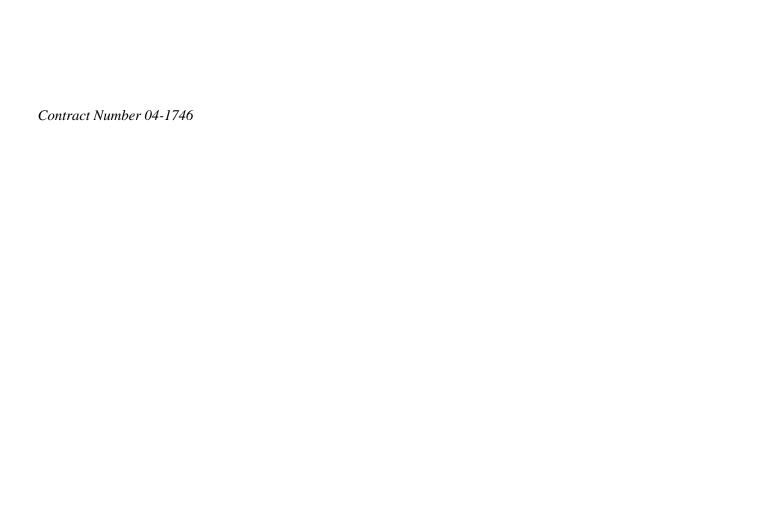






| Subject: California Waste Solutions - Northern Half of the City                                  |
|--|
| From: Public Works Agency  |
| Recommendation: Adopt a Resolution authorizing the City Manager to enter into an agreement       |
| with California Waste Solutions to provide weekly single stream residential recycling            |
| collection and processing services in the northern half of the City from January 1, 2005 through |
| December 31, 2012 in an initial amount of approximately \$2,575,000 per year (04-0306)           |
| A motion was made by Councilmember Nadel, seconded by  |
| Councilmember Reid, that this matter be Adopted as Amended. The                                  |
| motion carried by the following vote:  |
| Votes:  ORA\Councilmember Excused: 1 - President of the Council De La Fuente                     |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember                                   |

| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks, |
|---|
| Councilmember Reid and Vice Mayor Chang                               |
|   |
|   |
| Resolution Number 78560 C.M.S.  |
| Resolution Number 7 0500 C.M.S.                                       |
|   |





