

A special joint meeting of the City of Oakland and City of San Leandro City Council was held on the above date. The meeting was convened at 6:07 p.m.

Upon call of the roll by the Oakland City Clerk, the following members answered their names Agency/Councilmembers: Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente – 7; Absent: Agency/Councilmember Brunner – 1.

Upon call of the roll by the San Leandro City Clerk, the following members answered their names Councilmembers Bob Glaze, Surlene Grant, Garry Loeffler, Glenda Nardine, Vice Mayor Gordon Galvan and Mayor Shelia Young – 6; Excused: Councilmember Joanne Lothrop - 1.

**PRESIDENT PRO TEM REID AND SAN LEANDRO MAYOR SHELIA YOUNG
PRESIDED AS CHAIRPERSONS
COUNCILMEMBER BRUNNER WAS NOTED PRESENT AT 6:10 P.M.**

OAKLAND CITY OFFICIALS NOTED PRESENT

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

SAN LEANDRO CITY OFFICIALS NOTED PRESENT

John Jermanis, City Manager
Leann Randolph, City Attorney Representative
Gayle Petersen, City Clerk

COUNCILMEMBER BRUNNER WAS NOTED ABSENT AT 6:35 P.M

The following individuals spoke on Item 1:

- Ocie Hall - Audrey Grisby - Sanjiv Handa

RESOLUTION NO. 75403.1 C.M.S.

1. A resolution authorizing a Memorandum of Understanding with the City of San Leandro for continued implementation of the Oakland/San Leandro Joint Revitalization Plan

President of the Oakland City Council De La Fuente made a motion, seconded by Oakland Councilmember Russo to adopt the resolution authorizing a Memorandum of Understanding with the City of San Leandro for continued implementation of the Oakland/San Leandro Joint Revitalization Plan; and, hearing no objection, the following members were recorded as voting: Ayes: Agency/Councilmembers Chang, Miley, Nadel, Russo, Spees, Reid and President of the Council De La Fuente – 7; Absent: Agency/Councilmember Brunner – 1.

**Special Tuesday, December 14, 1999
Page 1 of 2
6:00 – 7:00 P.M.**

1
1-4-2000

San Leandro Councilmember Nardine made a motion, seconded by San Leandro Councilmember Glaze to adopt the resolution authorizing a Memorandum of Understanding with the City of San Leandro for continued implementation of the Oakland/San Leandro Joint Revitalization Plan; and, upon call of the roll, the following members were recorded as voting: Ayes: Councilmembers Glaze, Grant, Loeffler, Nardine, Galvan and Mayor Shelia Young – 6; Excused: Councilmember Lothrop - 1.

The following individuals spoke during Open Forum:

- Sanjiv Handa

- Jerry Grace

ADJOURNMENT

Both the Oakland and San Leandro City Councils made motions to adjourn the Special Joint Meeting at 6:55 p.m.



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

Special Tuesday, December 14, 1999

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6:00 – 7:00 P.M.

1
1-4-2000

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 7:04 p.m.

Upon call of the roll, the following members answered their names
Agency/Councilmembers: Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council de La Fuente -- 8.

CITY OFFICIALS NOTED PRESENT

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

Agency/Councilmember Spees took a point of personal privilege and requested that the meeting be adjourned in memory of Eugene Jurs.

OPEN FORUM (Total Time Available: 15 Minutes)

The following individuals spoke during Open Forum:

- Jerry Rose	- Ray Dobard	- Grover Dye
- Johnny MaBon	- Melinda Brazell	- T. J. Watt
- Russell Moran	- Thomas Kelly	- Garrett Dempsey
- Doug Siden	- Mary Orunamamu	- Sanjiv Handa

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 Special and Concurrent Meetings of the Oakland Redevelopment Agency and City Council held on Tuesday, December 7, 1999

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to approve the minutes of the Concurrent Meetings of the Oakland Redevelopment Agency and City Council held on Tuesday, December 7, 1999; and, hearing no objection, all members present, were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente -- 8.

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

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7:00 P.M.*

***OR IMMEDIATELY UPON ADJOURNMENT OF THE SPECIAL JOINT MEETING**

(Supplemental Items/Revisions are Italicized)**

1-4200C

The Agency Counsel/City Attorney reported that the following final decision was made during the Closed Session: "That the Council authorize the City Manager to enter into exclusive negotiations with KSL for the reconstruction and operation of the Lake Chabot Golf Course, in accordance with the qualifications and directions of the Council as to terms and conditions," which was approved by the following vote: Ayes: Agency/Councilmembers Chang, Miley, Reid, Russo, Spees and President of the Council De La Fuente - 6; Noes: Agency/Councilmembers Brunner and Nadel - 2.

Agency/Councilmember Nadel made a motion, seconded by Agency/Councilmember Brunner that the reconstruction and operation of Lake Chabot Golf Course be put out for a Request for Proposals; and, upon call of the roll, the motion failed due to the lack of Ayes: Ayes: Agency/Councilmembers Brunner and Nadel - 2; Noes: Agency/Councilmembers Chang, Miley, Reid, Russo, Spees and President of the Council De La Fuente - 6.

