

# City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California

94612

Ceda Floyd, City Clerk

## Online Meeting Minutes - Final

### Concurrent Meeting of the Oakland Redevelopment Agency/City Council

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

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

6:00 PM

Oakland City Hall, 3rd Floor

Tuesday, February 3, 2004

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

The Roll Call was modified to note Councilmember Quan present at 7:00 p.m.

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

The following individuals spoke under Open Forum:

- Gene Hazzard
- Mrs. Farve
- Roosevelt Mosby
- Cindy Chavez
- Monica Corona
- Christian Rak
- Peter Clark
- John Grace
- 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.

Item S-10.14CC was withdrawn and rescheduled to the February 17, 2004 City Council agenda

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 on 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 on this item.

Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on January 20, 2004

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

**ORA\Councilmember Absent:** Councilmember Quan  
1 -

**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

#### 8. PRESENTATION OF CEREMONIAL MATTERS

8.1

Subject: Fifth Annual Oakland/San Leandro Job Fair  
From: Councilmember Reid  
Recommendation: A Presentation of Certificate of Appreciation to the employers that participated in the Fifth Annual Oakland/San Leandro Job Fair  
Attachments: [0026.pdf](#)

Councilmember Reid made a presentation of Certificates of Appreciation to the employers who participated in the Fifth Annual Oakland/San Leandro Job Fair.

#### 9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Councilmember Nadel took a point of personal privilege and requested that the meeting be adjourned in the memory of Katherine Washington.

Councilmember Brunner took a point of personal privilege and requested that the meeting be adjourned in the memory of Stephanie Franklin.

Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in the memory of Charles Winsor.

#### 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](#),  
[78319.pdf](#)

Resolution Number 78319 C.M.S.

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

**ORA\Councilmember Absent:** Councilmember Quan  
1 -

**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:** 78319

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](#),  
[78320.pdf](#)

Resolution Number 78320 C.M.S

The following individual spoke on Item 10.2CC:  
- Curtis Hepner

**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 Absent:** Councilmember Quan  
1 -

**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:** 78320

**10.3CC**

Subject: Oakland Museum of California Foundation Board  
From: Office of the Mayor  
Recommendation: Adopt a Resolution re-appointing Virginia Furth, Melvin  
Harrison, Harold Jones, Daryl Lillie, and Margaret McPhee Nelson as members  
of the Oakland Museum of California Foundation Board

Attachments: [10.3CC.pdf](#),  
[78321.pdf](#)

Resolution Number 78321 C.M.S.

The following individual spoke on Item 10.3CC and did not indicate a position:

- Sanjiv Handa

**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 Absent:** Councilmember Quan  
1 -

**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:** 78321

**10.4CC**

Subject: Jodi Remke - Housing, Residential Rent and Relocation Board  
From: Office of the Mayor  
Recommendation: Adopt a Resolution appointing Jodi Remke as neutral  
representative, as a member of the Housing, Residential Rent and Relocation  
Board

Attachments: [10.4CC.pdf](#)

**\*Withdrawn with No New Date**

**10.5CC**

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](#),  
[Item 24 Supp 2-17-04.pdf](#)

The following individual spoke against Item 10.5CC:

- James Vann

At the request of Councilmember Brunner, this item was withdrawn and rescheduled to  
the February 17, 2004 Council agenda.

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

**10.6CC**

Subject: Chip Conradi - Business Tax Board of Review  
From: Office of the Mayor  
Recommendation: Adopt a Resolution appointing Chip Conradi as a member of  
the Business Tax Board of Review

Attachments: [10.6CC.pdf](#),  
[78322.pdf](#)

Resolution Number 78322 C.M.S

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

**ORA\Councilmember Absent:** Councilmember Quan  
1 -

**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:** 78322

10.7CC

Subject: Roland Walker - Citizen's Police Review Board  
From: Office of the Mayor  
Recommendation: Adopt a Resolution reappointing Roland Walker as a  
member of the Citizen's Police Review Board

Attachments: [10.7CC.pdf](#),  
[78323.pdf](#)

Resolution Number 78323 C.M.S.