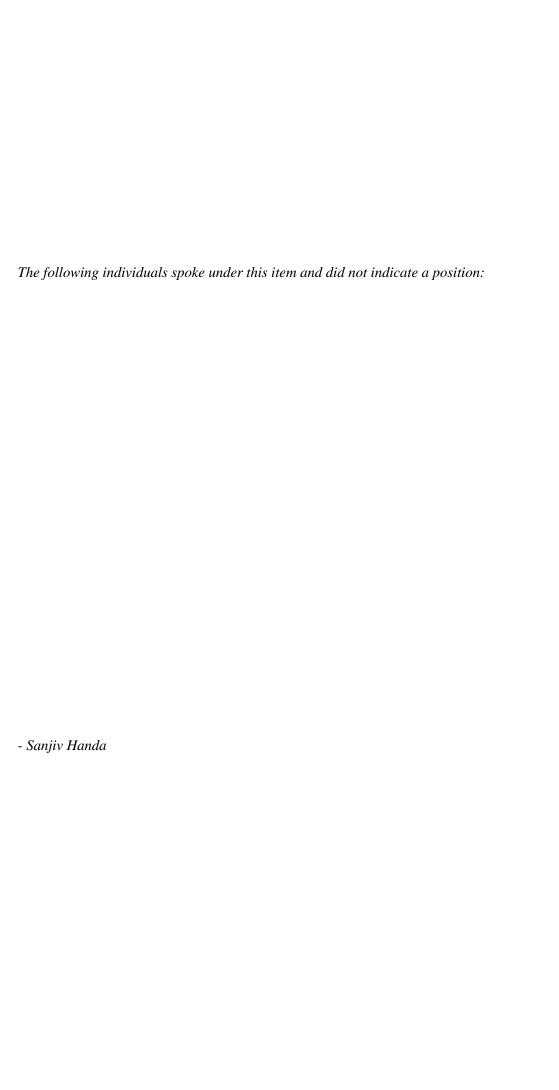
- Victor Duong

- Steve Gillman

- Philip Nguyen

- Tran Hong Phui







- James S. Hatcher

- Odrs Hall

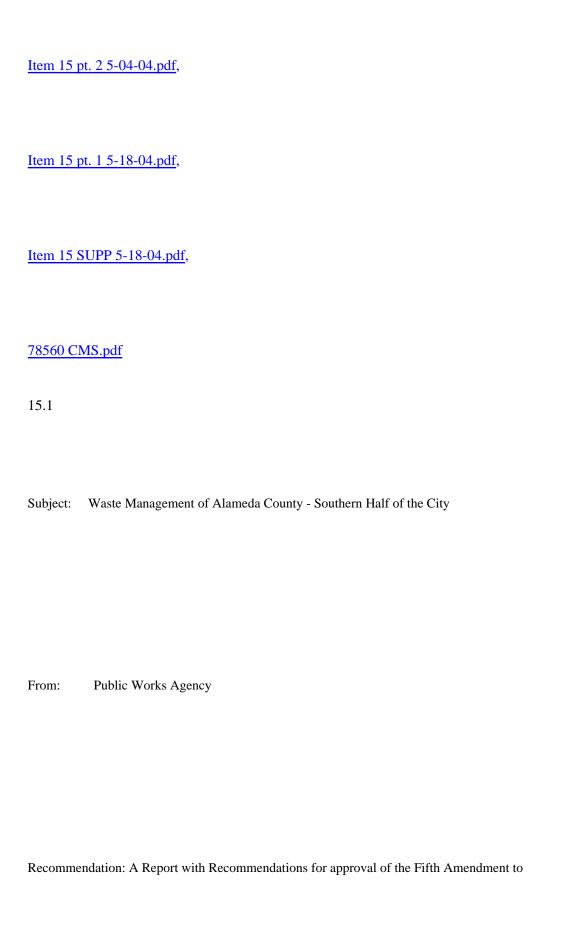
- Marcel Diallo

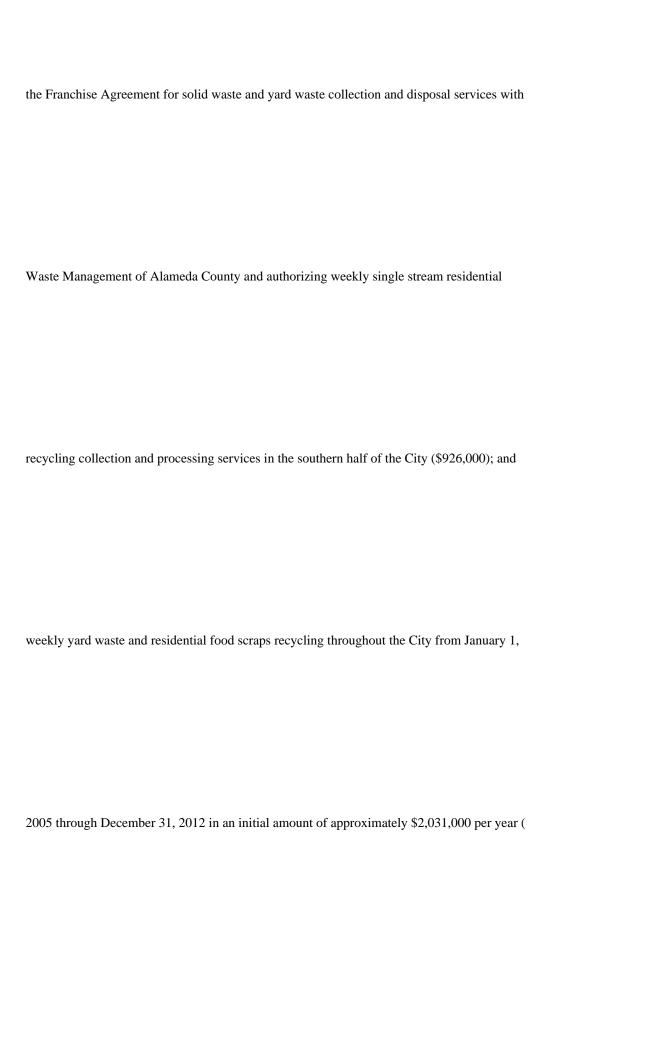
- Trung Nguyen



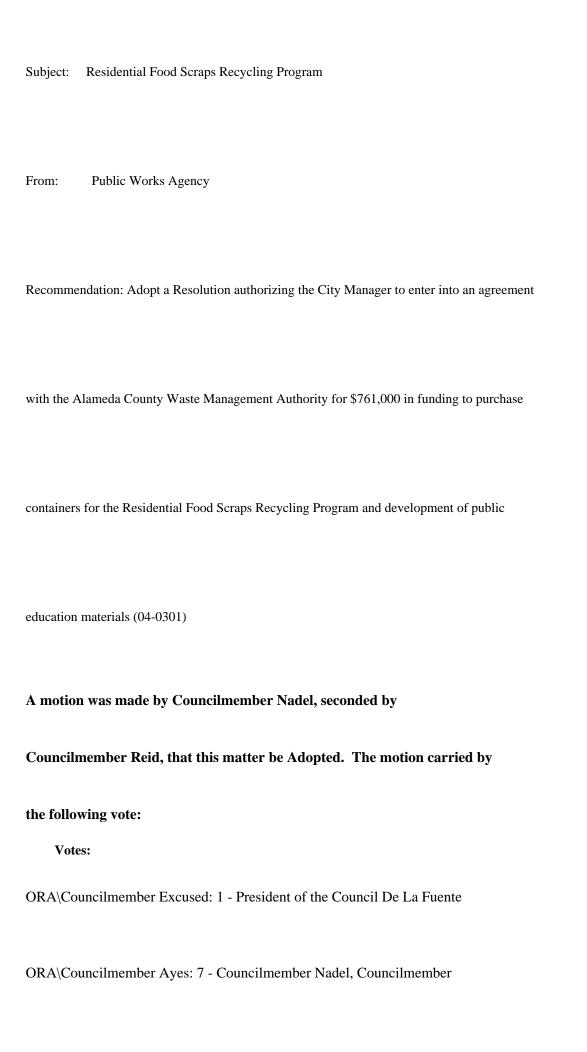








| TIT                 | LE CHANGE TO DELETE RESOLUTION PREVIOUSLY NOTICED AS ITEM 15.1) (  |
|---------------------|--|
|                     |  |
| 04-0                | 0300)  |
|                     |  |
| A n                 | notion was made by Councilmember Nadel, seconded by                |
| Cou                 | uncilmember Reid, that this matter be Approved. The motion carried |
| by t                | the following vote:  |
|                     | Votes:   |
| OR.                 | A\Councilmember Excused: 1 - President of the Council De La Fuente |
| OR.                 | A\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember       |
| Bru                 | nner, Councilmember Wan, Councilmember Quan, Councilmember Brooks, |
| Сои                 | uncilmember Reid and Vice Mayor Chang                              |
| 04-0                | 0300.pdf,  |
| <u>Iten</u><br>15.2 | n 15.1 5-18-04.pdf<br>2  |