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 Vice Mayor Chang confirming that there were no non-confidential Closed Session discussion pursuant to Section 15 of the Sunshine Ordinance; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

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

The City Clerk administered the Oath of Office to the following individual:

Citizen's Police Review Board

Joan Marks

5. A presentation by Councilmember Miley of a resolution commending Jessica Gary for 30 years of service with the City of Oakland

Councilmember Miley presented a resolution to Jessica Gary commending her for 30 years of service with the City of Oakland.

6. A presentation by the Interim Director, Office of Personnel and Resource Management of a resolution honoring James R. McCormick upon his retirement from the City of Oakland after 35 years of service (**THIS ITEM IS IN CONJUNCTION WITH ITEM 21-CC, BELOW**)

Walter Johnson, Interim Director of the Office of Personnel and Resource Management, presented a resolution to James R. McCormick honoring his retirement from the City of Oakland after 35 years of service.

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MODIFICATIONS TO THE CONCURRENT AGENDA

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to adopt the agenda with the exception of Items 7, 7-1, 8, 8-1, 9-E, 9-G, 9-I, 9-1, 10-C, 11-D, 11-1, 11-2, 11-4, 12-C, 12-1, 13-C, 14-B, 14-E, 15-F, 15-1, 16-D-1, 17-1, S-18-4-1, S-18-4-2, 20-CC, 21-CC, 42, 45, 46, 50, 52 and 53; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

Mayoral Actions and Reports from Mayor Jerry Brown

Reconsideration of Ordinances Pursuant to Charter Section 216

Tie Breaking for Legislative Actions: Motions, Resolutions & Ordinances

From Mayor Jerry Brown announcing his intentions to appoint members to various Boards and Commissions of the City of Oakland

From Mayor Jerry Brown announcing his nominations to the various Boards and Commissions of the City of Oakland

Public Meetings & Hearings

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

Upon the reading of Item 7 by the City Clerk, the public hearing was opened.

7. 7:01 P.M. – A public hearing on a resolution implementing California Government Code Sections 30061 – 30065 and appropriating \$888,042 in Fourth Year Funding and the “Citizen’s Option for Public Safety (COPS) Grant to the Police Department and approving the FY 1999-2000 Spending Plan submitted by the Chief of Police

RESOLUTION NO. 75403 C.M.S.

- 7-1 A resolution implementing California Government Code Sections 30061 – 30065 and appropriating \$888,042 in Fourth Year Funding and the “Citizen’s Option for Public Safety (COPS) Grant to the Police Department and approving the FY 1999-2000 Spending Plan submitted by the Chief of Police

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, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

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7:00 P.M.*

***OR IMMEDIATELY UPON ADJOURNMENT OF THE SPECIAL JOINT MEETING**
(Supplemental Items/Revisions are Italicized)**

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to adopt the resolution implementing California Government Code Sections 30061 – 30065 and appropriating \$888,042 in Fourth Year Funding and the “Citizen’s Option for Public Safety (COPS) Grant to the Police Department and approving the FY 1999-2000 Spending Plan submitted by the Chief of Police; and, upon call of the roll, the motion passed by: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

Upon the reading of Item 8 by the City Clerk, the public hearing was opened.

8. 7:02 p.m. – A public hearing on a proposal for Council consideration of an ordinance to amend the Oakland Zoning Map for a zoning line adjustment, and to affirm the environmental determination of the Planning Commission for a proposed project located at 311 Oak Street

8-1 **An Introduction of an Ordinance** to amend the Oakland Zoning Map for a zoning line adjustment, and to affirm the environmental determination of the Planning Commission for a proposed project located at 311 Oak Street (**Final Passage on: January 4, 2000**)

The following individual spoke on Item 8-1:
- Gerry Tierney

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

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Russo to approve the introduction of the ordinance to amend the Oakland Zoning Map for a zoning line adjustment, and to affirm the environmental determination of the Planning Commission for a proposed project located at 311 Oak Street; and, upon call of the roll, the motion passed by: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

Reports/Requests from the President of the Council

Reports/Requests from the Council

Reports from Commissions and Agency/Council Committees

Reports from Commissions and Agency/Council Committees

NOTE: REFER TO ATTACHED COMMITTEE MINUTES FOR ACTION ITEMS

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7:00 P.M.*

***OR IMMEDIATELY UPON ADJOURNMENT OF THE SPECIAL JOINT MEETING**

(**Supplemental Items/Revisions are Italicized)

9. A report and action to be taken from the meeting of the Concurrent Meetings of the Redevelopment Agency and Council Community & Economic Development Committee, held on Tuesday, November 30, 1999

9-E An informational report from the Director, Community and Economic Development Agency, on the Economic Development Strategy for Targeted Industry Clusters

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to approve the information report on the Economic Development Strategy for Targeted Industry Clusters; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

9-G A report and recommendation from the Director, Community and Economic Development Agency, for a proposed ordinance authorizing the sale of City-owned real property located at 2825 International Boulevard in Oakland to the Oakland Unified School District for development of a new elementary school, authorizing a Disposition and Development Agreement between the City and the District for the project, and making related findings

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to adopt the ordinance authorizing the sale of City-owned real property located at 2825 International Boulevard in Oakland to the Oakland Unified School District for development of a new elementary school, authorizing a Disposition and Development Agreement between the City and the District for the project, and making related findings; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Reid, Russo, Spees and President of the Council De La Fuente - 7; Noes: Agency/Councilmember Nadel - 1.