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

**ORA\Councilmember Absent:** Councilmember Quan  
1 -

**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:** 78323

10.8CC

Subject: Harriet Waterfield - 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 Harriet Waterfield v. City of  
Oakland, et al., Alameda County Superior Court Case number RG 03-81747,  
our file number 22393, in the amount of \$40,000.00, based on a trip and fall on  
the sidewalk (Public Works Agency)

Attachments: [10.8CC.pdf](#),  
[78324.pdf](#)

Resolution Number 78324 C.M.S

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

**ORA\Councilmember Absent:** Councilmember Quan  
1 -

**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:** 78324

10.9CC

Subject: Friendly Transportation, Inc. - Partial Settlement Agreement  
From: Office of the City Attorney  
Recommendation: Adopt a Resolution authorizing and directing the City  
Attorney to compromise and partially settle the eminent domain case of  
Oakland Unified School District v. Friendly Transportation, Inc., City of  
Oakland, et al. for twenty seven thousand four hundred and fifty dollars (\$27,  
450.00), as partial payment to the City for liens accrued on property located at  
3835 E. 12th Street, Oakland, Alameda County Superior Court Case number  
2002062154

Attachments: [0061.pdf](#),  
[10.9CC.pdf](#),  
[78325.pdf](#)

Resolution Number 78325 C.M.S.

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

ORA\Councilmember Absent: Councilmember Quan  
1 -

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:** 78325

10.10  
CC

Subject: Vehicular Pursuit Policy  
From: Oakland Police Department  
Recommendation: Receive an Informational Report comparing the Oakland  
Police Department's Policy, Procedures, and Precautions used for vehicle  
pursuits to those of other cities

Attachments: [10.10 CC SUPP.pdf](#),  
[10.10CC.pdf](#),  
[7.pdf](#),  
[Item 3 10-14-03.pdf](#)

The following individual spoke on Item 10.10CC and did not indicate a position:

- Sanjiv Handa

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

ORA\Councilmember Absent: Councilmember Quan  
1 -

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

10.11  
CC

Subject: City Owned Surplus Property  
From: Community & Economic Development Agency  
Recommendation: Approve the Final Passage (Second Reading) of an  
Ordinance authorizing the City Manager to enter into purchase and sale  
agreements for the sale of City owned surplus property from the negotiated  
sale to the following highest bidders: (APN 045-5304-057-02, 056 for \$150,000)  
98th and RJ Limited, LLC; and (APN 048d-7303-067 for \$50,000 & APN 048d-  
7303-068 for \$50,000) Wayne Huey (TITLE CHANGE)

Attachments: [03-0380.pdf](#),  
[10.11CC.pdf](#),  
[12575.pdf](#),  
[15.pdf](#)

Ordinance Number 12575 C.M.S.

Contract Number 04-1660

Contract Number 04-1661

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

ORA\Councilmember Absent: Councilmember Quan  
1 -

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:** 12575

10.12  
CC

Approve the Final Passage (Second Reading) of an Ordinance amending Ordinance Number 12504 C.M.S. (Master Fee Schedule), as amended, to establish a new Technology Service Fee assessed by the Building Services Division of the Community and Economic Development Agency

Attachments: [10.12CC.pdf](#),  
[12576.pdf](#),  
[Item 12 12-9-03.pdf](#),  
[Item 5 - 01.13.04.pdf](#),  
[S -19.pdf](#)

Ordinance Number 12576 C.M.S

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

**ORA\Councilmember Absent:** Councilmember Quan  
1 -

**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:** 12576

10.13  
CC

Subject: Arroyo Viejo Creek Restoration Project  
From: Public Works Agency  
Recommendation: Adopt a Resolution authorizing the City to accept and appropriate funds from the California Coastal Conservancy in the amount of \$ 400,000 for the implementation of the Arroyo Viejo Creek Restoration Project at the Knowland Park/Oakland Zoo Site and to enter into agreements with the California Coastal Conservancy for these funds

Attachments: [04-0047.pdf](#),  
[3 1-27-04.pdf](#),  
[78326.pdf](#),  
[S-10.13 CC.pdf supp](#)

Resolution Number 78326 C.M.S.

Contract Number 04-1657

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

**ORA\Councilmember Ayes:** 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:** 78326

10.14  
CC

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)

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

At the request of staff, this item was withdrawn and rescheduled to the February 17, 2004 City Council agenda.

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

10.15  
CC

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.

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

At the request of Councilmember Brooks, this item was withdrawn and rescheduled to the February 17, 2004 City Council agenda.

