

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/Joint Powers Financing Authority

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

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

6:00 PM

City Council Chambers - 3rd Floor

Tuesday, April 20, 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 6:19 p.m with President Pro Tempore Brunner chairing the meeting.

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

The Roll Call was modified to note Council President De La Fuente present at 6:38 p.m.

ORA/Councilmember Present: President of the Council De La Fuente, Councilmember Brunner, Councilmember Wan, Councilmember Nadel, Councilmember Quan, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

The following individuals spoke under Open Forum:

- Hugh Bassette
- Hector Reyna
- Sanjiv Handa
- Hubert Lee

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Item 10.8CC was withdrawn and rescheduled to the May 4, 2004 City Council agenda.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 not action necessary for this item.

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

There was no action necessary for this item.

7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on April 6, 2004

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

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

8. PRESENTATION OF CEREMONIAL MATTERS

8.1

Subject: Golden Lung Public Health Award
From: Alameda County Public Health Department
Recommendation: A Presentation of the Golden Lung Public Health Award to
the Mayor and Chief of Police by the Alameda County Public Health
Department
Attachments: [04-0292.pdf](#)

8.2

Subject: Armenian Genocide Commemoration Day
From: Councilmember Nadel
Recommendation: Adopt a Resolution declaring April 24, 2004 as Armenian
Genocide Commemoration Day
Attachments: [04-0240.pdf](#),
[78475 CMS.pdf](#),
[8.2.pdf 4-20-04](#)
Resolution Number 78475 C.M.S

The following individual spoke in favor of item 8.2:

- Cynthia Shartzter

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

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

Enactment No: 78475

8.3

Subject: 2004 Earth Day Activities
From: Councilmember Nadel
Recommendation: Adopt a Resolution celebrating Saturday, April 24, 2004 as
Earth Day in the City of Oakland
Attachments: [04-0232.pdf](#),
[78476 CMS.pdf](#),
[8.3.pdf 4-20-04](#)
Resolution Number 78476 C.M.S.

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

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

Enactment No: 78476

8.4

Subject: City of Oakland 10th Annual Earth Expo
From: Councilmember Nadel
Recommendation: Adopt a Resolution commending the City of Oakland's 10th
Annual Earth Expo
Attachments: [04-0232-1.pdf](#),
[78477 CMS.pdf](#),
[8.4.pdf 4-20-04](#)
Resolution Number 78477 C.M.S.

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

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

Enactment No: 78477

8.5

Subject: 2004 Arbor Day
From: Office of Parks and Recreation
Recommendation: Adopt a Resolution proclaiming Friday, April 30, 2004 to be
Oakland's Arbor Day 2004 and authorizing an official tree planting ceremony at
Brookdale Park

Attachments: [04-0242.pdf](#),
[78478 CMS.pdf](#),
[8.5.pdf 4-20-04](#)

Resolution Number 78478 C.M.S.

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

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

Enactment No: 78478

8.6

Subject: Mills College Alternative Spring Break and Mills Cares Program
From: Councilmember Brooks
Recommendation: Adopt a Resolution commending Mills College's Mills Cares
and alternative spring break programs for their achievements and contributions
to the City of Oakland

Attachments: [8.6.pdf 4-20-04](#)

***Withdrawn with No New Date**

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmember Reid took a point of personal privilege and requested that the
meeting be adjourned in memory of Ella Hopgood.

Agency/Councilmember Quan took a point of personal privilege and requested that the
meeting be adjourned in memory of Bruce Blackman.

Agency/Councilmember Brunner took a point of personal privilege and requested that
the meeting be adjourned in memory of Bruce Blackman.

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: [10.1 CC.pdf 4-20-04](#),
[78479 CMS.pdf](#)

Resolution Number 78479 C.M.S.

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

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

Enactment No: 78479

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 4-20-04,](#)
[78480 CMS.pdf](#)

Resolution Number 78480 C.M.S.

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

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

Enactment No: 78480

10.3CC

Subject: Bernard Hill - 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 Bernard Hill v. Oakland Police Department, et al., Alameda County Superior Court No. 2002958796, our file number 22164, in the amount of \$7,500.00 (Oakland Police Department - Excessive Force)

Attachments: [10.3CC.pdf 4-20-04,](#)
[78481 CMS.pdf](#)

Resolution Number 78481 C.M.S.