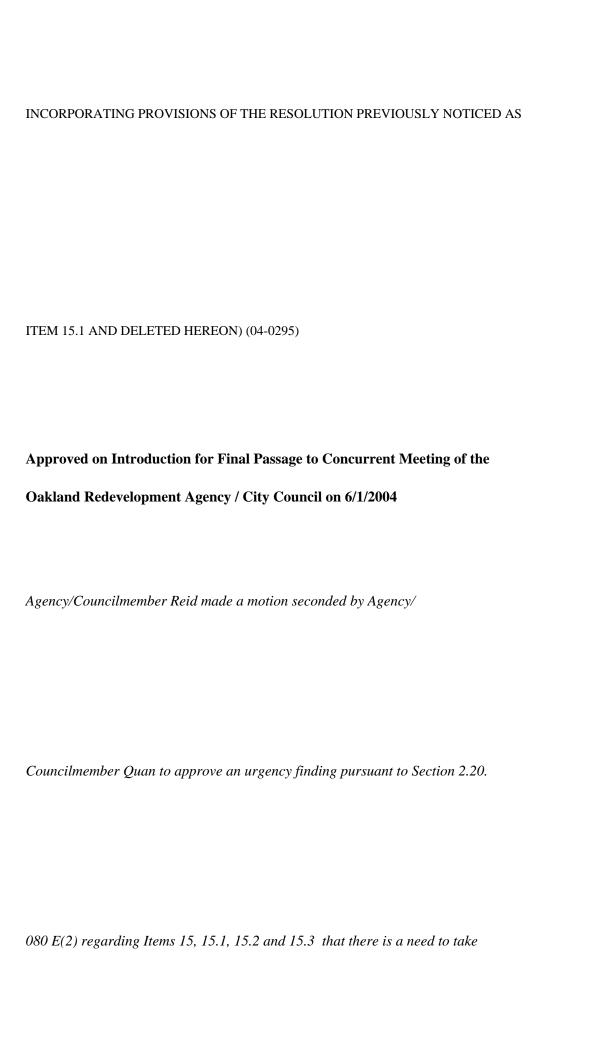


| Councilmember Reid and Vice Mayor Chang            |
|--|
|  |
| Resolution Number 78561 C.M.S                      |
| Contract Number 04-1747                            |
| <u>04-0301.pdf</u> ,                               |
| <u>Item 15.2 5-18-04.pdf</u> ,                     |
| 78561 CMS.pdf                                      |
| 15.3   |
| Subject: Solid Waste Collection and Disposal Rates |
| From: Public Works Agency                          |
|  |

Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,

| Recommendation: Approve the Introduction (First Reading) of an Ordinance amending            |
|--|
| Ordinance No. 11820 C.M.S. increasing rates charged for solid waste collection and disposal  |
| for multi-family and single-family ratepayers, increasing City fees paid by Waste Management |
| of Alameda County to the City of Oakland and authorizing the Fifth Amendment to the          |
|  |

| Franchise Agreement for solid waste and yard waste collection and disposal services to include |
|--|
| weekly single stream residential recycling and processing services in the southern half of the |
| City (\$926,000), and City-wide weekly yard waste collection and residential food scraps       |
| recycling in an initial amount of approximately \$2,031,000 per year (TITLE CHANGE             |
|  |





| <u>04-0295.pdf</u> ,   |
|--|
| <u>Item 15.3 5-18-04.pdf</u> ,   |
| <u>Item 15.3 5-18-04.pdf</u> ,   |
| <u>Item 10.12CC 6-01-04.pdf</u>  |
| (Item 7 6-1-04) <u>Attachment A 5-18-04</u> 16                                   |
| Subject: 2002-2003 Comprehensive Annual Financial Report                         |
| From: Finance and Management Agency  |
| Recommendation: Receive the Fiscal Year 2002-2003 Comprehensive Annual Financial |
| Informational Report and Oakland Redevelopment Agency Financials (04-0155)       |
| A motion was made by Councilmember Reid, seconded by Councilmember               |
| Wan, that this matter be *Received and Filed. The motion carried by the          |
| following vote:  |
| Votes:   |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente             |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember                   |

| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,        |  |  |
|--|--|--|
| Councilmember Reid and Vice Mayor Chang                                      |  |  |
| The following individual spoke and did not indicate a position on this item: |  |  |
| - Sanjiv Handa   |  |  |
| 04-0155.pdf,   |  |  |
| CAFR June 30, 2003.pdf,  |  |  |
| ORA Financials June 30, 2003.pdf,  |  |  |
| Item 8 4-27-04.pdf,  |  |  |
| Item 16 5-18-04.pdf,   |  |  |
| Item 16 SUPP 5-18-04.pdf   |  |  |
| 17   |  |  |

