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Lakeside Park Garden Center, Oakland, CA
Tuesday, December 18, 1990 - 7:30 p.m.

A regular meeting of the Oakland City Council was held on the above date, opening with the Pledge of Allegiance. The meeting was convened at 8:11 p.m.

Upon call of the roll, the following members answered their names: Councilmembers Cannon, Gibson Haskell, Gilmore, Moore, Ogawa, Riles, Spees, and President Wilson - 7. Absent: Councilmembers Bazile and Moore - 2.

City Clerk Arrece Jameson noted that Councilmember Bazile would be arriving shortly and that Councilmember Moore had been excused from the meeting.

PRESIDENT WILSON PRESIDING

City Officials Noted Present:

City Manager, Henry L. Gardner
Assistant City Manager, Craig Kocian
City Attorney, Jayne Williams
Director OCD, Antoinette Hewlett
Director OEDE, Julia Brown
Director OPW, Terry E. Roberts
City Clerk and Clerk of the Council, Arrece Jameson
Legislative Secretary, Frances Miller-Rogers

The reading of the Minutes of the December 11, 1990 meeting was dispensed with and the Minutes were approved as submitted by Ayes: Councilmembers Cannon, Gibson Haskell, Gilmore, Moore, Ogawa, Riles, Spees, and President Wilson - 7. Absent: Councilmembers Bazile and Moore - 2.

Councilmember Gilmore made a motion, seconded by Councilmember Gibson Haskell that the meeting be adjourned in the memory of Abe Rose and, upon call of the roll, the motion passed by Ayes: Councilmembers Cannon, Gibson Haskell, Gilmore, Moore, Ogawa,

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Riles, Spees, and President Wilson - 7. Absent: Councilmembers Bazile and Moore - 2.

Councilmember Gibson Haskell made a motion, seconded by Councilmember Gilmore that the meeting be adjourned in the memory of Warren "Brownie" Brown and, upon call of the roll, the motion passed by Ayes: Councilmembers Cannon, Gibson Haskell, Gilmore, Moore, Ogawa, Riles, Spees, and President Wilson - 7. Absent: Councilmembers Bazile and Moore - 2.

SPECIAL ORDERS OF THE DAY

1. Vice Mayor Aleta Cannon presented City Council Resolution No. 67668 C.M.S. to Mayor Lionel J. Wilson commending him for meritorious services to the citizens of Oakland as Mayor.
2. Vice Mayor Aleta Cannon presented City Council Resolution No. 67669 C.M.S. to Oakland City Councilmember Carter Gilmore commending him for meritorious service to the citizens of Oakland.
3. Vice Mayor Aleta Cannon presented City Council Resolution No. 67664 C.M.S. to City Manager Henry L. Gardner commending him for meritorious service to the citizens of Oakland.
4. Councilmember Frank Ogawa presented City Council Resolution No. 67667 C.M.S. to members of the Oakland Development Council honoring them for their dedication in helping the community recover from the Loma Prieta Earthquake of 1989.

MODIFICATIONS TO THE AGENDA

Councilmember Spees said that, given the number of items on the agenda, he would ask that the Council say which items it wanted to discuss and to pass all the remaining items as a whole.

After discussion, the following items were held for discussion 51, 58, 62, 63, 68, 70, 72, and 73. The following items were pulled from the agenda: Item 44 (with the appropriate accompanying resolution) was opened as a Public Hearing at the request of City Attorney Williams; Item 70 was pulled at the request of Councilmember Spees; Item 72 was referred to the Committee on Community

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Development, Economic Development, Housing/Training at the request of City Attorney Williams; and Item 75 was noted by the City Clerk to be a "Report from Staff" rather than a Resolution.

Councilmember Spees made a motion, seconded by Councilmember Ogawa that all items on the agenda, including Consent Calendar items 5-CC through 43-CC, be passed except the following items 44, 51, 58, 72, 63, 68, 70, 72, 73, and 75 and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gibson Haskell, Gilmore, Moore, Ogawa, Riles, Spees, and President Wilson - 8. Absent: Councilmember Moore - 1.

Councilmember Cannon made a motion, seconded by Councilmember Gibson Haskell that the matter of the Ebony Museum of Art be discussed by the Council as an emergency item and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gibson Haskell, Gilmore, Moore, Ogawa, Riles, Spees, and President Wilson - 8. Absent: Councilmember Moore - 1.