9-I A report from the Director, Community and Economic Development Agency, on the recommended next steps to support development of the Mandela Village Project

Item 9-I was withdrawn and rescheduled for January 18, 2000.

RESOLUTION NO. 75404 C.M.S.

9-1 A resolution finding no need for formation of a Project Area Committee to review adoption of the proposed Oakland Army Base Redevelopment Plan

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Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Nadel to adopt the resolution finding no need for formation of a Project Area Committee to review adoption of the proposed Oakland Army Base Redevelopment Plan; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

RESOLUTION NO. 75405 C.M.S.

- 9-2 A resolution authorizing a grant not to exceed \$129,000 of the Central East Oakland District Board Neighborhood Commercial Revitalization Project Development Funds to Seminary Havenscourt, LP, for the construction of community space in the International Boulevard Family Housing Initiative Project on 1406 Seminary Avenue

10. A report and action to be taken from the Meeting of the Public Safety Committee held on Tuesday, November 30, 1999

- 10-C An informational report from the Director, Police Services Agency, on efforts to trace guns used in crimes

Vice Mayor Chang made a motion, seconded by Agency/Councilmember Miley to approve the informational report on efforts to trace guns used in crimes; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

RESOLUTION NO. 75406 C.M.S.

- 10-1 A resolution supporting League of California Cities Resolution #12 regarding restoring local control of Emergency Medical Services (EMS) to cities

RESOLUTION NO. 75407 C.M.S.

- 10-2 A resolution amending Resolution No. 74391 and authorizing the temporary closure of 59th Street, East of Shattuck Avenue pursuant to California Vehicle Code Section 21101.4 (**THIS ITEM WAS FORWARDED TO THE AGENCY/COUNCIL WITHOUT RECOMMENDATION FROM THE COMMITTEE**)

11. A report and action to be taken from the meeting of the Rules & Legislation Committee held on Thursday, December 2, 1999

- 11-D State Legislative Issues (Oral Status Report)

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7:00 P.M.*

***OR IMMEDIATELY UPON ADJOURNMENT OF THE SPECIAL JOINT MEETING**

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Agency/Councilmember Brunner made a motion, seconded by Vice Mayor Chang to approve the direction of the December 2, 1999 Rules & Legislation Committee regarding State Legislative Issues; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

- 11-1 A report from the City Attorney on the Attorney General's response to request for an opinion on attendance of Councilmembers at Committee Meetings with a quorum is established

The following individual spoke on Item 11-1:
- Sanjiv Handa

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Nadel to approve the report on the Attorney General's response to request for an opinion on attendance of Councilmembers at Committee Meetings with a quorum is established and approved continuing the practice of the dual noticing procedure of City Council Committee meetings; and, upon call of the roll, the motion passed by: Ayes: Agency/Councilmembers Brunner, Chang, Nadel, Reid, Spees and President of the Council De La Fuente - 6; Noes: Agency/Councilmembers Miley and Russo - 2.

DUE TO THE LACK OF A QUORUM, THE FOLLOWING ITEMS WERE FORWARDED TO THE AGENCY/COUNCIL FOR APPROPRIATE ACTION:

- 11-2 A report from the City Manager regarding collaborative efforts with Alameda County pertaining to state and federal legislative agendas

Agency/Councilmember Nadel made a motion, seconded by Agency/Councilmember Spees to approve the report regarding collaborative efforts with Alameda County pertaining to state and federal legislative agendas and directed that the scheduling of a Joint Alameda County/Oakland City Council meeting to discuss this issue, be referred to the January 6, 2000 Rules & Legislation Committee; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

- 11-3 ***THIS ITEM WAS WITHDRAWN AND REFERRED BACK TO COUNCILMEMBER NADEL AT THE DECEMBER 9, 1999 RULES & LEGISLATION COMMITTEE MEETING - A request from Councilmember Nadel to Consider the "Core Values for the Practice of Public Participation" for adoption by the City of Oakland as guiding principles for City projects***

RESOLUTION NO. 75408 C.M.S.