Thomas Limon - Budget Advisory Committee

Subject:

| From:  | Council President De La Fuente                                |  |  |  |  |
|--|---|--|--|--|--|
| Recommendation: Adopt a Resolution appointing Thomas Limon as a member of the Budget |   |  |  |  |  |
| Advisory C   | Advisory Committee (04-0412)                                  |  |  |  |  |
| A motion   | was made by Councilmember Reid, seconded by Councilmember     |  |  |  |  |
| Wan, that this matter be Adopted. The motion carried by the following                |   |  |  |  |  |
| vote:  |   |  |  |  |  |
| Votes  | :   |  |  |  |  |
| ORA\Cou  | ncilmember Excused: 1 - President of the Council De La Fuente |  |  |  |  |
| ORA\Cou  | ncilmember Ayes: 7 - Councilmember Nadel, Councilmember       |  |  |  |  |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,                |   |  |  |  |  |
| Councilme  | ember Reid and Vice Mayor Chang                               |  |  |  |  |
| Resolution   | n Number 78562 C.M.S.   |  |  |  |  |
| <u>Item 17 5-</u>  | <u>18-04.pdf</u> ,  |  |  |  |  |
| 78562 CM<br>18   | IS.pdf  |  |  |  |  |
| Subject:   | Amendment to the Salary Schedule                              |  |  |  |  |
| From:  | Finance and Management Agency                                 |  |  |  |  |

| Recommendation: Approve the Introduction (First Reading) of an Ordinance amending the           |
|---|
| Salary Schedule of Ordinance No. 12187 C.M.S. (The Salary Ordinance) to increase the pay of     |
| certain miscellaneous job classifications pursuant to the Service Employees International Union |
| Local 790, Part-Time Memorandum of Understanding (04-0403)                                      |
| A motion was made by Councilmember Reid, seconded by Councilmember                              |
| Wan, that this matter be Approved on Introduction for Final Passage to                          |
| the Concurrent Meeting of the Oakland Redevelopment Agency / City                               |
| Council, due back on June 1, 2004. The motion carried by the following                          |
| vote:   |
| Votes:  |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente                            |

| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember                               |
|--|
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,                        |
| Councilmember Reid and Vice Mayor Chang  |
| The following individual spoke and did not indicate a position on this item:                 |
| - Sanjiv Handa   |
| <u>04-0403.pdf</u> ,   |
| <u>Item 18 5-18-04.pdf</u><br>S-19   |
| Subject: Prohibition of Fireworks in the City of Oakland                                     |
| From: President De La Fuente   |
| Recommendation: Adopt an Emergency Ordinance repealing Chapter 8.06.010 of the Oakland       |
| Municipal Code which prohibits the firing and explosion of fireworks and other pyrotechnical |
| devices and adding Chapter 8.06.030 prohibiting the sale, transfer, possession and use of    |
|  |

| fireworks within City limits (04-0418)                                |  |  |  |  |
|---|--|--|--|--|
| 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:                    |  |  |  |  |
| Votes:  |  |  |  |  |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente  |  |  |  |  |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember        |  |  |  |  |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks, |  |  |  |  |

