

#1 City Hall Plaza, City Hall - Oakland, CA  
Tuesday, December 15, 1998 - 6:30 P.M.

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 6:31 p.m.

Upon call of the roll, the following members answered their names:  
Agency/Councilmembers: Brunner, Chang, De La Fuente, Nadel, Reid, Spees and Mayor Harris - 7; Absent: Agency/Councilmembers Miley and Russo - 2.

**CITY OFFICIALS NOTED PRESENT**

Robert Bobb, Agency Administrator/City Manager  
Jayne Williams, Agency Counsel/City Attorney  
Ceda Floyd, Agency Secretary/City Clerk  
Maxine L. Maryland, Deputy Agency Secretary/Deputy City Clerk

**VICE MAYOR DE LA FUENTE PRESIDING AS MAYOR PRO TEM**

**SPECIAL ORDERS OF THE DAY**

**PURSUANT TO SECTION 00.7 OF THE SUNSHINE ORDINANCE (EFFECTIVE APRIL 14, 1997), AGENDA ITEMS WITH NO REPORTS WILL NOT BE HEARD UNLESS A WAIVER IS GRANTED BY 2/3 VOTE OF THE COMMITTEE/COUNCIL. ITEMS THAT DO NOT HAVE REPORTS ARE NOTED BY THE FOLLOWING NOTATION: (NR)**

1. Approval of the Draft Minutes from the Concurrent Meetings of the Oakland Redevelopment Agency and City Council held on Tuesday, December 8, 1998

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to approve the minutes from the Concurrent Meetings of the Oakland Redevelopment Agency and City Council held on Tuesday, December 8, 1998; and hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Nadel, Reid, Spees and Mayor Harris - 7; Absent: Agency/Councilmembers Miley and Russo - 2.

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

The Agency/Counsel/City Attorney reported there were no final decisions made during the Closed Session.

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1-5-98



3. A disclosure of non-confidential Closed Session discussion pursuant to Section 15 of the Sunshine Ordinance

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid confirming that there were no non-confidential matters to be disclosed from Closed Session; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Nadel, Reid, Spees and Mayor Harris - 7; Absent: Agency/Councilmembers Miley and Russo - 2.

4. Installations to various Boards and Commissions of the City of Oakland

There were no installations.

**AGENCY/COUNCILMEMBER MILEY WAS NOTED PRESENT AT 6:33 P.M.**  
**AGENCY/COUNCILMEMBER RUSSO WAS NOTED PRESENT AT 6:46 P.M.**

5. The Oakland City Council tribute to Mayor Elihu M. Harris including the following:

- ◆ Welcome by Vice Mayor De La Fuente
- ◆ Community Speakers
- ◆ Special Presentations
- ◆ City Council Presentations

Vice Mayor De La Fuente introduced Mayor Harris and Community Speakers who acknowledged and thanked him for his many contributions during his term as the Mayor. Special presentations were provided by members of the public and City Councilmembers.

6. A presentation by Councilmember Reid to the City of Oakland of donations to Homework Centers from Pacific Gas & Electric (A 3-MINUTE PRESENTATION)

Agency/Councilmember Reid presented donations to the Homework Centers from Pacific Gas & Electric.

**AGENCY/COUNCILMEMBER REID WAS NOTED ABSENT AT 8:05 P.M.**

7. A presentation by the Director, Community & Economic Development Agency, of status report on the Oakland Strategic Investment Plan (THIS ITEM ALSO APPEARED ON THE DECEMBER 8, 1998 COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE AGENDA AS ITEM E) (A 5-MINUTE PRESENTATION)

A presentation was made by Roy Schweyer, Community & Economic Development Agency, on the Oakland Strategic Investment Plan.

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Mayor Harris made a motion, seconded by Agency/Councilmember Spees to accept the status report on the Oakland Strategic Investment Plan; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Russo, Spees and Mayor Harris - 8; Absent: Agency/Councilmember Reid - 1.

The Agency/Council suspended their Rules and took Modifications to the Concurrent Agenda as their next item for discussion.

**AGENCY/COUNCILMEMBER REID WAS NOTED PRESENT AT 8:15 P.M.**

Agency/Councilmember Russo made a motion, seconded by Agency/Councilmember Reid to hear an emergency item relative to the impeachment of President Clinton; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

Agency/Councilmember Russo made a motion, seconded by Agency/Councilmember Brunner to oppose the impeachment of President Clinton; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

Agency/Councilmember Chang took a point of personal privilege and requested that the meeting be adjourned in memory of Bill Louie.

Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Dublin Police Deputy John Paul Monego.

**MAYOR HARRIS RESUMED PRESIDING AT 8:25 P.M.**

8. A report and action to be taken from the meeting of the Rules & Legislation Committee held on Thursday, December 10, 1998

The following individuals spoke on Item 8:

- |                   |                 |
|-------------------|-----------------|
| - Sanjiv Handa    | - Jerry Rose    |
| - Selma Whitehead | - Bonnie Hamlin |
| - Beth Aaron      |                 |

- 8-1 A report from the City Attorney regarding City's policies and operating procedures, including but not limited to, staffing, budget, protocol, Vice-Mayor's status, etc., in light of the passage of Measure X

- S-8-1 A resolution amending Resolution No. 74623 C.M.S. establishing the City Council's Rules of Procedures (NO REPORT AT THE TIME OF PRINTING)*

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S-8-2-ORA *A resolution authorizing amendment to the By-Laws of the Oakland Redevelopment Agency of the City of Oakland (NO REPORT AT THE TIME OF PRINTING)*

S-8-3 *Introduction of an ordinance amending the Sunshine Ordinance to provide an exception to the ten (10) day noticing requirement (NO REPORT AT THE TIME OF PRINTING)*

Agency/Councilmember Russo made a motion, seconded by Agency/Councilmember Brunner to convene a Special Meeting of the City Council on Monday, January 4, 1999, at 8:00 a.m., to continue discussion of the Measure X issues; and, upon call of the roll, the following members were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Nadel, Reid, Russo, and Spees - 7; Noes: Agency/Councilmember Miley - 1; Abstained: Mayor Harris - 1.