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

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

Enactment No: 78481

10.4CC

Subject: Bessie 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 Bessie Johnson v. City of Oakland, et al., Alameda Superior Court Case No. RG03102782, our file no. 23248, in the amount of \$65,000.00. This case involved an alleged dangerous condition of public property (Public Works Agency)

Attachments: [10.4CC.pdf 4-20-04,](#)
[78482 CMS.pdf](#)

Resolution Number 78482 C.M.S.

The following individual spoke against item 10.3CC:

- Hugh Bassette

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

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

Enactment No: 78482

10.5CC

Subject: Same-Sex Marriage Licenses
From: Office of the City Attorney
Recommendation: Adopt a Resolution authorizing filing of letter supporting the position of City and County of San Francisco in Lockyer v. City and County of San Francisco et al., California Supreme Court No. S122923, litigation challenging San Francisco's authority to issue same-sex marriage licenses

Attachments: [10.5CC.pdf](#),
[78483 CMS.pdf](#)

Resolution Number 78483 C.M.S.

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

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

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

Enactment No: 78483

10.6CC

Subject: Same Sex Marriages
From: Office of the City Attorney
Recommendation: Adopt a Resolution authorizing filing of Amicus Briefs and letters supporting the position of City and County of San Francisco in City and County of San Francisco v. State of California San Francisco Superior Court No. CGC-04-429539, litigation in which San Francisco has asked the Superior Court, among other things, to declare State marriage statutes that require San Francisco to deny marriage licenses to same-sex couples void, unenforceable and unconstitutional

Attachments: [10.6CC.pdf](#),
[78484 CMS.pdf](#)

Resolution Number 78484 C.M.S.

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

ORA\Councilmember Abstained: Councilmember Reid
1 -

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

Enactment No: 78484

10.7CC

Subject: March 2004 Municipal Nominating Election
From: Office of the City Clerk
Recommendation: Adopt a Resolution declaring the results of the Municipal Nominating Election held on Tuesday, March 2, 2004

Attachments: [04-0237.pdf](#),
[10.7CC.pdf 4-20-04](#),
[78485 CMS.pdf](#)

Resolution Number 78485 C.M.S.

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

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

Enactment No: 78485

10.8CC

Subject: Arctic National Wildlife Refuge
From: Councilmember Reid
Recommendation: Adopt a Resolution honoring the Arctic National Wildlife Refuge by refraining from knowingly purchasing goods or services from companies that obtain leases or develop oil fields in the coastal plain of the Arctic National Wildlife Refuge, should the United States Congress ever permit drilling there

Attachments: [04-0276.pdf](#),
[10.8CC.pdf 4-20-04](#),
[78522 CMS.pdf](#),
[Item 19 5-04-04.pdf](#)

Withdrawn and Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council
Enactment No: 78522

10.9CC

Subject: MLK/BART Senior Homes Project
From: Community and Economic Development Agency
Recommendation: Approve the Introduction (First Reading) of an Ordinance authorizing the negotiation and execution of an agreement with Oakland Community Housing, Inc., and Community Development Corporation of Oakland to provide for the transfer at no cost of the City-owned lot at 3823 Martin Luther King Jr. Way for its inclusion in the MLK/BART Senior Homes Project

Attachments: [10.9CC.pdf 4-20-04](#),
[12593 CMS.pdf](#),
[Item 21.2 4-6-04.pdf](#)

Ordinance Number 12593 C.M.S.
Contract Number 04-1724

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

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

Enactment No: 12593

10.10C
C

Subject: Sale of Multiple City-owned Properties
From: Community and Economic Development Agency
Recommendation: Adopt the following legislation regarding the sale and development of City-owned properties:

1) Approve the Final Passage (Second Reading) of an Ordinance authorizing the sale of two lots on Dover Street at 57th Street to the Rotary Club of Oakland, Inc., at no cost for development with affordable housing by the Peralta Community College District; and

Attachments: [10.10-2CC.pdf 4-20-04](#),
[10.21CC.pdf](#),
[12594 CMS.pdf](#),
[Item 4 3-23-04.pdf](#)

The following individual spoke against item 10.10CC:
- Hugh Bassette

Ordinance Number 12594 C.M.S

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

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

Enactment No: 12594

2) Approve the Final Passage (Second Reading) of an Ordinance rescinding Ordinance Number 12220 C.M.S. and authorizing a Disposition and Development Agreement with Richard N. Pukatch for the sale at fair market value and development of three City-owned properties at 1430 8th Street, 816 Center Street, and 1728 14th Street with market-rate housing

[04-0119.pdf](#)
Attachments: [10.10CC.pdf 4-20-04](#),
[10.21CC.pdf](#),
[12595 CMS.pdf](#),
[Item 4 3-23-04.pdf](#)

Ordinance Number 12595 C.M.S

Contract Number 04-1725

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

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

Enactment No: 12595

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 were four decisions made during Closed Session:

Item 2L: Juliet A. Borsah v. City of Oakland

Council authorized settlement in the amount of \$47,500 in a case of a slip and fall accident on a deteriorated section of sidewalk.