- 11-4 A resolution supporting the Bus Riders Union "Bill of Rights"

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7:00 P.M.*

***OR IMMEDIATELY UPON ADJOURNMENT OF THE SPECIAL JOINT MEETING**
(**Supplemental Items/Revisions are Italicized)

The following individuals spoke on Item 11-4:

- Charles Betcher

- Barbara Newcombe

- Aaron Priven

Agency/Councilmember Miley made a motion, seconded by Agency/Councilmember Nadel to adopt the resolution supporting the Bus Riders Union "Bill of Rights"; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

12. A report and action to be taken from the meeting of the Concurrent Meetings of the Redevelopment Agency and Council Community & Economic Development Committee, held on Tuesday, December 7, 1999

- 12-C A follow-up report from the Director, Community and Economic Development Agency, on establishing a hotel policy for the Airport Gateway Area

The following individuals spoke on Item 12-C:

- Joe Boss

- Barbara Szudy

- Jim DuPont

Agency/Councilmember Brunner made a motion, seconded by Agency/Councilmember Russo to approve the follow-up report on establishing a hotel policy for the Airport Gateway Area and to amend the minutes to read as follows: The Committee moved, seconded, and carried acceptance of the follow-up report with the following amendments: 1) that the full-service hotel policy be adopted City-wide; 2) that the identity of hotel operators be disclosed for all hotel projects; 3) that card check be available for unions; 4) to include City/Port Project financing proprietorships; and 5) to utilize low-sodium downlighting in projects; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

- 12-1 An informational report from the Director, Community and Economic Development Agency, to review policy regarding subordination of loans, as it relates to appropriate approvals of the City Manager or City Council

The following individual spoke on Item 12-1:

- Sanjiv Handa

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to approve the informational report to review policy regarding subordination of loans, as it relates to appropriate approvals of the City Manager or City Council; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

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7:00 P.M.*

***OR IMMEDIATELY UPON ADJOURNMENT OF THE SPECIAL JOINT MEETING**

(**Supplemental Items/Revisions are Italicized)

13. A report and action to be taken from the meeting of the Education Partnership Committee held on Tuesday, December 7, 1999

13-C A supplemental informational report from the Chief of Police on School Crossing Guards

The following individual spoke on Item 13-C:
- Kathy Maloney

Agency/Councilmember Miley made a motion, seconded by Agency/Councilmember Reid to: 1) Approve the Committee's minutes from the December 7, 1999 Education Partnership Committee meeting; 2) To add two additional School Crossing Guards at sites that qualify; and 3) That the City Manager report back on how this will be implemented in February 2000; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

14. A report and action to be taken from the meeting of the Public Works Committee held on Tuesday, December 7, 1999

AGENCY/COUNCILMEMBER MILEY WAS NOTED ABSENT AT 8:53 P.M.

14-B An informational report from the Interim Director, Public Works Agency, on the feasibility of installing public pay toilets

The following individual spoke on Item 14-B:
- Heidi Manfroi - Jerry Grace

Vice Mayor Chang made a motion, seconded by Agency/Councilmember Spees to approve the informational report on the feasibility of installing public pay toilets and directed that the 14th Street Task Force review public pay toilet advertising in conjunction with the bus shelter and kiosk advertising issue; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 7; Absent: Agency/Councilmember Miley - 1.

AGENCY/COUNCILMEMBER REID WAS NOTED ABSENT AT 8:55 P.M.

14-E A status report from the Office of the City Manager, Contract Compliance and Employment Services, on the Cypress Freeway Incentive Program to include a comparative analysis of apprenticeship participation on the Cypress Freeway Replacement Project

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(**Supplemental Items/Revisions are Italicized)

The following individual spoke on Item 14-E:

- Hugh Bassette

Agency/Councilmember Russo made a motion, seconded by Vice Mayor Chang to approve the status report on the Cypress Freeway Incentive Program to include a comparative analysis of apprenticeship participation on the Cypress Freeway Replacement Project; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Nadel, Russo, Spees and President of the Council De La Fuente – 6; Absent: Agency/Councilmembers Miley and Reid - 2.

AGENCY/COUNCILMEMBER MILEY WAS NOTED PRESENT AT 8:57 P.M.

AGENCY/COUNCILMEMBER REID WAS NOTED PRESENT AT 9:00 P.M.

AGENCY/COUNCILMEMBER BRUNNER WAS NOTED ABSENT AT 9:00 P.M.

15. A report and action to be taken from the meeting of the Public Safety Committee held on Tuesday, December 7, 1999

15-F A status report from the City Manager on Legal Needle Exchange

The following individual spoke on Item 15-F:

- Darnell Levingston

Agency/Councilmember Miley made a motion, seconded by Agency/Councilmember Russo to approve the status report on Legal Needle Exchange; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente – 7; Absent: Agency/Councilmember Brunner – 1.

AGENCY/COUNCILMEMBER BRUNNER WAS NOTED PRESENT AT 9:10 P.M.

RESOLUTION NO. 75409 C.M.S.