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember De La Fuente to reschedule Items S-8-1, S-8-2 ORA, S-8-3; and, upon call of the roll, the following members were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Nadel, Reid, Russo, and Spees - 8; Abstained: Mayor Harris - 1.

#### **MODIFICATIONS TO THE CONCURRENT AGENDA**

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Russo to adopt the agenda with the exception of Items 9, 9-1-ORA, 9-2, 9-3-ORA, 9-4-ORA, 9-5-ORA, 10, 10-1, 10-2, 10-3, 11, 11-1, 12-F, 12-1, 13-1, 13-2, 14-3, 15-2, 16, 16-1, 16-4, 16-5, 16-6-ORA, 16-7, S-16-8, 18-2, 18-3, S-18-4, 19-5, 19-6, 20-1, 20-2, 20-4, S-20-7, 21-1, 21-2, 21-3, 21-4, 21-5, 21-6, 21-7, S-21-13-1, 23-1, S-23-6, S-23-7, 29-CC, 31-CC, 36, 37, 41-CC; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

#### **Public Meetings & Hearings**

**(ORGANIZATIONS ARE REQUESTED TO ORGANIZE DESIGNATED SPEAKERS, IN THE INTEREST OF TIME)**

Upon the reading of Item 9 by the City Clerk, the public hearing was opened.

9. 7:01 p.m. - A public hearing pertaining to the acquisition of real property located at 801 Clay Street/554 8th Street (APN 001-0209-04), ;811 Clay Street (APN 001-0109-03) and 819 Clay Street (APN 001-0209-02) in the City of Oakland by Eminent Domain

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The following individual spoke on Item 9-1-ORA:  
- Marcello Lanfranchi

**RESOLUTION NO. 98-67 C.M.S.**

**DEED NO. 98-003 C.M.S.**

- 9-1-ORA A resolution approving the Agency acquisition of real property by eminent domain pursuant to the Central District Urban Renewal Plan for the Old Town Square II Project on 8th, 9th, Jefferson, and Clay Streets in the Central District

**RESOLUTION NO. 74702 C.M.S.**

**DEED NO. 98-1000 C.M.S.**

- 9-2 A resolution approving acquisition of real property by the Redevelopment Agency by eminent domain pursuant to the Central District Urban Renewal Plan for the Old Town Square II Project on 8th, 9th, Jefferson, and Clay Streets in the Central District

**RESOLUTION NO. 98-68 C.M.S.**

- 9-3-ORA A resolution of necessity declaring certain property interests at 801 Clay Street necessary for public purposes and authorizing Agency/Council to initiate condemnation proceedings for the acquisition of said property

**RESOLUTION NO. 98-69 C.M.S.**

- 9-4-ORA A resolution of necessity declaring certain property interests at 811 Clay Street necessary for public purposes and authorizing Agency/Council to initiate condemnation proceedings for the acquisition of said property

**RESOLUTION NO. 98-70 C.M.S.**

- 9-5-ORA A resolution of necessity declaring certain property interests at 819 Clay Street necessary for public purposes and authorizing Agency/Council to initiate condemnation proceedings for the acquisition of said property

Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Chang to close the public hearing; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

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- Marcello Lantfranchi

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9-5-ORA A resolution of necessity declaring certain property interests at 819 Clay Street necessary for public purposes and authorizing Agency/Council to initiate condemnation proceedings for the acquisition of said property

Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Chang to close the public hearing; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Russo, Spees and Mayor Harris - 9.

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Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Reid to adopt the resolutions in Items 9-1-ORA, 9-2, 9-3-ORA, 9-4-ORA and 9-5-ORA; and, upon call of the roll, the following members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

**AGENCY/COUNCILMEMBER RUSSO WAS NOTED ABSENT AT 9:25 P.M.**

Upon the reading of Item 10 by the City Clerk, the public hearing was opened.

10. 7:02 p.m. - A public hearing on the assessment of liens for delinquent business taxes

**RESOLUTION NO. 74703 C.M.S.**

- 10-1 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 Tax Collector for collection

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember De La Fuente to close the public hearing; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Spees and Mayor Harris - 8; Absent: Agency/Councilmember Russo - 1.

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember De La Fuente to adopt the 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 Tax Collector for collection; and, upon call of the roll, the following members were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Spees and Mayor Harris - 8; Absent: Agency/Councilmember Russo - 1.

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Due to the adoption of Resolution 10-1, no action was required on Items 10-2 and 10-3.

- 10-2 A resolution continuing hearing on reports to the City Manager on the delinquent business taxes and confirming of 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
- 10-3 A resolution overruling protests and objections and accepting and confirming reports of the City Manager on the cost incurred by the City of Oakland for delinquent business taxes and authorizing the recordation of liens, administrative 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

Upon the reading of Item 11 by the City Clerk, the public hearing was opened.

11. 7:03 p.m. - A public hearing on a resolution implementing Chapter 6.7 of the California Government Code and appropriating \$893,758 in third year funding for the Citizen's Option for Public Safety (COPS) to the Police Department and approving the FY 1998-99 spending plan

**RESOLUTION NO. 74704 C.M.S.**

- 11-1 A resolution implementing Chapter 6.7 of the California Government Code and appropriating \$893,758 in third year funding for the Citizen's Option for Public Safety (COPS) to the Police Department and approving the FY 1998-99 spending plan

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to close the public hearing; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Spees and Mayor Harris - 8; Absent: Agency/Councilmember Russo - 1.

Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Spees to adopt the resolution implementing Chapter 6.7 of the California Government Code and appropriating \$893,758 in third year funding for the Citizen's Option for Public Safety (COPS) to the Police Department and approving the FY 1998-99 spending plan; and, upon call of the roll, the following members were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Spees and Mayor Harris - 8; Absent: Agency/Councilmember Russo - 1.