After discussion, Councilmember Cannon made a motion, seconded by Councilmember Gilmore that staff be directed to look into ways of providing assistance to the Ebony Museum of Art with regard to emergency repairs due to a recent fire, and to assist in preparing Museum artifacts for storage and arranging for storage of those artifacts in the Oakland Museum facility and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gibson Haskell, Gilmore, Moore, Ogawa, Riles, Spees, and President Wilson - 8. Absent: Councilmember Moore - 1.

ADOPTION OF CONSENT CALENDAR

The following items on the Consent Calendar were read and, unless otherwise noted, adopted by Ayes: Councilmembers Bazile, Cannon, Gibson Haskell, Gilmore, Moore, Ogawa, Riles, Spees, and President Wilson - 8. Absent: Councilmember Moore - 1.

REPORTS FROM STAFF

- 5-CC A report from the Director of the Office of Finance on the Cash Management Report for November, 1990
- 6-CC A report from the Emergency Services Manager on 1989 Winter Storm Disaster Claims Audit

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RESOLUTIONS

Item Nos. 7-CC through 8-CC are awards of contracts to the lowest responsible bidders:

RESOLUTION NO. 67676 C.M.S.
CONTRACT NO. 10167

7-CC A resolution awarding a contract to Davis Design/Preferred Office System, a co-partnership, for furnishing acoustical, non-acoustical and hang-on components to the City of Oakland, according to Specification No. 425-56 for the period of December 17, 1990 to October 31, 1993 (Local; Minority)

RESOLUTION NO. 67677 C.M.S.
CONTRACT NO. 10168

8-CC A resolution awarding a contract to Manuel C. Jardim, Inc., for the rehabilitation of sanitary sewers in Weldon Avenue between Warfield and Lakeshore Avenues (Project No. C39510) (Non-Local; Non-Minority)

RESOLUTION NO. 67678 C.M.S.

9-CC A resolution confirming the findings of the Administrative Hearing that a dangerous and insanitary condition exists in or about the building sewer serving the property commonly known as 968 - 56th Street

RESOLUTION NO. 67679 C.M.S.
CONTRACT NO. 10169

10-CC A resolution authorizing payment to McGuire and Hester in the amount of \$25,298.21 for rental of equipment and services needed to cleanup vacant lots

RESOLUTION NO. 67680 C.M.S.
CONTRACT NO. 10170

11-CC A resolution authorizing the sole source purchase for the refurbishing and renovation of an Oakland Fire Department's Aerial Ladder Truck (Vehicle No. 0306) from Seagrave Fire Apparatus, Inc.

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RESOLUTION NO. 67681 C.M.S.

12-CC A resolution authorizing fringe benefits for unrepresented management employees at no additional cost to the City

RESOLUTION NO. 67682 C.M.S.
CONTRACT NO. 10171

13-CC A resolution authorizing sole source contract with Shelter Information Systems, Inc.

RESOLUTION NO. 67683 C.M.S.
CONTRACT NO. 10172

14-CC A resolution authorizing and directing the Office of the City Manager, on behalf of the Office of the Mayor, to enter into a contract amendment in an amount not to exceed \$3,600 with Joyce Snider, CMC, dba Snider Seminars & Consulting Services, for the time period from December 1, 1990, through January 31, 1991, for professional services

RESOLUTION NO. 67684 C.M.S.
CONTRACT NO. 10173

15-CC A resolution authorizing the hiring of one (1) consultant/coordinator providing essential services to the Tobacco Control Program, a program of the Office of Parks and Recreation - Youth Services Division, for Program Year October 1, 1990 to December 31, 1991

RESOLUTION NO. 67685 C.M.S.

16-CC A resolution appointing the Director of City Planning, as the Mayor's designee, to submit demolition and alteration proposals affecting earthquake damaged historic structures to the State Office of Historic Preservation for approval as required by SB 3X

RESOLUTION NO. 67686 C.M.S.
CONTRACT NO. 10174

17-CC A resolution authorizing an amendment to an existing loan agreement with CaHon Associates for the California Hotel Project to modify the repayment provisions of said agreement

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RESOLUTION NO. 67687 C.M.S.
CONTRACT NO. 10175

18-CC A resolution authorizing an agreement with Positive Strokes Latchkey After School Tutorial, Inc., to provide an amount not to exceed \$28,418 for the period November 1, 1990 to October 31, 1991

RESOLUTION NO. 67688 C.M.S.

19-CC A resolution sustaining the decision of the Planning Commission and denying the application of R. E. Johnson for a variance to construct a residential apartment building on Calcot Place in the M-30 Zone

The following resolution was read and adopted by Ayes: Councilmembers Bazile, Cannon, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 7. Absent: Councilmembers Gilmore and Moore - 2.