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

10.16  
CC

Subject: Laboratory Information Management System (LIMS)  
From: Oakland Police Department  
Recommendation: Adopt a Resolution authorizing a professional services agreement with Forensic Technologies Incorporated in the amount of two hundred eighty-two thousand two hundred three dollars (\$282,203) for the installation of a Laboratory Information Management System (LIMS) for the Forensic Science Laboratory of the Oakland Police Department

Attachments: [3.pdf](#),  
[78327.pdf](#),  
[Item 4 1-27-04.pdf](#),  
[S-10.16 CC.pdf supp](#)

Resolution Number 78327 C.M.S.  
Contract Number 04-1662

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

**ORA\Councilmember Ayes:** Councilmember 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:** 78327

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

The following individual spoke on Item 11 and did not indicate a position:  
- Sanjiv Handa

There was one final decision made in Closed Session:

Item 2f: Maya Brown v. City of Oakland  
Council authorized settlement in the amount of \$10,000.00 in a case involving a claim of false arrest, assault and battery.

Motion made by Councilmember Brunner, seconded by Councilmember Reid, to authorize settlement, and hearing no objections, all members present were recorded as voting: Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Nadel, Reid, Wan and President of the Council De La Fuente - 7; Absent: Quan -1

Agency/Councilmember Brunner 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, Reid, Wan and President of the Council De La Fuente - 7; Absent: Quan -1

**A motion was made by Councilmember Brunner, seconded by Councilmember Reid, to \*Approve as Submitted. The motion carried by the following vote:**

**ORA\Councilmember Absent:** Councilmember Quan  
1 -

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

The Roll Call was modified to note Councilmember Quan present at 7:00 p.m.

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 Brunner 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 on this item.

14. Consideration of items with statutory Public Hearing Requirements:

14.1

Subject: General Plan Designation and Rezone-928-998 66th Avenue and 801-931 69th Avenue - Public Hearing

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing and upon conclusion adopt the following legislation to change the General Plan Designation and Rezone:

1) Adopt a Resolution to change the General Plan designations of 928-998 66th Avenue and 801-931 69th Avenue from Housing and Business Mix, General Industrial/Transportation, and Park and Urban Open Space to Neighborhood Center Mixed Use and Park and Urban Open Space, and

[04-0051.pdf](#),  
[14.1 2-3-04.pdf](#),  
[6 1-27-04.pdf](#),  
[78328.pdf](#)

Resolution Number 78328 C.M.S.

Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was opened at 7:05 p.m.

The following individuals spoke in favor of Item 14.1:

- Jon Gresley  
- Lynette Lee  
- Sylvester Grisby  
- Audrey Grisby  
- Joshua Simon  
- Carlos Castellanos

The following individuals spoke against Item 14.1:

- John Grace

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

Item 14.1 was taken in conjunction with Items S-23 and S-24.

**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 Nos: Councilmember Brunner  
1 -

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

**Enactment No: 78328**



2) Approve the Introduction (First 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)(Councilmember Brooks, District 6; Councilmembers Reid, District 7)

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

**A motion was made by Councilmember Brooks, 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 February 17, 2004. The motion carried by the following vote:**

**ORA\Councilmember Nos:** Councilmember Brunner  
1 -

**ORA\Councilmember Ayes:** 7 - Councilmember Nadel, Councilmember Wan, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Vice Mayor Chang  
Councilmember Brunner was noted absent at 7:56 p.m

14.2

Subject: Ergonomic Workstations For Local Garment Factories - Public Hearing  
From: Community and Economic Development Agency  
Recommendation: Conduct a Public Hearing and upon conclusion adopt an Agency Resolution authorizing a grant to Asian Immigrant Women Advocates in an amount not to exceed \$25,000 for the installation of ergonomic chairs in local garment factories (Vice Mayor Chang, City-wide Councilmember)

Attachments: [03-0216.pdf](#),  
[14.2 2-3-04.pdf](#),  
[2004-02.pdf](#),  
[Item 5.pdf](#)

Agency Resolution Number 2004-02 C.M.S.

Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was opened at 7:44 p.m.