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**NOTE: REFER TO ATTACHED COMMITTEE MINUTES FOR ACTION ITEMS**

12. A report and action to be taken from the Concurrent Meetings of the Community & Economic Development Committee held on Tuesday, December 8, 1998

12-F ***TITLE CHANGE - A report and recommendation from the Director, Public Works Agency, for a proposed resolution to solicit bids for cleaning services for City property at the Frank Ogawa Plaza***

Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Spees to continue a report and recommendation from the Director, Public Works Agency, for a proposed resolution to solicit bids for cleaning services for City property at the Frank Ogawa Plaza to the January 5, 1999 City Council agenda; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Spees and Mayor Harris - 8; Absent Agency/Councilmember Russo - 1.

12-1 A resolution certifying banks that have met their 1997 Fair Share Goals pursuant to the City's Linked Banking Service Ordinance

The following individual spoke on Item 12-1:  
- Selwyn Whitehead

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember De La Fuente to adopt the resolution certifying banks that have met their 1997 Fair Share Goals pursuant to the City's Linked Banking Service Ordinance; and, upon call of the roll, the motion failed due to the lack of Ayes: Ayes: Agency/Councilmembers Chang, De La Fuente, Miley, and Spees - 4; Noes: Agency/Councilmembers Brunner, Reid and Mayor Harris - 3; Abstained: Agency/Councilmember Nadel - 1; Absent: Agency/Councilmember Russo - 1.

The Agency/Council continued Item 12-1 to the January 5, 1999 meeting.

**AGENCY/COUNCILMEMBER RUSSO WAS NOTED PRESENT AT 9:35 P.M.**

12-2-ORA ***THIS ITEM WAS WITHDRAWN AND RESCHEDULED FOR THE DECEMBER 15, 1998 COMMITTEE AGENDA - A resolution authorizing a new lease agreement between the Agency and Manulife Financial for office space at 2201 Broadway for the Communications Technology Cluster Incubator, and authorizing a transfer of funds in an amount not to exceed \$173,000 from the City Center Project to the Communications Technology Cluster for remaining payments under the current lease***

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12-3            ***THIS ITEM WAS WITHDRAWN AT THE DECEMBER 8, 1998  
COMMITTEE MEETING A resolution to solicit bids for cleaning  
services for City property at the Frank Ogawa Plaza***

S-12-4            *A quarterly report from the Director, Community and Economic  
Development Agency, on the Enhanced Enterprise Community One-  
Stop Capital Shop Programs*

13.            A report and action to be taken from the meeting of the Finance & Management  
Committee held on Tuesday, December 8, 1998

13-1            A resolution authorizing the City Manager to enter into an  
agreement with Bank of America NT&SA to provide primary  
banking/depository services for the City at an annual cost not to  
exceed \$275,000

13-2            A resolution authorizing the City Manager to enter into an  
agreement with Wells Fargo Bank, N.A., to provide Security  
Safekeeping/Custody Services at an annual cost not to exceed  
\$25,000

Items 13-1 and 13-2 were withdrawn with no date specific.

**RESOLUTION NO. 74705 C.M.S.**

**CONTRACT NO. 98-1230 C.M.S.**

13-3            A resolution authorizing the City Manager to execute a professional  
services agreement with Emerald Golf Development in the amount  
of Thirty Eight Thousand Nine Hundred Fifty Dollars (\$38,950) for  
Golf Consulting Services for the Lake Chabot Golf Course

14.            A report and action to be taken from the meeting of the ***Life Enrichment*** (Education  
Partnership) Committee held on Tuesday, December 8, 1998

14-1            ***ITEMS 14-1 THROUGH 14-1-1 WERE WITHDRAWN AND  
RESCHEDULED FOR THE JANUARY 19, 1999 COMMITTEE  
MEETING - A follow-up report from the Director, Community &  
Economic Development Agency, on the development plan to address  
public health issues associated with Homeless Encampments in the  
City of Oakland, and***

14-1-1            *A resolution authorizing the adoption of a Community  
Recycling Program, which would provide for the  
acceptance of donated shopping carts from private*

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~~sources, the dissemination of said educational program to inform these individuals of the requirements of conducting legal and proper recycling activities in the City of Oakland~~

- 14-2      **THIS ITEM WAS WITHDRAWN AND RESCHEDULED FOR THE DECEMBER 15, 1998 COMMITTEE MEETING** ~~--A resolution authorizing two modifications to Resolution No. 73527 C.M.S., which authorized a contract with San Francisco Bay Trail, a non-profit organization, to provide design and project management services for the Lake Merritt Channel Park/Estuary Park Connection Project: 1) Use a surface trail instead of a pedestrian bridge; and 2) include construction services to the contract~~

**RESOLUTION NO. 74706 C.M.S.**  
**CONTRACT NO. 98-1231 C.M.S.**

- 14-3      A resolution authorizing the City Manager to execute an agreement with the City of Piedmont to provide Oakland Library Services to City of Piedmont residents commencing July 1, 1998 and to appropriate \$6,500 to the Library's FY 1998-99 Budget

The following individual spoke on Item 14-3:  
- Jerry Rose

Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Reid to adopt the resolution authorizing the City Manager to execute an agreement with the City of Piedmont to provide Oakland Library Services to City of Piedmont residents commencing July 1, 1998 and to appropriate \$6,500 to the Library's FY 1998-99 Budget; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

**AGENCY/COUNCILMEMBER BRUNNER WAS NOTED ABSENT AT 9:30 P.M.**

15.      A report and action to be taken from the meeting of the Public Safety Committee held on Tuesday, December 8, 1998

- 15-1      **THIS ITEM WAS WITHDRAWN AND RESCHEDULED FOR THE DECEMBER 15, 1998 PUBLIC SAFETY COMMITTEE AND COUNCIL MEETINGS** ~~- An Introduction of an Ordinance authorizing the removal of vehicles for sale, pursuant to California Vehicle Code Section 22651.9 (Final Passage on: 1-5-99)~~

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**RESOLUTION NO. 74707 C.M.S.**

- 15-2 A resolution authorizing the appropriation of \$226,710 for the education, monitoring and enforcement program for alcoholic beverage retailers and authorizing the addition of 1 Police Officer, 1 Police Services Technician, 1 Planner II, 30 Deputy City Attorney II, and services of an Administrative Hearing Officer

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember De La Fuente to adopt the resolution authorizing the appropriation of \$226,710 for the education, monitoring and enforcement program for alcoholic beverage retailers and authorizing the addition of 1 Police Officer, 1 Police Services Technician, 1 Planner II, 30 Deputy City Attorney II, and services of an Administrative Hearing Officer; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 8; Absent: Agency/Councilmember Brunner - 1.