A motion was made by Councilmember Chang, seconded by Councilmember Wan to authorize settlement, and hearing no objections, all members present were recorded as voting: Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Nadel, Quan, and Wan-6, Absent: Reid, De La Fuente -2

Item 2K: Elizabeth Rowan v. City of Oakland

Council authorized settlement in the amount of \$55,000 in a case where the plaintiff slipped and fell on an uneven segment of sidewalk.

A motion was made by Councilmember Wan, seconded by Councilmember Nadel to authorize settlement, and hearing no objections, all members present were recorded as voting: Ayes: Agency/Councilmember: Brooks, Chang, Nadel, Quan, and Wan-5, Abstain: Brunner -1, Absent: Reid, De La Fuente -2

Item 2E: Lenard Miller and Belinda Miller v. City of Oakland

Council authorized settlement in the amount of \$19,900, in a case involving allegations of excessive force by the Oakland Police Department.

A motion was 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, Quan, Reid, Wan and De La Fuente- 8

Item 2D: Oakland Redevelopment Agency, Oakland Base Reuse Authority V. Department to the Navy

Council approved a settlement with the Navy pursuant to which the Navy will pay Oakland Base Reuse Authority and the Redevelopment Agency \$2.1 million as a result of litigation filed by OBRA to compel the Navy to convey seven acres of land as part of the homeless accommodation required under federal military base reuse laws.

A motion was made by Councilmember Brunner, seconded by Councilmember Reid to approve settlement, and hearing no objections, all members present were recorded as voting: Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Nadel, Quan, Reid, Wan and De La Fuente- 8

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

Agency/Councilmember Nadel made a motion seconded by Agency/Councilmember Chang confirming that there were no discussions pursuant to Section 15 of the Sunshine Ordinance, and hearing no objections, the motion passed by Ayes:

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

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

13 Reconsideration of Ordinances pursuant to Charter Section 216

No action was necessary for this item.

14. Consideration of items with statutory Public Hearing Requirements:

14.1

Subject: Leona Quarry - Public Hearing

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing pursuant to Oakland Planning Code Section 17.102.220 to consider the Planning Commission's recommendation that the City Council adopt a Resolution approving the application of the DeSilva Group LLC for a Reclamation Plan amendment and revised financial assurances for the Leona Quarry (Councilmember Brooks, District 6)

Attachments: [04-0265.pdf](#),
[14.1.pdf 4-20-04](#),
[78486 CMS.pdf](#)

Resolution Number 78486 C.M.S.

Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was opened at 7:23 p.m.

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

8 -

Enactment No: 78486

14.2

Subject: Lease and Revenue Bonds - Interest Rate Swaps - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct a Public Hearing and upon conclusion adopt the following legislation regarding the execution of interest rate swaps:

1) Approve the Final Passage (Second Reading) of Ordinance authorizing the City to enter into a lease and sublease with the Oakland Joint Powers Financing Authority in connection with the issuance by the Oakland Joint Powers Financing Authority of certain Lease Revenue Bonds, and authorizing the taking of all necessary actions relating to such financing; and the publication of the Notice and Digest and certain other related matters; and

Attachments: [04-0214.pdf](#),
[12596 CMS.pdf](#),
[14.2.pdf](#),
[Item 14.2 4-6-04.pdf](#),
[Item 5 3-23-04.pdf](#)

Ordinance Number 12596 C.M.S.

Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was opened at 7:26 p.m.