15-1 ***TITLE CHANGE - A resolution adopting the Crime Prevention Through Environmental Design (CPTED) Concept and Principles, and implementing a CPTED Pilot Project in the Uptown Area***

Vice Mayor Chang made a motion, seconded by Agency/Councilmember Miley to adopt the resolution adopting the Crime Prevention Through Environmental Design (CPTED) Concept and Principles, and implementing a CPTED Pilot Project in the Uptown Area; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

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***OR IMMEDIATELY UPON ADJOURNMENT OF THE SPECIAL JOINT MEETING**

(**Supplemental Items/Revisions are Italicized)

16. A report and action to be taken from the meeting of the Rules and Legislation Committee held on Thursday, December 9, 1999

16-D-1 A draft proposal from the City Manager of the City's State Legislative 2000 Agenda

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Russo to approve the draft proposal from the City Manager of the City's State Legislative 2000 Agenda with the following amendment to the December 9, 1999 Rules & Legislation Committee minutes: that Item 9 – California Collections and Research Center be removed from the list (not deleted) and come back to the Committee in February 2000 prior to the March 7, 2000 Election on the Park, Water and Library Bond issues for further discussion; that all Councilmembers submit their additions/revisions of the City's State Legislative 2000 Agenda to the City Manager, no later than Monday, December 20, 1999; and, that the finalized Legislative Agenda report to the Full Council on January 11, 2000; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

17. A report and action to be taken from the meeting of the Concurrent Meetings of the Redevelopment Agency and Council Community & Economic Development Committee, held on Tuesday, December 14, 1999

RESOLUTION NO. 75410 C.M.S.

- 17-1 A resolution authorizing execution of a Memorandum of Understanding with the Port of Oakland the Redevelopment Agency to implement the Airport Gateway Hegenberger Road Street Improvement Project (**THIS ITEM ALSO APPEARS ON THE COMMITTEE AGENDA AS ITEM D-1**)

Agency/Councilmember Reid made a motion, seconded by Vice Mayor Chang to adopt the resolution authorizing execution of a Memorandum of Understanding with the Port of Oakland the Redevelopment Agency to implement the Airport Gateway Hegenberger Road Street Improvement Project; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

RESOLUTION NO. 99-60 C.M.S.

- 17-2-ORA A resolution authorizing execution of a Memorandum of Understanding with the Port of Oakland the City of Oakland to implement the Airport Gateway Hegenberger Road Street Improvement Project (**THIS ITEM ALSO APPEARS ON THE COMMITTEE AGENDA AS ITEM D-2**)

18. A report and action to be taken from the meeting of the Finance and Management Committee held on Tuesday, December 14, 1999

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CONTRACT NO. 99-1238 C.M.S.

- ## Reports from Staff

- ITEMS S-18-3 THROUGH S-18-4-3 WERE WITHDRAWN THE DECEMBER 14, 1999 COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE MEETING AND PLACED ON THIS AGENDA AT THE DECEMBER 9, 1999 RULES & LEGISLATION COMMITTEE MEETING:**

- RESOLUTION NO. 75412 C.M.S.**

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

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to adopt resolution authorizing an amendment to General Plan Policy N3.3 providing for the development of Secondary Dwelling Units; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees – 7; Noes: President of the Council De La Fuente - 1.

Resolutions (This Section Includes Consent, ORA and Regular Legislation)

RESOLUTION NO. 75413 C.M.S.

- 19-CC 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

RESOLUTION NO. 75414 C.M.S.

- 20-CC 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

The following individual spoke on Item 20-CC:

- Jerry Rose

Agency/Councilmember Miley made a motion, seconded by Agency/Councilmember Reid to adopt the 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; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente - 8.

RESOLUTION NO. 75415 C.M.S.

- 21-CC A resolution honoring James R. McCormick upon his retirement from the City of Oakland after 35 years of service

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to adopt the resolution honoring James R. McCormick upon his retirement from the City of Oakland after 35 years of service; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente – 8.

RESOLUTION NO. 75416 C.M.S.

- 22-CC A resolution to authorize the City Attorney to settle the complaint of Edwards v. City of Oakland, State Case No. 99-03483 in the amount of \$5,500.00

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7:00 P.M.*

***OR IMMEDIATELY UPON ADJOURNMENT OF THE SPECIAL JOINT MEETING**

(**Supplemental Items/Revisions are Italicized)

RESOLUTION NO. 75417 C.M.S.

CONTRACT NO. 99-1239 C.M.S.

- 23-CC A resolution awarding a contract to Andes Construction, Inc., for the construction of wheelchair ramps and sidewalks throughout the City of Oakland, Phase III (Project No. H98130) for an amount not to exceed Three Hundred Fifty-Five Thousand Fifty Dollars (\$355,050) (**PURSUANT TO SECTION 902-E OF THE CITY CHARTER, THIS RESOLUTION REQUIRES A 2/3 VOTE OF THE COUNCIL**)

RESOLUTION NO. 75418 C.M.S.

CONTRACT NO. 99-1240 C.M.S.

- 24-CC A resolution awarding a contract to Andes Construction, Inc., for the construction of 'E' Street from 91st Avenue to 92nd Avenue (Project No. C65720) for an amount not to exceed Sixty Thousand One Hundred Fifty Nine Dollars (\$60,159) (**PURSUANT TO SECTION 902-E OF THE CITY CHARTER, THIS RESOLUTION REQUIRES A 2/3 VOTE OF THE COUNCIL**)

RESOLUTION NO. 75419 C.M.S.

CONTRACT NO. 99-1241 C.M.S.