**AGENCY/COUNCILMEMBER BRUNNER WAS NOTED PRESENT AT 9:40 P.M.**

16. A report and action to be taken from the Concurrent Meetings of the Community & Economic Development Committee held on Tuesday, December 15, 1998

The following individual spoke on Item 16:

- Sanjiv Handa

**RESOLUTION NO. 74708 C.M.S.**

- 16-1 A resolution authorizing a loan to Okoronwo-Peterson Medical Associates (OPMA) of HUD 108 funds in an amount not to exceed \$500,000 for Rehabilitation and Working Capital related to expansion of its Medical Center

The following individual spoke on Item 16-1:

- Jerry Rose

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to approve Item 16 and adopt the resolution for Item 16-1; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

**RESOLUTION NO. 74709 C.M.S.**

- 16-2 A resolution expressing opposition to the existing draft Multilateral Agreement on Investment or other similar multinational trade agreement proposals prohibiting Oakland from exercising, to the fullest extent, existing authority granted by Federal and State Constitutions

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- 16-3 A progress report from the Director, Community and Economic Development Agency, on Job Training Performance Standards
- 16-4 An informational report from the Director, Community and Economic Development Agency, on the funding request from Soul Beat

The following individuals spoke on Item 16-4:

- |                |                     |
|----------------|---------------------|
| - Stan Booker  | - Selwyn Whitehead  |
| - Jerry Rose   | - Al Simmons        |
| - Frank Allen  | - Phineas Alexander |
| - Eddie Abrams | - Tom Adley         |
| - Helen Davis  | - Charles Davis     |
| - Mr. S        |                     |

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Miley to accept the informational report on the funding request from Soul Beat and directed staff to schedule through the Rules & Legislation Committee a follow-up report on the funding request for Soul Beat in mid-January; and, in the interim, staff was directed to work with Soul Beat on the application process and utilization of Soul Beat for advertising of community events, etc.; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

**AT 10:23 P.M. AGENCY/COUNCILMEMBER REID MADE A MOTION  
SECONDED BY AGENCY/COUNCILMEMBER CHANG TO EXTEND THE  
MEETING PAST 10:30 P.M.**

**RESOLUTION NO. 74710 C.M.S.**

- 16-5 A resolution designating the Oakland Army Base and neighboring territory as a Redevelopment Survey Area, and rescinding Resolution No. 74429 C.M.S.

The following individual spoke on Item 16-5:

- Willie Keyes

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Chang to adopt the resolution designating the Oakland Army Base and the attached amended neighboring territory as a Redevelopment Survey Area, and rescinding Resolution No. 74429 C.M.S. to include the Clausen Block area; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

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**RESOLUTION NO. 98-71 C.M.S.**

**CONTRACT NO. 98-038 C.M.S.**

- 16-6-ORA. A resolution authorizing a three-year loan in an amount not to exceed \$50,000 to Oaks Associates, Inc. to cover temporary operating deficits at the Oaks Hotel, an 85-unit Residential Hotel for very low income persons, located at 587 - 15<sup>th</sup> Street

The following individuals spoke on Item 16-6-ORA:

- Jerry Rose
- Clarence Rice
- Quentin Stacks

Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Chang to adopt the resolution authorizing a three-year loan in an amount not to exceed \$50,000 to Oaks Associates, Inc. to cover temporary operating deficits at the Oaks Hotel, an 85-unit Residential Hotel for very low income persons, located at 587 - 15<sup>th</sup> Street and directed staff to report back to the Agency/Council on any issues relative to impropriety; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

- 16-7 A report from the City Manager on projects and activities relating to Sustainable Community Development Initiative action steps that can be immediately implemented without fiscal impact

The following individual spoke on Item 16-7:

- Jerry Rose

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to accept the report on projects and activities relating to Sustainable Community Development Initiative action steps that can be immediately implemented without fiscal impact; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

**RESOLUTION NO. 98-72 C.M.S.**

**CONTRACT NO. 98-039 C.M.S.**

- S-16-8 *A resolution authorizing a new lease agreement between the Agency and Manulife Financial for office space at 2201 Broadway for the Communications Technology Cluster Incubator, and authorizing a transfer of funds in an amount not to exceed \$173,000 from the City Center Project to the Communications Technology Cluster for remaining payments under the current lease*

18. A report and action to be taken from the Finance & Management Committee held on Tuesday, December 15, 1998

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**\*PLEASE NOTE CHANGE IN TIME**

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- 18-1 A status report from the Director, Office of Information Technology, on the Citywide Task Force to assess Year 2000 readiness, including embedded chip devices, and systems managed and supported by agencies other than the Office of Information Technology

**RESOLUTION NO. 74712 C.M.S.**

**CONTRACT NO. 98-1233 C.M.S.**

- 18-2 A resolution authorizing the City Manager to negotiate and enter into a direct contract with Techprose, Inc. for training services related to Oakland's Y2K Project in an amount not to exceed \$183,000

**RESOLUTION NO. 74713 C.M.S.**

- 18-3 A resolution extending the term of the City's current Cable Television franchise with Heritage Cablevision ("TCI") for a period of three months to allow for conclusion of franchise renewal negotiations

The following individual spoke on Items 18-2 and 18-3:

- Jerry Rose

Agency/Councilmember Russo made a motion, seconded by Agency/Councilmember Reid to adopt the resolutions, Items 18-2 and 18-3; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

*S-18-4 A report from the City Manager regarding a policy for carryover of surplus/deficit funds at the end of a 2-year budget cycle*