Agency/Councilmember Wan made a motion, seconded by Agency/Councilmember Reid, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Chang, Nadel, Reid, Quan, Wan and President of the Council De La Fuente -6, Abstain: Brooks-1, Absent: Brunner-1

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

- Sanjiv Handa

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

ORA\Councilmember Abstained:	Councilmember Brooks
1 -	
ORA\Councilmember Nos:	Councilmember Brunner
1 -	
ORA\Councilmember Ayes:	6 - President of the Council De La Fuente, Councilmember Wan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and Councilmember Chang

Enactment No: 12596

2) Adopt a Joint Powers Financing Authority Resolution authorizing the issuance and sale of the Lease Revenue Bonds (Oakland Administration Building) Series 2004, in two series, in an aggregate principal amount not to exceed one hundred thirty-five million dollars (\$135,000,000); authorizing the execution and delivery of a trust agreement, lease, sublease, escrow agreement, bond purchase agreements, approving the form of and authorizing the distribution of a preliminary official statement and authorizing execution and delivery of an official statement; approving the retention of bond counsel and other agents; authorizing payment of costs of issuance; and

Attachments: [14.2.pdf 4-20-04,](#)
[Item 14.2 4-6-04.pdf,](#)
[Item 5 3-23-04.pdf](#)

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

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

ORA\Councilmember Abstained:	Councilmember Brooks
1 -	
ORA\Councilmember Nos:	Councilmember Brunner
1 -	
ORA\Councilmember Ayes:	6 - President of the Council De La Fuente, Councilmember Wan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and Councilmember Chang

Enactment No: JPFA 2004-02

3) Adopt a Resolution approving the issuance by the Oakland Joint Powers Financing Authority of Lease Revenue Bonds, in one or more series, of not to exceed one hundred thirty-five million dollars (\$135,000,000) aggregate principal amount; approving the form of and authorizing the execution and delivery of bond purchase agreements; authorizing the City Manager to secure one or more swaps for a synthetic fixed rate transaction; and authorizing execution of documents and the taking of all necessary actions relating to the bonds and the swap and authorizing necessary actions relating to the lease financing with the Oakland Joint Powers Financing Authority

Attachments:

[14.2.pdf 4-20-04.](#)

[78487 CMS.pdf.](#)

[Item 14.2 4-6-04.pdf.](#)

[Item 5 3-23-04.pdf](#)

Resolution Number 78487 C.M.S.

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

ORA\Councilmember Abstained: Councilmember Brooks
1 -

ORA\Councilmember Nos: Councilmember Brunner
1 -

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

Enactment No: 78487

Subject: Delinquent Business Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct a Public Hearing regarding the assessment of liens for delinquent business taxes and upon conclusion adopt one of the following pieces of legislation:

1) Adopt a Resolution accepting and confirming reports of the City Manager on the costs incurred by the City of Oakland for delinquent business taxes and confirming the recordation of liens, administrative charges and assessment charges as necessary - pursuant to Title 5, Chapter 5.04 of the Oakland Municipal Code, and directing the notice of lien and assessment charges to be turned over to the County for collection; or

Attachments:

[04-0156.pdf.](#)

[14.3.pdf 4-20-04.](#)

[78488 CMS.pdf](#)

Resolution Number 78488 C.M.S.

Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was opened at 7:30 p.m.

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

- Sanjiv Handa

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Nadel, 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

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

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

Enactment No: 78488

2) Adopt a Resolution overruling protests and accepting and confirming reports of the City Manager on the delinquent business taxes, and confirming the recordation of liens, administrative charges, and assessment charges as necessary, pursuant to Title 5, Chapter 5.04 of the Oakland Municipal Code, and directing the notice of lien and assessment charges to be turned over to the County Tax Collector for collection; or

Attachments:

[14.3.pdf 4-20-04](#)

Not Adopted

3) Adopt a Resolution continuing hearing on reports of the City Manager on the delinquent business taxes, and confirming the recordation of liens, administrative charges and assessment charges, as necessary, pursuant to Title 5, Chapter 5.04 of the Oakland Municipal Code

Attachments:

[14.3.pdf 4-20-04](#)

Not Adopted

Subject: Delinquent Transient Occupancy Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct a Public Hearing regarding the assessment of liens for Delinquent Transient Occupancy Taxes and upon conclusion adopt one of the following Resolutions:

1) Adopt a Resolution accepting and confirming reports of the City Manager on the costs incurred by the City of Oakland for Delinquent Transient Occupancy Taxes and confirming the recordation of liens, administrative charges, and assessment charges as necessary pursuant to Title 4, Chapter 4.24 of the Oakland Municipal Code, and directing the notice of lien and assessment charges to be turned over to the County for collection; or

Attachments:

[04-0161.pdf](#),

[78489 CMS.pdf](#),

[Item 14.4.pdf 4-20-04](#)

Resolution Number 78489 C.M.S.