- 25-CC A resolution authorizing the execution of additional work on the Golden Gate Library Seismic and ADA Upgrades Project with Lindquist/Van Hook Co. for an amount not-to-exceed \$150,000 for a total contract amount not-to-exceed \$1,838,365 (**PURSUANT TO SECTION 902-E OF THE CITY CHARTER, THIS RESOLUTION REQUIRES A 2/3 VOTE OF THE COUNCIL**)

RESOLUTION NO. 75420 C.M.S.

CONTRACT NO. 99-1242 C.M.S.

- 26-CC A resolution authorizing the City Manager to negotiate and execute an agreement with the State of California, Department of Transportation to accept State funds for the Embarcadero Bay Bicycle Trail Project in the amount of \$800,000

RESOLUTION NO. 75421 C.M.S.

CONTRACT NO. 99-1243 C.M.S.

- 27-CC A resolution authorizing an agreement with Dillingham Associates to provide Landscape Architectural and Engineering Design Services for the Hegenberger Road Gateway Project in an amount not to exceed \$287,907 for a total contract amount not to exceed \$315,407

RESOLUTION NO. 75422 C.M.S.

- 28-CC A resolution confirming the findings of the administrative hearing that a dangerous and insanitary condition exists at the building sewer serving the property known as 3257 Martin Luther King, Jr. Way

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7:00 P.M.*

***OR IMMEDIATELY UPON ADJOURNMENT OF THE SPECIAL JOINT MEETING**

(**Supplemental Items/Revisions are Italicized)

RESOLUTION NO. 75423 C.M.S.

- 29-CC A resolution granting Grand Harrison Company, LP, a conditional revocable permit for the encroachment of walls and steel column for a parking structure and tree wells, within the public sidewalk area on 23rd and Waverly Streets

RESOLUTION NO. 75424 C.M.S.

- 30-CC A resolution approving final map of Tract 7106, a 1-lot residential subdivision located at Maybelle Avenue, Oakland, Alameda County, California

RESOLUTION NO. 75425 C.M.S.

CONTRACT NO. 99-1244 C.M.S.

- 31-CC A resolution authorizing the Director of Building Services to enter into an agreement with Thomas H. Lowe and Mary H. Lowe for certain improvements to be constructed in a real estate subdivision entitled "Tract 6348"; fixing the amount of the security to guarantee the faithful performance of such agreement and adopting plans and specifications for such improvements

RESOLUTION NO. 75426 C.M.S.

CONTRACT NO. 99-1245 C.M.S.

- 32-CC A resolution authorizing an amendment to a professional services agreement with Iron Mountain for \$12,000 for a total contract amount not to exceed \$26,650 for final costs associated with storage, retrieval and permanent removal of archived plans and related permit documents

RESOLUTION NO. 75427 C.M.S.

- 33-CC A resolution authorizing submittal of a grant application for sustainable buildings in the amount of \$50,000 to the California Integrated Waste Management Board, and authorizing acceptance and appropriate of grant funds

RESOLUTION NO. 75428 C.M.S.

CONTRACT NO. 99-1246 C.M.S.

- 34-CC A resolution authorizing the City Manager to negotiate and enter into professional services contracts in an amount not to exceed a total of \$135,000, \$25,000 of which will be used for hiring a Citywide Census Coordinator, \$5,000 for outreach and marketing, \$4,000 earmarked as a contingency and the balance to be distributed to the Emergency Services Network, Oakland Chinese Community Council, Spanish Speaking unity Council, United Indian Nations for Census Outreach Activities, the Bay Area Urban League and one Agency yet to be identified as fiscal agent for the outreach to Seniors (On motion of Council)

RESOLUTION NO. 75429 C.M.S.

CONTRACT NO. 99-1247 C.M.S.

35. A resolution authorizing the City Manager or his designee to negotiate and enter into two (2) professional services contracts: one with the Oakland Housing Authority to provide a community services coordinator in an amount not to exceed \$24,999 for

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7:00 P.M.*

***OR IMMEDIATELY UPON ADJOURNMENT OF THE SPECIAL JOINT MEETING**

(**Supplemental Items/Revisions are Italicized)

Fiscal Year July 1, 19998-June 30, 1999 and \$20,000 for Fiscal Year July 1, 1999 - June 30, 2000, and a second with the Boys and Girls Club of Oakland to provide After-School Services in an amount not to exceed \$40,000 for calendar years January 1, 1997 - December 31, 1999 and \$20,000 for January 1, 2000 - December 31, 2000 to support Oakland's Department of Justice Weed and Seed Grant

RESOLUTION NO. 75430 C.M.S.

CONTRACT NO. 99-1248 C.M.S.

36. A resolution awarding a contract to Melrose Ford, a corporation, in the not-to-exceed amount of \$79,455.91 for the purchase of five-door, four-wheel drive utility vehicles according to Specification No. 99-070-61-2

RESOLUTION NO. 75431 C.M.S.

CONTRACT NO. 99-1249 C.M.S.