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Spees to receive the report regarding a policy for carryover of surplus/deficit funds at the end of a 2-year budget cycle; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

*S-18-5 A report from the Director, Budget and Finance Agency, on the Fiscal Year 1998-99 First Quarter Revenue and Expenditure*

19. A report and action to be taken from the Public Works Committee held on Tuesday, December 15, 1998

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**RESOLUTION NO. 74714 C.M.S.**

- 19-1 A resolution authorizing application, acceptance and appropriation of grants funded by: 1) Federal Transportation Efficiency Act for the 21<sup>st</sup> Century (TEA 21), and 2) Supplemental 1998 State Transportation Improvement Program Funding
- 19-2 A status report from the Director, Community and Economic Development Agency, on the AC Transit Center at Eastmont Town Center
- 19-3 An informational report from the Director, Community and Economic Development Agency, on the Mandela Parkway Corridor Plan

**RESOLUTION NO. 74715 C.M.S.**

- 19-4 A resolution adopting the Acorn/Prescott Neighborhood Transportation Plan
- 19-5 An informational report from the Director, Public Works Agency, on the California High Speed Rail Authority and recommendation that the City Manager establish a coalition of public and private sector support to lobby for an Oakland Station

The following individual spoke on Item 19-5:

- Jerry Rose

- 19-6 A status report from the Director, Public Works Agency, on the West Oakland Truck Circulation Program

The following individuals spoke on Items 19-6:

- Ellen Parkinson - Willie Keyes

Agency/Councilmember Nadel made a motion, seconded by Agency/Councilmember De La Fuente to approve the reports in Items 19-5 and 19-6 and directed staff to comment on the Port of Oakland's EIR to provide additional truck parking on Port property and to report back in 6 months on the status of the removal of 7th Street as the main thoroughfare; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

20. A report and action to be taken from the *Special Life Enrichment* (Education Partnership) Committee held on Tuesday, December 15, 1998

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- 20-1 A resolution adopting the County-Wide and Oakland Homeless Continuum of Care Plans

**Item 20-1 was withdrawn and rescheduled for January 26, 1999.**

- 20-2 A report from the Assistant City Manager, Life Enrichment Agency on policies and procedures for naming of City facilities and recommendation for responding to the Rules & Legislation Committee referral on naming a City facility in the name of Barney Hilburn

**Item 20-2 was withdrawn and referred to the Rules & Legislation Committee.**

**RESOLUTION NO. 74739 C.M.S.**

- 20-3 A resolution establishing a Blue Ribbon Committee on Public Art for a limited duration to address various issues concerning the City's Public Art Program mission, policies, and procedures

- 20-4 A report from the City Manager on projects and activities relating to Sustainable Community Development Initiative action steps, that can be immediately implemented without fiscal impact

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to accept the report on projects and activities relating to Sustainable Community Development Initiative action steps that can be immediately implemented without fiscal impact; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

- 20-5 A report from the Oakland Business Development Corporation on the Cultural Arts Revolving Loan Fund for the period ending September 30, 1998

- 20-6 A status report from the Health and Human Services Commission

**RESOLUTION NO. 74738 C.M.S.**

- S-20-7 ***TITLE CHANGE** - A resolution authorizing two modifications to Resolution No. 73527 C.M.S., which authorized a contract with San Francisco Bay Trail, a non-profit organization, to provide design and project management services for the Lake Merritt Channel Park/Estuary Park Connection Project: 1) Use a surface trail instead of a pedestrian bridge; and 2) include construction services to the contract; and response to questions raised at the Life Enrichment Committee on December 8, 1998 regarding Measure K Funding, obligations and expected operations and maintenance costs*

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Agency/Councilmember Miley made a motion, seconded by Agency/Councilmember Reid to adopt the resolution authorizing two modifications to Resolution No. 73527 C.M.S., which authorized a contract with San Francisco Bay Trail, a non-profit organization, to provide design and project management services for the Lake Merritt Channel Park/Estuary Park Connection Project: 1) Use a surface trail instead of a pedestrian bridge; and 2) include construction services to the contract; and response to questions raised at the Life Enrichment Committee on December 8, 1998 regarding Measure K Funding, obligations and expected operations and maintenance costs; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 9.

**AGENCY/COUNCILMEMBER NADEL WAS NOTED ABSENT AT 11:05 P.M.**

21. A report and action to be taken from the Public Safety Committee held on Tuesday, December 15, 1998

- 21-1 A status report from the Chief of Police, on Police and East Bay Regional Park District efforts to address crime activity in a park district easement area in the Ridgemont Neighborhood

The following individual spoke on Item 21-1:  
- Thordie Ashley

Agency/Councilmember Miley made a motion, seconded by Agency/Councilmember De La Fuente to approve the status report on Police and East Bay Regional Park District efforts to address crime activity in a park district easement area in the Ridgemont Neighborhood; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Reid, Russo, Spees and Mayor Harris - 8; Absent: Agency/Councilmember Nadel - 1.

- 21-2 **An Introduction of an Ordinance** amending Title 5, Chapter 5.10 of the Oakland Municipal Code, pertaining to bingo permits, establishing the City Manager as the issuing and oversight entity for bingo permits, allowing unlimited door prizes, and creating a bingo hall permit (**Final Passage on: 1-5-99**)

- 21-3 **An Introduction of an Ordinance** amending Title 5, Chapter 5.12 of the Oakland Municipal Code, pertaining to cabaret permits, cabaret licensing fees, and extraordinary police costs (**Final Passage on: 1-5-99**)

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- 21-4      **An Introduction of an Ordinance** amending Title 5, Chapter 5.36 of the Oakland Municipal Code, pertaining to massage permits, deleting references to "parlors" and "technicians", increasing massage training hours, exemptions for hotels and other businesses, and adding sexual misconduct history as a ground for denial or revocation, and adding "plea bargains" of specified offenses as a ground for denial or revocation (**Final Passage on: 1-5-99**)
- 21-5      **An Introduction of an Ordinance** amending Title 5, Chapter 5.50 of the Oakland Municipal Code, pertaining to pool rooms and bowling alleys, providing for recover of extraordinary police costs (**Final Passage on: 1-5-99**)
- 21-6      **An Introduction of an Ordinance** amending Title 9, Chapter 9.52 of the Oakland Municipal Code, pertaining to special event permit requirements (**Final Passage on: 1-5-99**)
- 21-7      **An Introduction of an Ordinance** amending Title 12, Chapter 12.64 of the Oakland Municipal Code, pertaining to parks and recreation area use regulations, creating private and special events, new time periods for filing applications, appeal process, and misrepresentation of events penalties (**Final Passage on: 1-5-99**)

Items 21-2 through 21-7 were withdrawn and rescheduled for February 2, 1999.