Upon the reading of Item 14.4 by the City Clerk, the Public Hearing was opened at 7:33 p.m.

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Nadel, 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

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

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

Enactment No: 78489

2) Adopt a Resolution overruling protests and accepting and confirming reports of the City Manager on the Delinquent Transient Occupancy Taxes and confirming the recordation of liens, administrative charges and assessment charges as necessary pursuant to Title 4, Chapter 4.24 of the Oakland Municipal Code, and directing the notice of lien and assessment charges to be turned over to the County Tax Collector for collection

Attachments:

[Item 14.4.pdf 4-20-04](#)

Not Adopted

3) Adopt a Resolution continuing hearing on reports of the City Manager on the Delinquent Transient Occupancy Taxes and confirming the recordation of liens, administrative charges and assessment charges as necessary pursuant to Title 4, Chapter 4.24 of the Oakland Municipal Code

Attachments:

[Item 14.4.pdf 4-20-04](#)

Not Adopted

ACTION ON NON-CONSENT ITEMS:

15

Subject: Oakland School for the Arts

From: Office of the City Administrator

Recommendation: A continued discussion to adopt an Agency Resolution authorizing the Agency Administrator to enter into a lease agreement with the Oakland School for the Arts under which the school will pay \$1,000 per month to occupy the parking lots behind and to the west of the Fox Theater and bounded by 18th and 19th Streets and San Pablo Avenue for a period from April 12, 2004 to July 1, 2006 for the purpose of constructing and operating the facilities necessary to house the Oakland School for the Arts

[2004-23 CMS.pdf](#)

Attachments:

[Item 15 SUPP 4-20-04.pdf](#)

[Item 15.pdf 4-20-04](#)

[Item 23 4-6-04.pdf](#)

[Item 23 SUPP 4-6-04.pdf](#)

[Item 7 3-23-04.pdf](#)

[Item 7 SUPP 3-23-04.pdf](#)

The following individuals spoke in favor of this item:

- Chris Tallerico
- Charlie Ridgell
- Aaron M. Lane
- Steve Snider
- Phil Tagami
- Loni Berry
- Desmond Hoffmeisk
- Cassandra Jade Herrera
- Leslie Riversmith
- Lovella Barney
- Morgan Blue

The following individuals spoke and did not indicate a position:

- Sanjiv Handa
- George Lee Horton
- Laurie Fong

Agency/Councilmember Nadel made a motion, seconded by Agency/Councilmember Brunner, to adopt the resolution as amended on Item 15 to include the following language:

"Further Resolved: That as part of the Agreement, patron parking for the Ice Center will be accommodated in forty-five (45) spaces on the lot behind the Fox Theater and that these will be free and reserved for Ice Center patrons after 5:30 p.m. Monday through Friday and all day on the weekends; and that 18th Street will be re-stripped to accommodate approximately 60 metered parking spaces and that the meters will not be enforced before 9:00 am or after 5:00 pm Monday through Friday; and that the Agency will provide security and parking enforcement for the two off street parking lots; and these parking accommodations will be available at least until the opening of the new 17th Street garage and construction of a secondary Ice Center entrance on 17th Street; and be it

Further Resolved; that Community and Economic Development Agency staff will return to the Council with a design and funding plan to create a permanent 17th Street entrance to the Ice Center that will facilitate access to the future 17th Street Garage; and be it

Further Resolved: that the Council direct staff to return to Council prior to commencement of construction of the Uptown Project, with a plan to address noise reduction for the OSA that will include at a minimum; measures that will provide a noise reduction barrier along the 19th Street OSA Frontage to protect the OSA from Uptown construction noise, provide for demolition of the Sears Garage during the OSA summer months vacation period; provide for recycling concrete at the northeast portion of the Forest City Project site; route all debris and soil removal down Williams Street, and reconfigure the OSA site to allow the administrative offices along 19th Street to shield the classrooms from noise; and be it

Further Resolved: that the Council direct staff to return to Council with a calculation of revenue loss or expenses paid by the City of Oakland for the Oakland School of the Arts"

Council President De La Fuente offered a Friendly Amendment, which was accepted to add the following language:

"Whereas: the Oakland City Council values and fully supports the patrons and operators of the Oakland Ice Center and seeks to adopt a proposal that supports the cooperative operations of both the Arts School and the Ice Center, two vital Oakland Institutions"