RESOLUTION NO. 67689 C.M.S.

20-CC A resolution sustaining the decision of the Planning Commission and denying the application of R. Kiet Dang on behalf of the Win Long Corporation for a permit to sell beer and wine at a Market located at 830 East 14th Street in the C-40 Zone

The following resolution was read and adopted by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Moore, Ogawa, Riles, and Spees - 8. Absent: President Wilson - 1.

RESOLUTION NO. 67690 C.M.S.

21-CC A resolution reversing the decision of the Planning Commission and approving the application of Maxwell Beaumont for a Major Variance to establish five residential units on a lot that is 850 square feet smaller than required

The following resolution was read and adopted by Ayes: Councilmembers Bazile, Cannon, Gilmore, Moore, Ogawa, Riles, Spees, and President Wilson - 8. Excused: Gibson Haskell - 1.

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RESOLUTION NO. 67691 C.M.S.

- 22-CC A resolution sustaining the decision of the Planning Commission and denying the application of W. Crawford for a permit to operate a residential treatment facility at 1138 Bella Vista Avenue in the R-50 Zone

The following resolution was read and adopted by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Moore, Ogawa, Riles, and Spees - 8. Absent: President Wilson - 1.

RESOLUTION NO. 67692 C.M.S.

- 23-CC A resolution sustaining the decision of the Planning Commission and denying the appeal of Gary McDaniel for a Design Review to install signs at 3201 Lakeshore Avenue in the C-20 Shopping Center Commercial and S-9 Retail Frontage Combining Zones

Because the following resolution had been previously adopted by Council as Resolution No. 65988 C.M.S. it was withdrawn from the consent Calendar at the request of the City Attorney.

- 24-CC A resolution reversing the decision of the Planning Commission and approving the application of Willie Ealy for a variance to construct 9 residential units at 7894 Ney Avenue in the R-50/R-30 Zones

RESOLUTION NO. 67693 C.M.S.

- 25-CC A resolution sustaining the decision of the Planning Commission and denying the application of Kee Sup Lee for a Major Conditional Use Permit to sell beer and wine at 8135 Bancroft Avenue

RESOLUTION NO. 67694 C.M.S.

- 26-CC A resolution reversing the decision of the Planning Commission and approving the application of Timothy L. Clack for a Major Conditional Use Permit to legalize an existing residential unit at 3528-30 Meadow Street in the R-50 Medium Density Residential Zone

The following resolution was read and adopted by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Moore, Ogawa and President Wilson - 7. Abstention: Councilmembers Riles and Spees - 2.

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RESOLUTION NO. 67695 C.M.S.

27-CC A resolution sustaining the decision of the Planning Commission and denying the application of Janice S. Lee, on behalf of Volunteers of America for a Major Conditional Use Permit to operate a facility for former inmates at 1121 - 7th Street

RESOLUTION NO. 67696 C.M.S.

28-CC A resolution permitting the withdrawal of Joseph Festinese's appeal on behalf of Gregory Labarthe, against the Planning Commission's denial of a Major Conditional Use Permit for commercial offices at 5263 Claremont Avenue

The following resolution was read and adopted by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, and Spees - 7. Absent: Councilmember Moore and President Wilson - 2.

RESOLUTION NO. 67697 C.M.S.

29-CC A resolution sustaining the decision of Planning Commission in granting Design Review approval for construction of a sign on Piedmont Avenue and denying Design Review approval for a sign on Estrada Avenue

RESOLUTION NO. 67698 C.M.S.

30-CC A resolution sustaining the decision of the Planning Commission and denying the application of Shahman Zomarodi for a Major Variance to operate a convenience market at 4635 Park Boulevard

The following resolution was read and adopted by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Absent: Councilmember Moore - 1.

RESOLUTION NO. 67699 C.M.S.

31-CC A resolution sustaining the decision of the Planning Commission and denying the application of Toufike Abdo for a Major Conditional Use Permit to add the sale of distilled spirits to a market located at 4705 Shattuck Avenue

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RESOLUTION NO. 67700 C.M.S.

32-CC A resolution permitting Robert Eller-Issacs to withdraw his appeal against the decision of the Planning Commission granting a Major Variance, with conditions, that waived certain off-street parking requirements

RESOLUTION NO. 67701 C.M.S.

33-CC A resolution sustaining the decision of the Planning Commission and denying the application of Thomas Reese for a Major Conditional Use Permit to resume the sale of beer, wine and distilled spirits at 325 East 18th Street

The following resolution was read and adopted by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Moore, Ogawa, and Spees - 7. Absent: Councilmember Riles and President Wilson - 2.