- S-21-8      *An Introduction of an Ordinance authorizing the removal of vehicles for sale, pursuant to California Vehicle Code Section 22651.9 (Final Passage on: 1-5-99)*
- S-21-9      *A report from the Chief of Police and the City Attorney on proposal for an Anti-Drug Loitering and Anti-Loitering Ordinance*
- S-21-10      *A status report from the City Manager on activities of the Violence Prevention Task Force*
- S-21-11      *A report from the Chief of Police regarding the Grant Award process for the Youth Violence/Drug Prevention Program for Calendar Year 1999*
- S-21-12      *A report from the Director, Public Works Agency, on the Frank Ogawa Plaza Security and Police Department Resource Center*
- S-21-13      *A report and action to be taken from the Rules & Legislation Committee held on Thursday, December 3, 1998*

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*\*(Supplemental Items/Revisions are Italicized)*

**RESOLUTION NO. 74716 C.M.S.**

**CONTRACT NO. 98-1234 C.M.S.**

- S-21-13-1 *A resolution authorizing the City Manager to enter into an agreement with Greenberg Taurig to serve as the City's Federal Legislative Representative for the period December 31, 1998 in an amount not to exceed \$50,000 and authorizing the City Manager to enter into an agreement with Greenberg Taurig to serve as the City's Federal Legislative Representative for the period of July 1, 1999 through June 30, 2001 in an amount not to exceed \$120,000 annually*

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Russo to adopt the resolution authorizing the City Manager to enter into an agreement with Greenberg Taurig to serve as the City's Federal Legislative Representative for the period December 31, 1998 in an amount not to exceed \$50,000 and authorizing the City Manager to enter into an agreement with Greenberg Taurig to serve as the City's Federal Legislative Representative for the period of July 1, 1999 through June 30, 2001 in an amount not to exceed \$120,000 annually; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Chang, De La Fuente, Miley, Nadel, Reid, Russo, Spees and Mayor Harris - 8; Noes: Agency/Councilmember Brunner - 1.

**RESOLUTION NO. 74717 C.M.S.**

**CONTRACT NO. 98-1235 C.M.S.**

- S-21-13-2 *A resolution authorizing the City Manager to enter into an agreement with Advocacion, Inc. to serve as the City's State Legislative Representative for the period December 31, 1998 in an amount not to exceed \$37,500 and authorizing the City Manager to enter into an agreement with Advocacion, Inc. to serve as the City's State Legislative Representative for the period of July 1, 1999 through June 30, 2001 in an amount not to exceed \$100,000 annually*

**Reports/Request from Members of the Agency/Council**

22. From Mayor Elihu M. Harris announcing his intentions to appoint members to various Boards and Commissions of the City of Oakland
23. From Mayor Elihu M. Harris announcing his nominations to the various Boards and Commissions of the City of Oakland

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- 23-1 A resolution amending Resolution No. 74671 C.M.S., and appointing William Matthews as a member to the Citizens' Police Review Board

Item 23-1 was withdrawn, no date specific.

**RESOLUTION NO. 74718 C.M.S.**

- 23-2 A resolution appointing Theresa Limone and Moses Maine as members to the Oakland Housing Authority

**RESOLUTION NO. 74719 C.M.S.**

- 23-3 A resolution appointing Dale Harrington as Chairperson to the Citizens' Budget Advisory Committee

**RESOLUTION NO. 74720 C.M.S.**

- 23-4 A resolution appointing Scott Bell as a member to the Cultural Affairs Commission

**RESOLUTION NO. 74721 C.M.S.**

- 23-5 A resolution appointing Gwen McDonald as a member to the Chabot Observatory and Science Center Board of Directors

- S-23-6 *A discussion by Vice Mayor De La Fuente and Councilmembers Brunner and Chang, of the City's settlement with the Oakland A's (THIS ITEM WAS SCHEDULED FOR THIS DATE AT THE DECEMBER 10, 1998 RULES & LEGISLATION COMMITTEE)*

The following individual spoke on Item S-23-6:

- Sanjiv Handa

Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Reid to approve the discussion by Vice Mayor De La Fuente and Councilmembers Brunner and Chang, of the City's settlement with the Oakland A's; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Reid, Russo, Spees and Mayor Harris - 8; Absent: Agency/Councilmember Nadel - 1.

**MAYOR HARRIS WAS NOTED ABSENT AT 11:23 P.M. AND VICE MAYOR DE LA FUENTE RESUMED PRESIDING AS MAYOR PRO TEM**

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Reports/Requests from other Agencies and Reports from Staff

- S-23-7      *A report from the Chief of Police, regarding strategies to reduce overtime expenditures (THIS ITEM WAS RESCHEDULED FOR THIS DATE AT THE DECEMBER 8, 1998 AGENCY/COUNCIL MEETING) (THIS ITEM WAS ALSO HEARD AT THE NOVEMBER 17, 1998 FINANCE & MANAGEMENT COMMITTEE MEETING)*

MAYOR HARRIS WAS NOTED PRESENT AT 11:43 P.M.

Agency/Councilmember Russo made a motion, seconded by Agency/Councilmember Miley to accept the report regarding strategies to reduce overtime expenditures and to reassign 30 Police Officers until July when the new academy graduate officers come on board. This motion was not voted on due to the passage of the substitute motion.