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 Nadel, seconded by Councilmember Brunner, that this matter be Adopted as Amended. The motion carried by the following vote:

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

Enactment No: 2004-23 ORA

Subject: Public Employees' Retirement System Contract Amendment
From: Office of the City Manager
Recommendation: Adopt the following legislation regarding the California Public
Employees' System contract:

1) Resolution of Intention to approve an amendment to Contract between the
Board of Administration California Public Employee's Retirement System and
the City Council of the City of Oakland to provide 2.7% @ 55 for Miscellaneous
Employees, and 3% @ 50 for Sworn Fire, retirement benefits; and

Attachments: [04-0236.pdf](#),
[Item 16 SUPP 4-20-04.pdf](#),
[Item 16.pdf 4-20-04](#)

Resolution Number 78490 C.M.S.

The following individual spoke in favor of this item:
- Bruce R. Levitch

The following individual spoke on this item and did not indicate a position:
- Sanjiv Handa
- Leo Handy, Jr.

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

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

Enactment No: 78490

2) Approve the Introduction (First 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 employees
who are members of the International Association of Firefighters, Local 55

Attachments: [78490 CMS.pdf](#),
[Item 10.10CC 5-18-04.pdf](#),
[Item 16 SUPP 4-20-04.pdf](#),
[Item 16.pdf 4-20-04](#)

This Ordinance requires 30 days prior to Final Passage (Second Reading).

**A motion was made by Councilmember Wan, seconded by Councilmember
Brunner, that this matter be Approved on Introduction for Final Passage to the
Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due
back on May 18, 2004. The motion carried by the following vote:**

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

Enactment No: 78490

Subject: Gustavo Fuentes - 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 Gustavo Fuentes v. Officer A.
Ramos, et al., United States District Court Case No. C-004647 CW, our file no.
20481, in the amount of \$450,000.000. This case involves a claim of use of
excessive force and false arrest, (Oakland Police Department-Alleged Civil
Rights Violation)

Attachments: [10.3CC.pdf](#),
[78491 CMS.pdf](#),
[Item 17.pdf 4-20-04](#)

Resolution Number 78491 C.M.S.

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

- Sanjiv Handa

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

ORA\Councilmember Abstained: Councilmember Brunner
1 -

ORA\Councilmember Absent: Councilmember Reid
1 -

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

Enactment No: 78491

Subject: Javad T.M. Jackson - 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 Javad T. M. Jackson v. City of Oakland, et al., United States District Court Case No. C 02 4496 WHA (JCS), our file number 22389, in the amount of \$250,000.00. (Oakland Police Department)

Attachments: [10.5CC.pdf](#),
[78492 CMS.pdf](#),
[Item 18.pdf 4-20-04](#)

Resolution Number 78492 C.M.S.

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

- Sanjiv Handa

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

ORA\Councilmember Abstained: Councilmember Brunner
1 -

ORA\Councilmember Absent: Councilmember Reid
1 -

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

Enactment No: 78492

Subject: Jose Ortiz - 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 Jose Ortiz v. City of Oakland, et al., Alameda County Superior Court Case No. 2002-045451, our file number 21470, in the amount of \$15,000.00. (Oakland Police Department)

Attachments: [10.9CC.pdf](#),
[78493 CMS.pdf](#),
[Item 19.pdf 4-20-04](#)

Resolution Number 78493 C.M.S.

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

- Sanjiv Handa

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

Councilmember Brooks
ORA\Councilmember Abstained: 1 -

Councilmember Brunner
ORA\Councilmember Nos: 1 -

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

Enactment No: 78493

Subject: Emily Ray Trust -7318 International Blvd.- Settlement Agreement
From: Office of the City Attorney/Community and Economic Development Agency
Recommendation: Adopt the following legislation regarding the acquisition of property at 7318 International Boulevard:

1) A Resolution authorizing and directing the City Attorney to compromise and settle the amount the City must pay for acquisition of the property owned by the Emily Ray Trust at 7318 International Boulevard, City Attorney File No. A030087, in the amount of \$391,105.00, not including closing costs, in connection with the International Boulevard Streetscape Project; and

Attachments: [04-0302.pdf](#),
[78494 CMS.pdf](#),
[Item 20 SUPP 4-20-04.pdf](#),
[Item 20.pdf 4-20-04](#)

Resolution Number 78494 C.M.S.