The following individuals spoke in favor of Item 14.2:

- Jie Hua Chen
- Shirley Liang
- Ping Xiang Lin
- Mimi Chung

Agency/Councilmember Quan made a motion, seconded by Agency/Councilmember Wan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes : Agency/Councilmember: Brooks, Chang, Nadel, Reid, Quan, Wan and President of the Council De La Fuente -7; Absent: Brunner -1

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

**ORA\Councilmember Absent:** Councilmember Brunner  
1 -

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

**Enactment No:** 2004-02

Subject: Vehicular Food Program - Public Hearing  
 From: Community and Economic Development Agency  
 Recommendation: Conduct a Public Hearing and upon conclusion adopt the following legislation for a permanent Vehicular Food Vending Program:

1) Approve the Introduction (First 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: [14.3 2-3-04.pdf](#),  
[17.pdf](#),  
[8.pdf](#)

Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was opened at 8:01 p.m.

The following individuals spoke in favor of Item 14.3:

- Frank Rose
- Emy Mendoza
- Emilia Otero
- Robert Hernandez
- Tony Salazar

The following individuals spoke on Item 14.3 and did not indicate a position:

- Madge Gate
- Sanjiv Handa

Agency/Councilmember Quan made a motion, seconded by Agency/Councilmember Wan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes : Agency/Councilmember: Brooks, Chang, Nadel, Reid, Quan, Wan and President of the Council De La Fuente -7; Absent: Brunner -1

ITEM 14.3 WAS TAKEN IN CONJUNCTION WITH ITEM 15.

**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 February 17, 2004. The motion carried by the following vote:**

**ORA\Councilmember Abstained:** Councilmember Reid  
 1 -

**ORA\Councilmember Nos:** Councilmember Brooks  
 1 -

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

Councilmember Brunner was noted present at 8:24 p.m.

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

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

**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 February 17, 2004. The motion carried by the following vote:**

Councilmember Reid

**ORA\Councilmember Abstained:** 1 -

Councilmember Brooks

**ORA\Councilmember Nos:** 1 -

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

**ORA\Councilmember Ayes:** 6 -

3) Approve the Introduction (First Reading) of an Ordinance amending the Oakland Planning Code to reference a permanent Vehicular Food Vending Program; and

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

**A motion was made by Councilmember Brooks, 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 February 17, 2004. The motion carried by the following vote:**

Councilmember Reid

**ORA\Councilmember Abstained:** 1 -

Councilmember Brooks

**ORA\Councilmember Nos:** 1 -

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

**ORA\Councilmember Ayes:** 6 -

4) Adopt a Resolution authorizing the City Manager to appropriate \$53,360 in revenue and expenditure to the Community and Economic Development Agency Building Services Division

Attachments: [14.3 2-3-04.pdf](#),  
[78329.pdf](#),  
[8.pdf](#)

Resolution number 78329 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:**

Councilmember Reid

**ORA\Councilmember Abstained:** 1 -

Councilmember Brooks

**ORA\Councilmember Nos:** 1 -

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

**ORA\Councilmember Ayes:** 6 -

**Enactment No: 78329**

ACTION ON NON-CONSENT ITEMS:

Subject: Pushcart Food Vending Program  
 From: Community and Economic Development Agency  
 Recommendation: Adopt the following legislation for a permanent Pushcart Food Vending Program:

- 1) Approve the Introduction (First 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: [15 2-3-04.pdf](#),  
[18.pdf](#),  
[Item 9.pdf](#)

The following individuals spoke in favor of Item 15:

- Ron Silva
- Jennifer Kassan
- Temo Jimenez
- Tony Salazar
- Pablo Cervantes
- Lorena Pelayo
- Manuel Magana
- Antonio Peleyo
- Hector Coupos

The following individuals spoke on Item 15 and did not indicate a position:

- Antonio Salazar
- Aristeo Zambrano

ITEM 15 WAS TAKEN IN CONJUNCTION WITH ITEM 14.3.

**A motion was made by Councilmember Wan, 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 February 17, 2004. The motion carried by the following vote:**

**ORA\Councilmember Nos:**

- 3 - Councilmember Nadel, Councilmember Brooks and Councilmember Reid

**ORA\Councilmember Ayes:**

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

- 2) Approve the Introduction (First Reading) of an Ordinance amending the Master Fee Schedule (Ordinance Number 9336 C.M.S. as Amended) to amend a Pushcart Food Vending Fee; and

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

**A motion was made by Councilmember Wan, 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 February 17, 2004. The motion carried by the following vote:**

**ORA\Councilmember Nos:**

- 3 - Councilmember Nadel, Councilmember Brooks and Councilmember Reid

**ORA\Councilmember Ayes:**

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

3) Adopt a Resolution authorizing the City Manager to appropriate \$20,040 in revenue and expenditure to the Community and Economic Development Agency Building Services Division

Attachments: [15 2-3-04.pdf](#),  
[78330.pdf](#),  
[Item 9.pdf](#)

Resolution Number 78330 C.M.S.