Councilmember Reid and Vice Mayor Chang











- Mark Daly





- Keh B. Lupoff



- John Fall























| ı | Brunner, Chang, Nade | el, Quan, Reid, and War | n; Abstain: Brooks -1 | Excused: De |  |
|---|----------------------|-------------------------|-----------------------|-------------|--|
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| 1. | The City Administrator may issue permits for professional displays of |  |
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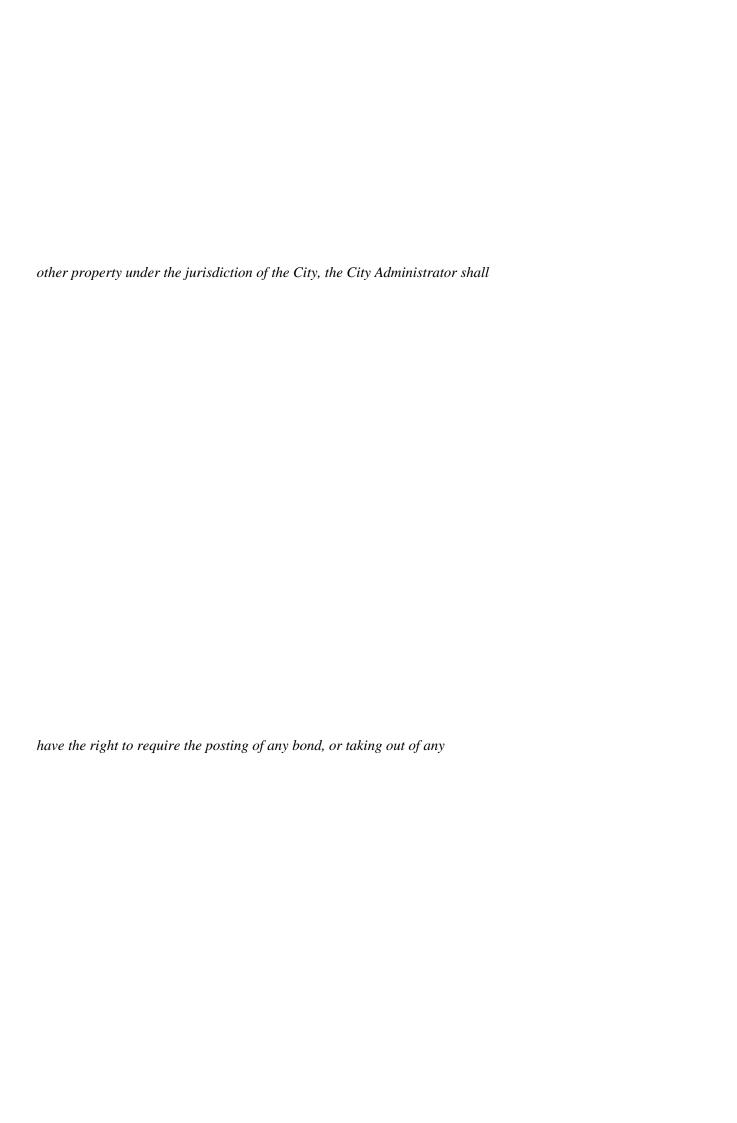