37. A resolution authorizing an agreement with RHL Design Group, Inc. to provide design services for the Streetscape Improvements in the Acorn-Prescott Neighborhood in an amount not to exceed \$103,000 for a total contract amount not to exceed \$124,000

RESOLUTION NO. 75432 C.M.S.

CONTRACT NO. 99-1250 C.M.S.

38. A resolution approving amendments to the Chabot Observatory and Science Center Joint Powers Agreement regarding changing the name of the Center to "Chabot Space and Science Center" and application of Oakland Municipal Code Section 2.20.040 A ("Sunshine Ordinance") to the Chabot Observatory and Science Center

RESOLUTION NO. 75433 C.M.S.

39. A resolution recommending the rejection of the bid for the McClymonds Pool Renovation - Phase II and requesting authorization to re-bid a portion of the work informally (**PURSUANT TO SECTION 902-E OF THE CITY CHARTER, THIS RESOLUTION REQUIRES A 2/3 VOTE OF THE COUNCIL**)

RESOLUTION NO. 75434 C.M.S.

CONTRACT NO. 99-1251 C.M.S.

40. A resolution amending Council Resolution No. 7244 C.M.S., dated February 6, 1996 to waive the formal bid requirement, add additional facilities, and increase the annual contract amount with East Bay Elevator Company to an amount not to exceed \$160,000.00 for elevator maintenance emergency call-outs, and repair at City-owned facilities (**PURSUANT TO SECTION 902-E OF THE CITY CHARTER, THIS RESOLUTION REQUIRES A 2/3 VOTE OF THE COUNCIL**)

RESOLUTION NO. 99-61 C.M.S.

CONTRACT NO. 99-033 C.M.S.

- 41-ORA A resolution authorizing the Agency Administrator to negotiate and execute a management agreement with Douglas Parking, L.L.C. for operation of the Agency-owned parking facilities at 12th and Franklin and 9th and Broadway

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7:00 P.M.

42. A resolution authorizing the City Manager to execute a contract with Oakland Sharing the Vision in an amount not to exceed \$131,000 for the period of July 1, 1999 – June 30, 2000 for the development and implementation of Oakland's strategic plan and related civic activities

Agency/Councilmember Russo made a motion, seconded by Agency/Councilmember Reid to withdraw Item 42 and directed that staff refer the City Auditor's report regarding this contract to the January 6, 2000 Rules & Legislation Committee meeting for scheduling; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo and President of the Council De La Fuente – 7; Noes: Agency/Councilmember Spees – 1.

RESOLUTION NO. 75435 C.M.S.

43. A resolution approving Final Map of Tract 7090 located at 3240 Peralta Street

RESOLUTION NO. 75436 C.M.S.

CONTRACT NO. 99-1252 C.M.S.

44. A resolution awarding a contract to Crystal Data Systems, a corporation in an annual amount not to exceed \$545,000.00 for cost per copy rental of convenience copiers for the three year period of November 10, 1999 to November 9, 2002 according to Specification No. 00-985-26-1; and, authorizing payment to Ikon Office Solutions in the estimated not to exceed amount of \$232,545.82 for outstanding invoices

RESOLUTION NO. 75437 C.M.S.

CONTRACT NO. 99-1253 C.M.S.

45. A resolution authorizing an agreement with Fairbank, Maslin, Mullin & Associates to develop and administer a City of Oakland Citizens Survey in an amount not to exceed \$41,000

Agency/Councilmember Nadel made a motion, seconded by Agency/Councilmember Spees to adopt the resolution authorizing an agreement with Fairbank, Maslin, Mullin & Associates to develop and administer a City of Oakland Citizens Survey in an amount not to exceed \$41,000 and directed staff to bring the survey back to the Agency/Council for approval before it's released; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente – 8.

RESOLUTION NO. 75438 C.M.S.

46. A resolution authorizing application, acceptance and appropriation of \$492,500 in grant funds from the State of California Department of Parks and Recreation to conduct an engineering study of the retaining walls surrounding Lake Merritt

Agency/Councilmember Russo made a motion, seconded by Agency/Councilmember Miley to adopt the resolution authorizing application, acceptance and appropriation of \$492,500 in grant funds from the State of California Department of Parks and Recreation to conduct an engineering study of the retaining walls surrounding Lake Merritt; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente – 8.

Introduction of Ordinance

47. An ordinance abandoning a five-foot wide side sewer easement situated southerly of Permain Street right-of-way line between 106th and 107th Avenues (**Final Passage on: January 4, 2000**)

Final Passage of Ordinance

ORDINANCE NO. 12192 C.M.S.

48. An ordinance amending Oakland Municipal Code Sections 3.08.170 (B) regarding the order of elective offices and 3.08.210 regarding cost analysis of measures related to conduct of Municipal Elections (**Introduced on: November 30, 1999**) (**Vote Count: 8 Ayes**)

ORDINANCE NO. 12193 C.M.S.