**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 Nos:**

3 - Councilmember Nadel, Councilmember Brooks and Councilmember Reid

**ORA\Councilmember Ayes:**

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

**Enactment No:** 78330

Subject: Medical Cannabis Distribution and Permitting

From: City Council Legislative Analyst

Recommendation: Approve the Introduction (First 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;

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

The following individuals spoke against Item 16:

- Robert Raich
- Nate Miley
- Jeff Jones
- Angel Raich
- Josh John
- Dale Garringer
- Chris Conad
- Lawrence Minsky
- Ken Hunter
- Dege Coutee
- Etura McGezer
- Sparky Rose
- Alex Franco
- Ed Rosenthal
- Eric Roberts
- Charlie Papas
- Rachel Neuman
- Mikki Norris
- Rebeca Kaplan
- Christopher Bones
- Mike Alcalay

The following individuals spoke on Item 16 and did not indicate a position:

- Donald Konecny
- Etura McGezer
- Sparky Rose
- Hilary McGuie
- John Pavletich
- Don Duncan
- Sonjia Miles
- Trenice Clemons
- Tre Brantly
- Sanjiv Handa
- Keith Thompson
- Roosevelt Mosby

ORA/Councilmember Quan made a motion, seconded by Councilmember Wan, to approve the introduction of the Ordinances, as amended, to include the following:

- 1) A title change on the Ordinance regarding designation of a medical cannabis provider to: An Ordinance amending Section 8.46.030 of the Oakland Municipal Code entitled Medical Cannabis Distribution Program to provide that the City Manger may designate no more than one (1) entity as a medical cannabis provider.
- 2) Section 5.80.040 Performance Standards, item A: to change "or" to "and" to read as follows"...6 mature and 12 immature marijuana plants per qualified patient."
- 3) Section 5.80.040 Performance Standards, item B to read as follows: "The City Manager shall set forth in his or her operating procedures and measures, the methods and manner for which background checks of employees for dispensaries will be conducted and which shall set forth standards for disqualification on their criminal history ."
- 4) Section 5.80.040 Performance Standards, item F to read as follows: "Dispensaries shall allow the City Manager or his or her designee to have access to the entities' books, records, accounts and any and all data relevant to its permitted activities for the purpose of conducting an audit or re-examination. Books, records, accounts and any and all relevant data will be produced no later than 24 hours after the City Manager or his designee requests."
- 5) Section 5.80.080 Regulations change "administrative guidelines" to "administrative regulations".

Councilmember Brunner offered a friendly amendment, which was accepted, to include the following additional amendments:

- 1) In 6 months, the City Manager will come back to City Council with a review of the number of dispensaries. This review will include the criteria used to determine if dispensaries should be added.
- 2) The City Manager will study and report to the City Council, in six months, regarding on-site consumption of medical cannabis at licensed dispensaries.
- 3) The City Manager will investigate the peer review process used in Berkeley.
- 4) In the Ordinance, Section IV (Master Fee Schedule): In items A through D, immediately preceding each dollar amount shall be added " up to the cost of implementation, not to exceed."

and upon call of the role, the motion passed by Ayes: Agency/Councilmember:  
Brunner, Chang, Nadel, Reid, Quan, Wan and President of the Council De La Fuente -7;  
Noes: Brooks -1

**A motion was made by Councilmember Quan, seconded by Councilmember Wan, that this matter be Approve as Amended on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on February 17, 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

- 2) Approve the Introduction (First 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); and

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

**A motion was made by Councilmember Quan, seconded by Councilmember Quan, that this matter be Approve as Amended on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on February 17, 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

- 3) Adopt a Resolution declaring a low Police priority related to the distribution of Medical Marijuana consistent with Oakland Municipal Code Section 5.80 and Senate Bill 420; and rescinding Resolution Number 72516 C.M.S. declaring investigation and arrest of individuals involved with medical marijuana a low priority policy

Attachments: [16 2-3-04.pdf](#),  
[16 SUPP 2-3-04.pdf](#),  
[78331.pdf](#)

Resolution Number 78331 C.M.S.