RESOLUTION NO. 67702 C.M.S.

34-CC A resolution sustaining the decision of the Planning Commission and permitting the construction of two dwelling units on a single lot at 480 - 48th Street

RESOLUTION NO. 67703 C.M.S.

35-CC A resolution permitting D. Christopoulos to withdraw his appeal against the Planning Commission's decision denying a application to establish a non-retail use at 2077 Mountain Boulevard

RESOLUTION NO. 67704 C.M.S.

36-CC A resolution authorizing and directing the City Attorney to compromise and settle the case of Diedre Dobrodzek vs. City of Oakland, Municipal Court Action No. 494188, Our File No. 89315

RESOLUTION NO. 67705 C.M.S.

37-CC A resolution approving changes to the By-Laws of the Oakland Convention Center Management, Inc., adopted by its Board of Directors

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INTRODUCTION OF ORDINANCES

The following ordinances were read and, upon call of the roll, passed to print by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Absent: Councilmember Moore - 1.

38-CC An ordinance authorizing the acquisition of approximately 3400 square feet of land being a portion of 9798 MacArthur Boulevard in Phase II of the 98th Avenue Street Improvement Project for the sum of \$22,100

39-CC An ordinance authorizing the City Manager to negotiate and execute an easement agreement for the construction and operation of a building, including a health club facility, above the City Center Garage

FINAL PASSAGE OF ORDINANCES

The following ordinances were read and, upon call of the roll, passed to print by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Absent: Councilmember Moore - 1.

ORDINANCE NO. 11276 C.M.S.

40-CC An ordinance amending Ordinance No. 4727 C.M.S. to implement agreed upon salary increases for employee classifications represented by United Public Employees, Local 790, International Brotherhood of Electrical Workers, Local 1245, Western Council of Engineers and the Oakland Police Officers' Association; and to amend and create certain miscellaneous employee classifications

ORDINANCE NO. 11277 C.M.S.

41-CC An ordinance amending Ordinance No. 4727 C.M.S., as amended, fixing salaries and other terms and conditions of City employment and establishing offices and classifications of position of employment, by increasing compensation for members of the City Council, effective July 7, 1990

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ORDINANCE NO. 11278 C.M.S.
DEED NO. 19979

- 42-CC An ordinance authorizing the City Manager to negotiate and execute a Quitclaim Deed to extinguish the Reverter Provision of the Quitclaim Deed for the 13th Street portion of the Oakland Federal Building Site

ORDINANCE NO. 11279 C.M.S.

- 43-CC An ordinance amending Chapter 5, Article 29, Section 5-29.10 A., of the Oakland Municipal Code, to increase the fare structure for taxicabs in the City of Oakland

PUBLIC HEARINGS

44. A public hearing to consider the report from the City Manager on the assessment of liens for delinquent real estate transfer tax debts (District-at-Large, Councilmember Frank Ogawa) (In conjunction with Item Nos. 45, 46 and 47 below)

The staff report was given by Lance Bateman, Interim Director of Finance.

Councilmember Gibson Haskell made a motion, seconded by Councilmember Cannon to close the public hearing except for the assessment of liens for delinquent real estate transfer tax debts owed by Pierce Hayford and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Absent: Councilmember Moore - 1.

Councilmember Gibson Haskell made a motion, seconded by Councilmember Cannon that (1) the public hearing be continued to January 15, 1991 on the assessment of liens for delinquent real estate transfer tax debts owed by Pierce Hayford, et al and (2) that the City Clerk give notice of the January 15, 1991 public hearing to interested parties, including the attorney representing Pierce Hayford, et al and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Absent: Councilmember Moore - 1.

Councilmember Gibson Haskell made a motion, seconded by Councilmember Cannon that Resolution No. 67706 C.M.S. be adopted and, upon call of the roll, the resolution was adopted by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson

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Haskell, Ogawa, Riles, Spees, and President Wilson - 8.
Absent: Councilmember Moore - 1.

Due to the requirements of the Brown Act, the following resolutions have been prepared and are listed as "possible actions" of the City Council

- 45. A resolution overruling protests and objections and accepting and confirming reports of the City Manager of the cost incurred by the City of Oakland for delinquent real estate transfer tax debts and authorizing the recordation of liens, administrative charges and assessment charges as necessary - pursuant to Chapter 5, Article 27, of the Oakland Municipal Code, and directing the notice of liens and assessment charges to be turned over to the County Tax Collector for collection (In conjunction with Item No. 44 above)

RESOLUTION NO. 67706 C.M.S.