| 2. | Further, if any display of fireworks is to be held within any public park or |
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| 3) | Delete Section 2 A, Item 5; |
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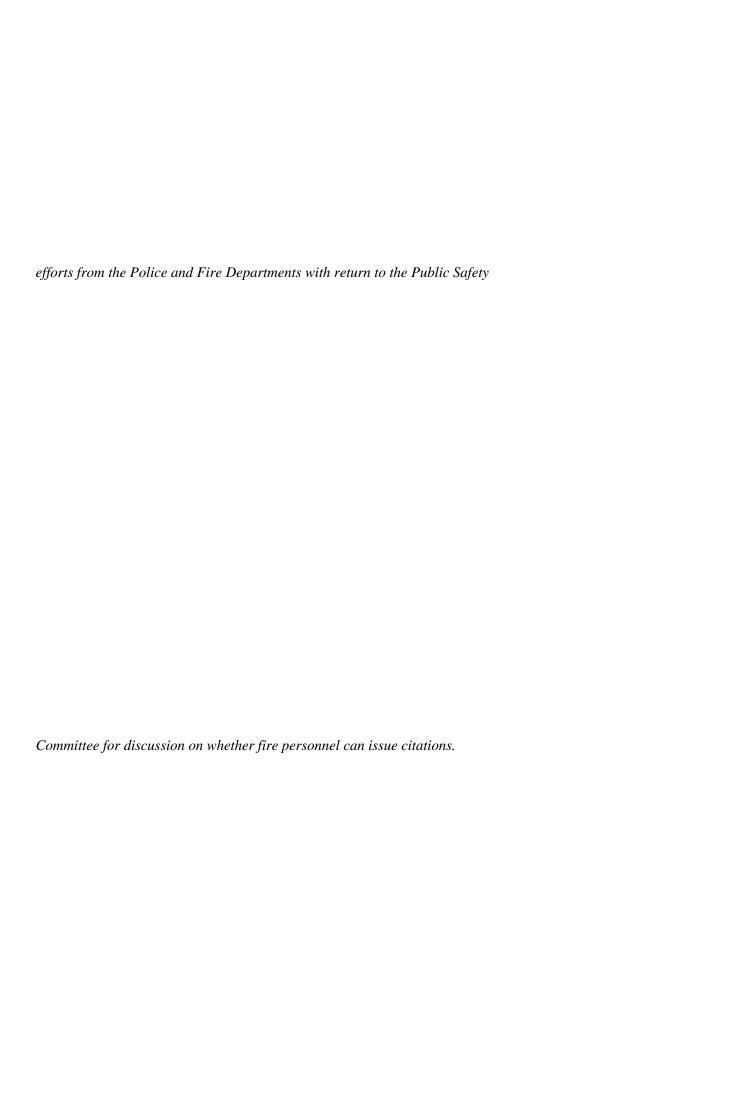
| 4)  | nsert "and exempt 12508" into Section 2 A, Item 8, after 'Section 12529'; |
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| ana |   |
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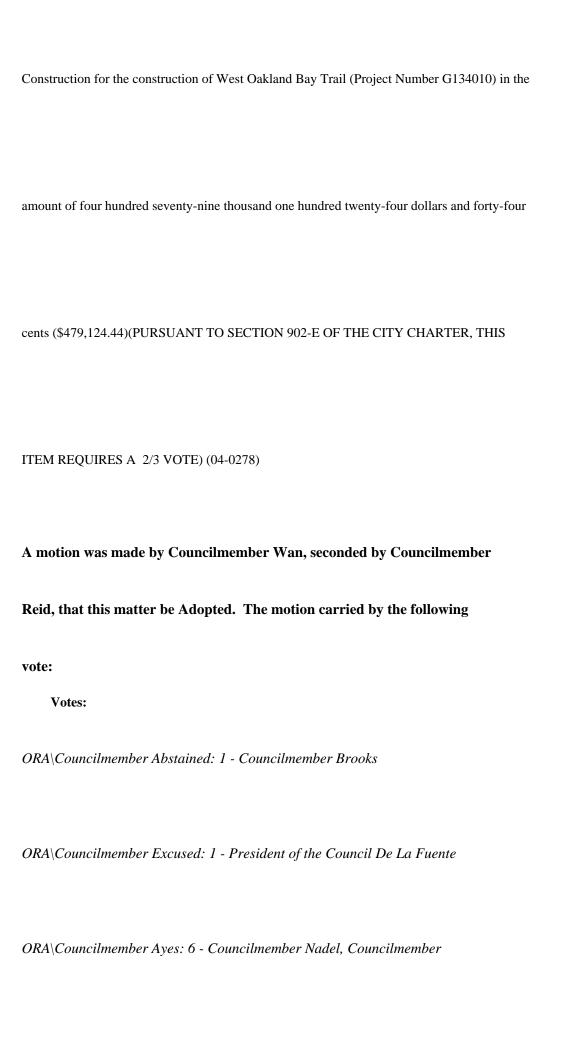