Agency/Councilmember Russo made a substitute motion, seconded by Agency/Councilmember Miley to direct the Chief of Police to reassign 30 Police Officers until July when the new academy graduate officers come on board, without cutting patrol officers in the areas of Community Policing, Foot Patrol and Youth Services; and, upon call of the roll, the following members present were recorded as voting: Ayes: Agency/Councilmembers De La Fuente, Miley, Russo, Spees and Mayor Harris - 5; Noes: Agency/Councilmembers Brunner, Chang and Reid - 3; Absent: Agency/Councilmember Nadel -1.

- S-23-8      A report from the City Manager on (1) Pending Motion of the Public Safety Committee for the adoption of certain recommendations contained in the CPRB 1997 Annual Report; (2) Recommendations contained in the CPRB 1997 Annual Report which are still pending, and (3) possible actions to enable the Citizen's Police Review Board to address its current backlog; and

RESOLUTION NO. 74722 C.M.S.

- S-23-8-1      A resolution amending "Citizens' Police Review Board Investigative Process", adopted by the City Council on March 18, 1997, to clarify grounds under which cases filed with the Citizens' Police Review Board shall be proposed for summary dismissals (*THIS ITEM WAS RESCHEDULED FOR THIS DATE AT THE DECEMBER 8, 1998 AGENCY/COUNCIL MEETING) (THIS ITEM WAS ALSO HEARD AT THE NOVEMBER 17, 1998 PUBLIC SAFETY COMMITTEE MEETING)*)

Resolutions (This section includes Consent, ORA and Regular Legislation

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**RESOLUTION NO. 74723 C.M.S.**

- 24-CC A resolution declaring the results of the General Municipal Election Run-off held on November 3, 1998, consolidated with the Statewide General Election held on Tuesday, November 3, 1998

**RESOLUTION NO. 74724 C.M.S.**

- 25-CC A resolution amending Resolution No. 73582 C.M.S., as amended, to reestablish the City of Oakland's Disadvantaged Business Enterprise Program for U.S. Department of Transportation Funded Projects from October 1, 1998 through September 30, 1999

**RESOLUTION NO. 74725 C.M.S.**

- 26-CC A resolution adding sections to Resolution No. 1987 C.M.S. to install stop signs and a four-hour parking area

**RESOLUTION NO. 74726 C.M.S.**

- 27-CC A resolution granting Clyde W. Brewster, a conditional revocable permit to encroach into and under the sidewalk area of the public rights-of-way of 34<sup>th</sup> Avenue and International Boulevard (East 14<sup>th</sup> Street) with sidewalk vaults and basement skylights

**RESOLUTION NO. 74727 C.M.S.**

**CONTRACT NO. 98-1236 C.M.S.**

- 28-CC A resolution authorizing the City Manager to execute a First Amendment to an agreement with Camp Fire Boys and Girls, Bay Area Council allocating an additional \$50,000 in reprogrammed Community Development Block Grant funds and extending the agreement to June 30, 1999

**RESOLUTION NO. 74728 C.M.S.**

- 29-CC A resolution authorizing and directing the City Attorney to compromise and settle the case of Benito Delgado vs. City of Oakland, et al., United States District Court Case No. 97-02446-SI, Our File No. 97322, in the amount of \$60,000.00 (OPD)

The following individual spoke on Item 29-CC:

- Jerry Rose

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to adopt the resolution authorizing and directing the City Attorney to compromise and settle the case of Benito Delgado vs. City of Oakland, et al., United States District Court Case No. 97-02446-SI, Our File No. 97322, in the amount of \$60,000.00; and, hearing no objection, all member present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Reid, Russo, Spees and Mayor Harris - 8; Absent: Agency/Councilmember Nadel - 1.

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**RESOLUTION NO. 74729 C.M.S.**

- 30-CC A resolution authorizing and directing the City Attorney to compromise and settle the case of Alta Myrel Oakey vs. City of Oakland, Alameda County Superior Court Case No. 703503-3, Our File No. 98054, in the amount of \$8,500.00 (OPR)

**RESOLUTION NO. 74730 C.M.S.**

- 31-CC A resolution authorizing and directing the City Attorney to compromise and settle the case of Danielle Royal, by and through her Guardian Ad Litem, Lenora Royal and Lenora Royal v. City of Oakland, et al., Alameda County Superior Court Case No. 787873-0, Our File No. 97462, in the amount of \$70,000.00 (PWA-Sidewalks)

The following individual spoke on Item 31-CC:

- Jerry Rose

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to adopt the resolution authorizing and directing the City Attorney to compromise and settle the case of Danielle Royal, by and through her Guardian Ad Litem, Lenora Royal and Lenora Royal v. City of Oakland, et al., Alameda County Superior Court Case No. 787873-0, Our File No. 97462, in the amount of \$70,000.00; and, hearing no objection, all member present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Reid, Russo, Spees and Mayor Harris - 8; Absent: Agency/Councilmember Nadel - 1.

**RESOLUTION NO. 74731 C.M.S.**

- 32-CC A resolution opposing the new proposed Rule (403) by the United States Environmental Protection Agency (U.S. EPA), which would lower standards for the remediation of lead-based paint in household dust and soil

**RESOLUTION NO. 74732 C.M.S.**

- 33-CC A resolution commending Sentinel Fair Housing for 10 years of dedicated service to the citizens of Oakland

**RESOLUTION NO. 74733 C.M.S.**

**CONTRACT NO. 98-7237 C.M.S.**

34. A resolution authorizing a lease for a temporary Library Branch at 5433 San Pablo Avenue

**RESOLUTION NO. 74734 C.M.S.**

35. A resolution adding a portion of Locksley Avenue to Resolution No. 1987 C.M.S. relating to two-hour parking and residential permit parking areas
36. A resolution transferring funds from the Mayor's Media Relations Office to the City Council Office

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The following individual spoke on Item 36:

- Sanjiv Handa

Agency/Councilmember Spees made a motion, seconded by Mayor Harris to withdraw the resolution transferring funds from the Mayor's Media Relations Office to the City Council Office and to refer this item to the Rules & Legislation Committee for scheduling; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Reid, Russo, Spees and Mayor Harris - 8; Absent: Agency/Councilmember Nadel - 1.