49. An ordinance amending Ordinance No. 12187 C.M.S. to add the classification of Civil Engineer (O), PPT; Pool Manager; Facility Manager; Early Childhood Instructor, PT; Jail Cook, PPT; Jail Cook, PT; Program Analyst III, PT; Planner III, PPT; Senior Services Administrator; Stagehand, PPT; and Stagehand, PT; and to amend the classifications of Director of Craft and Cultural Arts; Emergency Services Manager; Emergency Food Program Coordinator; Mayor; Public Service Representative; Program Analyst III; and Senior Center Director, PT. (**Introduced on: November 30, 1999**) (**Vote Count: 8 Ayes**)

ORDINANCE NO. 12194 C.M.S.

50. An ordinance authorizing the sale of City-owned real property located at 2825 International Boulevard in Oakland to the Oakland Unified School District for development of a new elementary school, authorizing a Disposition and Development Agreement between the City and the District for the project, and making related findings (**Introduced on: December 7, 1999**) (**Vote Count: 7 Ayes. 1 Abstention**)

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Reid to adopt the ordinance authorizing the sale of City-owned real property located at 2825 International Boulevard in Oakland to the Oakland Unified School District for development of a new elementary school, authorizing a Disposition and Development Agreement between the City and the District for the project, and making related findings; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Reid, Russo, Spees and President of the Council De La Fuente – 7; Noes: Agency/Councilmember Nadel - 1.

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7:00 P.M.

ORDINANCE NO. 12195 C.M.S.

51. An ordinance authorizing the City Manager to grant parking licenses for the City Parking Facilities in the Central District (**Introduced on: December 7, 1999**) (**Vote Count: 8 Ayes**)

ORDINANCE NO. 12196 C.M.S.

52. An ordinance amending the Oakland Municipal Code to add Chapter 3.13, the Limited Public Financing Act of the City of Oakland (**Introduced on November 16, 1999**) (**Vote Count: 7 Ayes. 1 Excused**)

The following individuals spoke on Item 52:

- | | | |
|----------------|----------------|----------------|
| - Roland Smith | - Jim Ferguson | - Sanjiv Handa |
| - Paul Ward | - Joan Mandle | |

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Russo to approve the ordinance amending the Oakland Municipal Code to add Chapter 3.13, the Limited Public Financing Act of the City of Oakland.

Agency/Councilmember Brunner made a friendly amendment, which was accepted by Agency/Councilmember Spees and seconded by Agency/Councilmember Russo to approve the ordinance amending the Oakland Municipal Code to add Chapter 3.13, the Limited Public Financing Act of the City of Oakland and directed that the City Attorney prepare the following amendments for consideration by the Council at a future meeting of the City Council:

- 1) To add clarifying language to §3.13.80(d) Qualification Procedures - "Matchable contributions shall consist of only the first \$100 or less of a contribution or contributions received by the candidate for the office sought from each individual contributor, *or aggregated contributors as defined in §3.12.080 of the Oakland Campaign Reform Act*, to the candidate or candidate's controlled committee...";
- 2) That the City Attorney issue an advice letter clarifying §3.13.150 Return of Matching Funds- what constitutes encumbered funds. Specifically, this letter should address how services received but for which a billing has not been issued, will constitute encumbered funds;
- 3) To change §3.13.160(c) to read: "The California Fair Political Practices Commission standards will determine what constitutes proof of payment"; and,
- 4) To refer issues regarding the audits and the role of the auditor to the Rules & Legislation Committee for further refinement;

And, upon call of the roll, the following members were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente – 8.

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7:00 P.M.

ORDINANCE NO. 12197 C.M.S.

53. An ordinance amending Ordinance No. 11612 C.M.S., as amended, Oakland Municipal Code Chapter 3.12, to provide for the adjustment of Campaign Contribution Limits in accordance with increases in the Consumer Price Index and to decrease the voluntary expenditure ceilings for the Office of Mayor, Councilmember at Large, City Attorney, City Auditor and School Board Director **(Introduced on November 16, 1999) (Vote Count: 7 Ayes. 1 Excused)**

The following individual spoke on Item 53:

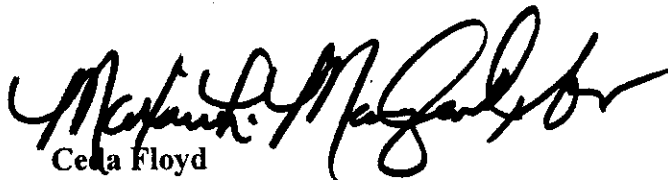
- Sanjiv Handa

Agency/Councilmember Spees made a motion, seconded by Agency/Councilmember Russo to approve the ordinance amending Ordinance No. 11612 C.M.S., as amended, Oakland Municipal Code Chapter 3.12, to provide for the adjustment of Campaign Contribution Limits in accordance with increases in the Consumer Price Index and to decrease the voluntary expenditure ceilings for the Office of Mayor, Councilmember at Large, City Attorney, City Auditor and School Board Director; and, hearing no objection, all members present were recorded as voting: Ayes: Agency/Councilmembers Brunner, Chang, Miley, Nadel, Reid, Russo, Spees and President of the Council De La Fuente – 8.

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 the meeting in memory of Eugene Jurs at 9:58 p.m.

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



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