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

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

Enactment No: 78494

2) Approve the Introduction (First Reading) of an Ordinance authorizing the City Manager to enter into a purchase and sale agreement with Emily Ray Trustee for the Emily Ray Trust of 1992 for the City's acquisition of real property located at 7318 International Boulevard, Oakland, California, in the amount of \$391,105, excluding closing costs

Attachments: [12597 CMS.pdf](#),
[Item 10.3 CC 5-04-04.pdf](#),
[Item 20 SUPP 4-20-04.pdf](#),
[Item 20.pdf 4-20-04](#)

A motion was made by Councilmember Reid, seconded by Councilmember Brooks, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on May 4, 2004. The motion carried by the following vote:

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

Enactment No: 12597

Subject: Professional Sports Teams Relocation
 From: President De La Fuente
 Recommendation: Adopt a Resolution declaring the City of Oakland's support for Assembly Bill 3003 requiring that when a professional sports team attempts to move within the state, specified mitigation requirements shall apply to compensate the local governmental agency for the area from which the team is leaving

Attachments: [04-0280.pdf](#),
[78495 CMS.pdf](#),
[Item 21.pdf 4-20-04](#),
[Item S-6 4-8-04.pdf](#)

Resolution Number 78495 C.M.S.

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

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

Enactment No: 78495

Subject: Children and Youth Planning and Oversight Committee Appointment
 From: Councilmember Brooks
 Recommendation: Adopt a Resolution appointing Renato Almanzor as the District 6 Representative to the Oakland Fund for Children and Youth Planning and Oversight Committee

Attachments: [78496 CMS.pdf](#),
[Item 22.pdf 4-20-04](#)

Resolution Number 78496 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: President of the Council De La Fuente, Councilmember Brunner,
 8 - Councilmember Wan, Councilmember Nadel, Councilmember
 Quan, Councilmember Brooks, Councilmember Reid and
 Councilmember Chang

Enactment No: 78496

Subject: Appointments to the Public Ethics Commission
 From: Office of the Mayor
 Recommendation: Adopt a Resolution appointing Andrew R. Weiner and Caryn Bortnick as members of the Public Ethics Commission

Attachments: [78497 CMS.pdf](#),
[Item 23.pdf 4-20-04](#)

Resolution Number 78497 C.M.S.

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

- Sanjiv Handa

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

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

Enactment No: 78497

Subject: Appointments to the City Planning Commission
 From: Office of the Mayor
 Recommendation: Adopt a Resolution reappointing Colland Jang, Clinton Killian, and Mark McClure as members of the City Planning Commission

Attachments: [78498 CMS.pdf](#),
[Item 24.pdf 4-20-04](#)

Resolution Numbers 78498 C.M.S.

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

- Sanjiv Handa

BIFURCATED MOTION:

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Wan, to adopt the resolution as amended on Item 24 to appoint Colland Jang and Mark McClure to the City Planning Commission, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brunner, Chang, Nadel, Reid, Quan, Wan and President of the Council De La Fuente -7, Abstain: Brooks-1

Resolution Number 78498 C.M.S.

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

ORA\Councilmember Abstained: Councilmember Brooks
1 -

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

Enactment No: 78498

Subject: Appointment to the City Planning Commission
From: Office of the Mayor
Recommendation: Adopt a Resolution appointing Clinton Killian as a member of the City Planning Commission

Attachments:

[78499 CMS.pdf](#)

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Wan, to adopt the resolution on Item 24 to appoint Clinton Killian to the City Planning Commission, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Chang, Reid, Quan, Wan and President of the Council De La Fuente -6 Noes: Brunner, Nadel-2
Resolution Number 78499 C.M.S.

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

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

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

Enactment No: 78499

Subject: Appointments to the Parks and Recreation Advisory Board
From: Office of the Mayor
Recommendation: Adopt a Resolution appointing Jeffrey Taylor, Ben Tate, Brad Ricards, Barbara Schock, and Rosa Linda Armendariz as members of the Parks and Recreation Advisory Board

Attachments:

[78524 CMS.pdf](#),

[Item 21 5-04-04.pdf](#),

[Item 25.pdf 4-20-04](#)

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

- Matthew J. Webb

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

Enactment No: 78524

Subject: Appointments to the Board of Port Commissioners
 From: Office of the Mayor
 Recommendation: Adopt a Resolution reappointing John Protoppas and Frank Kiang as members of the Board of Port Commissioners

Attachments: [78500 CMS.pdf](#),
[Item 26.pdf 4-20-04](#)

Resolution Number 78500 C.M.S.