37. A resolution modifying Resolution No. 72437 C.M.S. establishing a residency zone for certain City of Oakland personnel

The following individual spoke on Item 37:

- Jacquee Castain

Agency/Councilmember Miley made a motion, to approve the resolution modifying Resolution No. 72437 C.M.S. establishing a residency zone for certain City of Oakland personnel. This motion failed due to the lack of a second.

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Spees to table the resolution modifying Resolution No. 72437 C.M.S. establishing a residency zone for certain City of Oakland personnel; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Reid, Russo, Spees and Mayor Harris - 8; Absent: Agency/Councilmember Nadel - 1.

**RESOLUTION NO. 74735 C.M.S.**

**CONTRACT NO. 98-1238 C.M.S.**

38. A resolution authorizing award of construction contract to Lindquist - Van Hook Co. for the seismic and ADA upgrades of the Golden Gate Library in an amount not to exceed \$1,406,971

**RESOLUTION NO. 74736 C.M.S.**

- S-38-1 *A resolution upholding the decision of the City Planning Commission in approving the application of the Oakland Zoo for a Major Conditional Use Permit, with modified conditions of approval, for part of a master plan to improve the facilities at the Zoo located in the R-30 One-Family Residential Zone (ON COUNCIL'S OWN MOTION ON DECEMBER 8, 1998)*

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**RESOLUTION NO. 98-73 C.M.S.**

**CONTRACT NO. 98-040 C.M.S.**

- S-38-2      *A resolution authorizing the Agency Administrator to enter into a Memorandum of Understanding with the Oakland Base Reuse Authority and the Alameda County Homeless Base Conversion Collaborative for the provision of homeless assistance at the Oakland Army Base (THIS ITEM WAS RESCHEDULED FOR THIS DATE AT THE DECEMBER 8, 1998 AGENCY/COUNCIL MEETING) (THIS ITEM WAS ALSO HEARD AT THE NOVEMBER 17, 1998 CONCURRENT MEETINGS OF THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE)*

**RESOLUTION NO. 74737 C.M.S.**

- S-38-3      *A resolution authorizing a transfer of funds in the amount of \$50,000 from the Museum Lighting Project C51600 (\$35,079) and the Unreinforced Masonry Melrose Library Project C84521 appropriating (\$\$14,921) to the East Bay Regional Parks Foundation as Fiscal/Agent for the Martin Luther King, Jr., Freedom Center for completion of a Project Feasibility Study (ON COUNCIL'S OWN MOTION ON DECEMBER 8, 1998)*

**Introduction of Ordinance**

39.            An ordinance authorizing (1) acquisition and development of approximately 0.44 acres of open space land at 3020 Richmond Boulevard, (2) reprogramming of \$300,000 of Alameda County Flood Control and Water Conservation District - Area 12 Funds, and the granting of a Flood Control easement of approximately 7,800 square feet to the Alameda Flood Control District (**Final Passage on: 1-5-99**)
40.            An ordinance amending the Oakland Municipal Code to prohibit through trucks exceeding four and one-half tons or longer than 22 feet on certain streets (**Final Passage on: 1-5-99**)

**Final Passage of Ordinance**

**ORDINANCE NO. 12102 C.M.S.**

- 41-CC        An ordinance amending Section 6. F.5. of Ordinance 11905 C.M.S. creating a Citizens' Police Review Board pursuant to Article VI of the Charter to assist and advise the City Manager and the City Council (**Introduced on 12-8-98**)

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Russo to adopt the ordinance amending Section 6. F.5. of Ordinance 11905 C.M.S. creating a Citizens' Police Review Board pursuant to Article VI of the Charter to assist and advise the City Manager and the City Council; and, hearing no

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objection, all members present were recorded as voting: Ayes: Agency/Councilmember Brunner, Chang, De La Fuente, Miley, Reid, Russo, and Mayor Harris - 7; Noes: Agency/Councilmember Spees; Absent: Agency/Councilmember Nadel - 1.

**ORDINANCE NO. 12103 C.M.S.**

- 42-CC An ordinance amending Ordinance No. 9336 C.M.S. (Master Fee Schedule) as amended, to increase admission and facilities rental fees at the Oakland Museum of California (Introduced on: 12-8-98)

**ORDINANCE NO. 12104 C.M.S.**

- 43-CC An ordinance amending Ordinance No. 4727 C.M.S. to add the classifications of Public Service Representative, PPT; Public Service Representative, Sr.; Web Master; Senior Center Director, PT; and Principal Inspection Supervisor, and to amend the classifications of Claims Investigator II and III; Legal Assistant; Legal Assistant, PPT and PT; Environmental Affairs Intern; Director of Housing and Neighborhood Development; and Executive Assistant to the Assistant City Attorney (Introduced on: 12-8-98)

**ORDINANCE NO. 12105 C.M.S.**

- 44-CC An ordinance amending Ordinance Number 11562 C.M.S. adopted March 23, 1993, as amended, enacting a conflict of interest code for City of Oakland employees, members of Boards and Commissions, and consultant positions (Introduced on: 12-8-98)

**OPEN FORUM (Total Time Available: 15 Minutes)**


The following individuals spoke during Open Forum:

- |                   |                 |
|-------------------|-----------------|
| - Jacquee Castain | - Kenyon Weaver |
| - Sanjiv Handa    | - Jerry Rose    |

**ADJOURNMENT- ( Meeting Shall Conclude no Later Than 10:30 p.m., unless Extended by Majority Vote of the Council)**

There being no further business, the Agency/Council adjourned in the memory of Bill Louie and Deputy John Paul Monego at 11:45 p.m.

**ANNOUNCEMENTS BY MEMBERS OF THE COUNCIL AND STAFF- (TELEVISED UPON ADJOURNMENT OF THE AGENCY/COUNCIL MEETING)**

  
Cedra Floyd  
Agency Secretary/City Clerk and  
Clerk of the Council

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