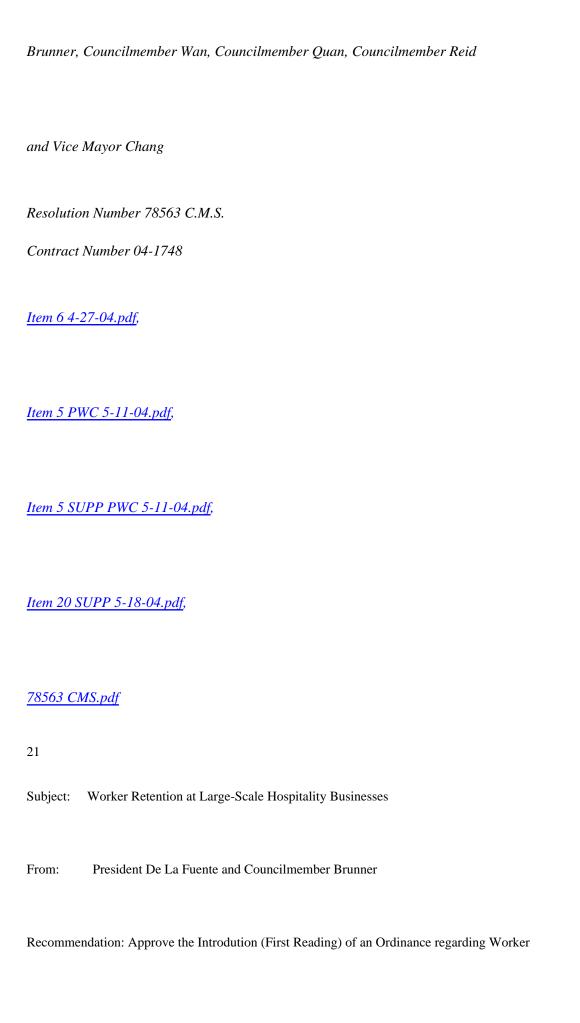






| Quan, Reid, and Wan; Abstain: Brooks -1 Excused: De La Fuente -1               |
|--|
| <u>04-0418.pdf</u> ,   |
| <u>Item 19 SUPP 5-18-04.pdf</u> ,  |
| <u>12601 CMS.pdf</u>   |
| S-20   |
| Subject: Vanguard Construction - West Oakland Bay Trail                        |
| From: Public Works Agency  |
| Recommendation: Adopt a Resolution authorizing award of a contract to Vanguard |





| Retention at Large-Scale Hospitality Businesses (04-0250)                |
|--|
| A motion was made by Councilmember Reid, seconded by Vice Mayor          |
| Chang, that this matter be Approved on Introduction for Final Passage to |
| the Concurrent Meeting of the Oakland Redevelopment Agency / City        |
| Council, due back on June 1, 2004. The motion carried by the following   |
| vote:  |
| Votes:   |
| ORA\Councilmember Excused: 1 - President of the Council De La Fuente     |
| ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember           |
| Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks,    |
| Councilmember Reid and Vice Mayor Chang                                  |
|  |

| The following individual spoke in favor of this item | ı: |  |
|--|----|--|
| - Mario Joseph Savioni                               |    |  |
| - Andrew Petrazzuoli                                 |    |  |
| - Clare Lee Darby                                    |    |  |
| - Judy Goff  |    |  |
|  |    |  |

| - Caroll Troy Richardson  |  |
|---|--|
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|   |  |
| The following individuals spoke and did not indicate a position on this item: |  |
|   |  |
|   |  |
|   |  |
| - Sanjiv Handa  |  |
|   |  |
|   |  |
|   |  |
| - Hector Reynas   |  |
|   |  |
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| <u>nem s</u>  | 3 CED 5-11-04.pdf,   |
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| <u>Item 3</u> | <u>8 SUPP CED 5-11-04.pdf</u> ,  |
| Item 2        | 21 SUPP 5-18-04.pdf,   |
| Item 1        | 1 <u>0.10CC 6-01-04.pdf</u>  |
| <u>ADJ(</u>   | OURNMENT OF COUNCIL SESSION  |
| (Mee          | ting shall conclude no later than 10:30 p.m., unless extended by Majority Vote of the Council  |
|               |  |
| )             |  |
|               | e being no further business, and upon the motion duly made, the Agency/  |
| There         | e being no further business, and upon the motion duly made, the Agency/<br>cil adjourned the meeting in memory of Harold Butler, Dan Purnell, Sr., |
| There<br>Coun |  |

| If you need special assistance to participate in Oakland City Council and Committee meetings |  |
|--|--|
| please contact the Office of the City Clerk. When possible, please notify the City Clerk 48  |  |
| hours prior to the meeting so we can make reasonable arrangements to ensure accessibility.   |  |
| Also, in compliance with Oakland's policy for people with environmental illness or multiple  |  |
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