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

- Sanjiv Handa

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

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

Enactment No: 78500

Subject: Appointments to the Citizen's Police Review Board
 From: Office of the Mayor
 Recommendations: Adopt a Resolution reappointing Mario Andrews and John Batarse, and appointing Cheryl Anderson, as members of the Citizen's Police Review Board

Attachments: [78501 CMS.pdf](#),
[Item 27 SUPP 4-20-04.pdf](#),
[Item 27.pdf 4-20-04](#)

Resolution Number 78501 C.M.S.

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

- Sanjiv Handa

BIFURCATED MOTION:

Agency/Councilmember Nadel made a motion, seconded by Agency/Councilmember Reid to adopt the resolution as amended on Item 27 to appoint John Batarse and Cheryl Anderson to the Citizen's Police Review Board, 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

Resolution Number 78501 C.M.S.

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:

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

Enactment No: 78501

Subject: Appointment to the Citizen's Police Review Board
 From: Office the Mayor
 Recommendation: Adopt a Resolution reappointing Mario Andrews as a member of the Citizen's Police Review Board

Attachments: [78502 CMS.pdf](#)

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Quan, to adopt the resolution as amended on Item 27 to appoint Mario Andrews to the Citizen's Police Review Board, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Chang, Reid, Quan, Wan and President of the Council De La Fuente -5 Abstain: Brooks, Brunner - 2, Noes: Nadel-1
 Resolution Number 78502 C.M.S.

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

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

ORA\Councilmember Nos: Councilmember Nadel
1 -

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

Enactment No: 78502

28

Subject: Appointments to the Civil Service Board
From: Office of the Mayor
Recommendation: Adopt a Resolution re-appointing Alan Silver and Harold
Mayberry, and appointing Nooshin Saadat, Cheryl Stevens and Renee Rungis
as members of the Civil Service Board

Attachments: [78503 CMS.pdf](#),
[Item 28 SUPP 4-20-04.pdf](#),
[Item 28.pdf 4-20-04](#)

Resolution Number 78503 C.M.S.

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

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

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

Enactment No: 78503

29

Subject: Appointment to the Housing, Residential Rent and Relocation Board
From: Office of the Mayor
Recommendation: Adopt a Resolution appointing Deborah Taylor, as Neutral
Representative, as a member of the Housing, Residential Rent and Relocation
Board

Attachments: [78504 CMS.pdf](#),
[Item 29 SUPP 4-20-04.pdf](#),
[Item 29.pdf 4-20-04](#)

Resolution Number 78504 C.M.S.

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

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

Enactment No: 78504

30

Subject: Appointment to the Cultural Affairs Commission
From: Office of the Mayor
Recommendation: Adopt a Resolution appointing Elizabeth Hardy as a member
of the Cultural Affairs Commission

Attachments: [78505 CMS.pdf](#),
[Item 30 SUPP 4-20-04.pdf](#),
[Item 30.pdf 4-20-04](#)

Resolution Number 78505 C.M.S.

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

ORA\Councilmember Ayes:

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

Enactment No: 78505

31

Subject: Appointment to the Oakland Housing Authority
From: Office of the Mayor
Recommendation: Adopt a Resolution appointing Ramon Terraza as a member
of the Oakland Housing Authority

Attachments: [Item 22 5-04-04.pdf](#),
[Item 31 SUPP 4-20-04.pdf](#),
[Item 31.pdf 4-20-04](#)

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

32

Subject: Appointment to the Landmarks Preservation Advisory Board
From: Office of the Mayor
Recommendation: Adopt a Resolution reappointing Barbara Armstrong and Yui
Hay Lee, and appointing Pamela Kershaw, Kelly Kahn, and Neal Parish as
members of the Landmarks Preservation Advisory Board

[78525 CMS.pdf](#),
Attachments: [78526 CMS.pdf](#),
[Item 23 5-04-04.pdf](#),
[Item 23 SUPP 5-04-04.pdf](#),
[Item 32 SUPP 4-20-04.pdf](#),
[Item 32.pdf 4-20-04](#)

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

Enactment No: 78525 & 78526

Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

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

There being no further business, and upon the motion duly made, the Agency/Council
adjourned the meeting in memory of Ella Hopgood and Bruce Blackman at 9:48 p.m.

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