**A motion was made by Councilmember Quan, seconded by Councilmember Wan, that this matter be Adopted. 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: 78331**

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

Councilmember Brunner was noted absent at 11:20 p.m.

Subject: Opposition to Proposed 2004-2005 State Budget  
From: Vice Mayor Chang  
Recommendation: Adopt a Resolution urging Oakland's State Legislators to oppose Governor Schwarzenegger's proposed 2004-2005 budget because of its negative impact on police, fire and other essential services, infrastructure, and the City's economic development

Attachments: [04-0090.pdf](#),  
[17 2-3-04.pdf](#),  
[78332.pdf](#)

Resolution Number 78332 C.M.S.

Councilmember Brunner was noted present at 11:24 p.m.

**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 Absent:** Councilmember Brunner  
1 -

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

**Enactment No:** 78332

Subject: Measure A - Alameda County Healthcare Initiative  
From: Councilmember Quan  
Recommendation: Adopt a Resolution in support of Alameda County Measure A, an increase in sales tax to support the Alameda County Medical Center

Attachments: [04-0085.pdf](#),  
[18 2-3-04.pdf](#),  
[78333.pdf](#)

Resolution Number 78333 C.M.S.

The following individual spoke in favor of Item 18:

- Floyd Huen, M.D.

The following individual spoke on Item 18 and did not indicate a position:

- Sanjiv Handa

**A motion was made by Councilmember Quan, seconded by Councilmember Nadel, 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:** 78333

Subject: In-Car Video Systems  
From: Vice Mayor Chang  
Recommendation: A discussion and action regarding whether to implement a program to use in-car video systems as a means to reduce allegations of police misconduct

Attachments: [04-0082.pdf](#),  
[19 2-3-04.pdf](#)



The following individuals spoke in favor of Item 19:

- Frank Rose
- Karen Lind

The following individual spoke on Item 19 and did not indicate a position:

- Sanjiv Handa

Agency/Councilmember Chang made a motion, seconded by Agency/Councilmember Wan to support the policy of installing in-car video systems; start a pilot project and identify funding for the pilot project and return to the Public Safety Committee for further action; and to have the City Attorney prepare language stipulating the cameras are to be for City use only,

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 Vice Mayor Chang, seconded by Councilmember Wan, that this matter be Approve as Amended. 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

20

Subject: City of Oakland's 2004 Federal Legislative Agenda  
From: Office of the City Manager  
Recommendation: Approve the Report regarding the City of Oakland's  
proposed 2004 Federal legislative agenda

Attachments: [03-0382.pdf](#),  
[20 2-3-04.pdf](#),  
[Item 7.pdf](#)

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

- Sanjiv Handa

Agency/Councilmember Wan made a motion, seconded by Agency/Councilmember Reid, to move support for the following items:  
2. Streetscape Improvements for Transit Village Projects;  
3. Waterfront Parks Initiative;  
4 Port of Oakland of Oakland; and  
T-21 (I-880) not listed in the Federal Report.

The Council also requested that the Rules and Legislation Committee set a discussion to establish a prioritization process for State and Federal priorities for the City of Oakland; and schedule a daytime workshop with the federal and state lobbyists, Councilmembers, and transportation representatives.

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 Wan, seconded by Councilmember Reid, that this matter be Approve as Amended. 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

21

Subject: City of Oakland's 2004 State Legislative Agenda  
From: Office of the City Manager  
Recommendation: Approve the Report regarding the City of Oakland's 2004  
proposed State legislative agenda

Attachments: [21 2-3-04.pdf](#),  
[Item 8.pdf](#)

The following individual spoke on Item 21 and did not indicate a position:

- Sanjiv Handa

Agency/Councilmember Quan made a motion, seconded by Agency/Councilmember Nadel, to move support of all items except item 5 Downtown Development and to also include Affordable Housing and Common Interest Developments, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Nadel, Quan, Reid, and Wan - 7; Absent: De La Fuente-1

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

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

**ORA\Councilmember Ayes:** 7 - Councilmember Nadel, Councilmember Brunner, Councilmember Wan, Councilmember Quan, Councilmember Brooks, Councilmember Reid and Vice Mayor Chang

AT 12:02 A.M. PRESIDENT OF THE CITY COUNCIL, DE LA FUENTE, RELINQUISHED THE CHAIR AND AGENCY/COUNCILMEMBER BRUNNER PRESIDED AS PRESIDENT PRO TEMPORE.

Subject: Wildcat Canyon Ranch - Boarding Fees  
From: Office of Parks and Recreation  
Recommendation: Approve the Introduction (First Reading) of an Ordinance amending Ordinance No. 9336 C.M.S.(Master Fee Schedule) as amended, to increase the horse boarding fees collected at the City of Oakland stables

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

President De La Fuente was noted present at 12:10 a.m.

**A motion was made by President of the Council De La Fuente, seconded by Councilmember Quan, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on February 17, 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

Subject: Coliseum Gardens Hope VI Housing Project  
From: Community and Economic Development Agency  
Recommendation: Adopt the following legislation related to the Coliseum Gardens Hope VI Housing Project:

1) Agency Resolution authorizing the Agency Administrator to negotiate and execute an owner participation agreement with the Housing Authority of the City of Oakland for the construction and administration of subdivision street infrastructure improvements to support the development of Coliseum Gardens Hope VI Housing project by Oakland Coliseum Housing Partners, Limited Partnership; and approving a grant for an amount not to exceed \$4 million dollars to the Housing Authority of the City of Oakland from Redevelopment Agency of the City of Oakland Coliseum Area Redevelopment Project Tax Allocation Bond, Series 2003, Funds for the Infrastructure improvements

Attachments: [04-0043.pdf](#),  
[2004-03.pdf](#),  
[23 SUPP 2-3-04.pdf](#),  
[5 1-27-04.pdf](#)

The following individuals spoke in favor of Item S-23:

- Joshua Simon
- Carlos Castellanos
- Lynette Lee
- Jon Gresley

The following individual spoke against Item S-23:

- John Grace

ITEM S-23 AND S-24 WERE TAKEN IN CONJUNCTION WITH ITEM 14.1.

**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:** 2004-03

2) Resolution consenting to the use of \$4 million from Redevelopment Agency of the City of Oakland Coliseum Area Redevelopment Project Tax Allocation Bond Funds for street infrastructure improvements at the Coliseum Gardens Hope VI Housing Project, to be constructed pursuant to an owner participation agreement with the Housing Authority of the City of Oakland

Attachments: [23 SUPP 2-3-04.pdf](#),  
[5 1-27-04.pdf](#),  
[78334.pdf](#)

Resolution Number 79334 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:** 78334

Subject: Coliseum Gardens Park / Lion Creek

From: Office of Parks and Recreation

Recommendation: Approve the Introduction (First 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

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

The following individual spoke in favor of Item S-24:

- Joshua Simon
- Lynette Lee

The following individual spoke against Item S-24:

- John Grace

**A motion was made by Councilmember Brooks, 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 February 17, 2004. The motion carried by the following vote:**

Councilmember Brunner

**ORA\Councilmember Nos:** 1 -

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

Subject: Oakland Police and Fire Department- Computer Assisted Dispatch  
 From: Finance and Management Agency  
 Recommendation: Adopt a Resolution authorizing the City Manager to execute the Settlement and Release and Agreement to amend the existing Agreement with Motorola, Inc. for modifications to the Oakland Police and Fire Departments' Computer Assisted Dispatch System and Related Systems ( TITLE CHANGE)

Attachments: [04-0108.pdf](#),  
[78335.pdf](#),  
[S-25.pdf](#)

Resolution Number 78335 C.M.S.  
 Contract Number 04-1659

The following individual spoke on Item S-25 and did not indicate a position:  
 - Sanjiv Handa

Agency/Councilmember De La Fuente made a motion seconded by Agency/ Councilmember Reid to approve an urgency finding pursuant to Section 2.20.070 E(2) regarding Item S-25CC that there is a need to take immediate action to prevent serious injury to the public interest, and that the need for such action came to the attention of the body after the posting of the 10-day agenda.

**A motion was made by Councilmember Reid, seconded by President of the Council De La Fuente, that this matter be Adopted. The motion carried by the following vote:**

Councilmember Brooks

**ORA\Councilmember Nos:** 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:** 78335

Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

(Meeting shall conclude no later than 10:30 p.m., unless extended by Majority Vote of the Council)

There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting at 1:04 a.m. in the memory of Katherine Washington, Stephanie Franklin, and Charles Winsor.

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**Note:**