- 46. A resolution accepting and confirming amended report of the City Manager on the costs incurred by the City of Oakland for delinquent real estate transfer tax debts and confirming the recordation of liens, administrative charges, and assessment charges as necessary - pursuant to Chapter 5, Article 27, 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 (In conjunction with Item No. 44 above)

- 47. A resolution continuing hearing on report of the City Manager on the delinquent real estate transfer tax debts and the confirming of the recordation of liens, administrative charges as necessary - pursuant to Chapter 5, Article 27, of the Oakland Municipal Code, and lien assessment charges to be turned over to the Alameda County Tax Collector for collection (In conjunction with Item No. 44 above)

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REPORTS/REQUESTS FROM MEMBERS OF THE COUNCIL

48. A request from Councilmember Dick Spees for a City Council resolution commending Stan McPherson for 25 years of service and achievement as Scoutmaster of Boy Scout Troop 206 (In conjunction with Item No. 49 below)

Councilmember Spees made a motion, seconded by Councilmember Ogawa to accept the request and to adopt Resolution No. 67707 C.M.S. and, upon call of the roll, the resolution was adopted by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

RESOLUTION NO. 67707 C.M.S.

49. A resolution commending Stan McPherson for 25 years of service and achievement as Scoutmaster of Boy Scout Troop 206 (In conjunction with Item No. 48 above)

50. A report from Councilmember Wilson Riles, Jr., on his participation in the International Nuclear Free Zone Conference

Councilmember Spees made a motion, seconded by Councilmember Ogawa to accept the report and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

- 50.1 A request from Councilmember Carter Gilmore of a City Council resolution honoring the 100th Birthday of Mrs. Annie Holmes Smith (In conjunction with Item No. 50.2 below)

Councilmember Spees made a motion, seconded by Councilmember Ogawa to accept the request and to adopt Resolution No. 67708 C.M.S. and, upon call of the roll, the resolution was adopted by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

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RESOLUTION NO. 67798 C.M.S.

50.2 A resolution honoring the 100th Birthday of Mrs. Annie Holmes Smith (In conjunction with Item No. 50.1 above)

51. A request from Mayor-Elect Elihu Harris regarding budget augmentation for the Office of the Mayor

Councilmember Cannon expressed concern that this request should not take priority over the needs of other departments and priority programs as previously established in budget hearings by the Council. She also questioned the source of funding for the request regarding budget augmentation for the office of the Mayor.

Councilmember Bazile made a motion, seconded by Councilmember Spees to transfer \$50,000 for the remainder of the current fiscal year to the Office of the Mayor from the Drug Abuse Prevention Division.

Councilmember Cannon made a substitute motion, seconded by Councilmember Riles that the matter be put over (no specific date) until Mayor-Elect Harris can be present for the discussion as to whether the funds will come from the Drug Abuse Prevention Division or if the entire program will be transferred to the Office of the Mayor and, upon call of the roll, the motion passed by Ayes: Councilmembers Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, and President Wilson - 6. Noes: Councilmembers Bazile and Spees - 2. Absent: Councilmember Moore - 1.

REPORTS FROM COMMISSIONS AND COUNCIL COMMITTEES

52. A report from Councilmember Leo Bazile, Chairperson of the Oakland City Council Committee on Budget, Finance & Audit/Support Services, of its regular meeting held on Tuesday, December 4, 1990

Councilmember Spees made a motion, seconded by Councilmember Ogawa to accept the report and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees and President Wilson - 6. Noes: None. Absent: Councilmember Moore - 1.

Following detailed discussion, the Committee took the following actions:

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1. DETERMINATION OF SCHEDULE FOR OUTSTANDING COMMITTEE ITEMS

The Committee considered the list of outstanding Committee items and took the following action:

COMMITTEE ACTION

Approved the following list of outstanding items as amended:

Scheduled for December 18, 1990:

- (1) (from #6 on 6/19/90 Cmte) Report from the City Manager on the Five-Year Financial Plan for the City of Oakland
- (2) (from #41 on 9/18/90 agenda) Request from United Seniors of Oakland request for \$45,000 for support of the Arroyo Viejo Seniors for capital improvement to the Arroyo Viejo Recreation Center
- (3) (from #42 on 9/18/90 agenda) Request from the East Bay Sanctuary for financial assistance for Earthquake Relief Funds
- (4) (Referred from Rules & Procedures Cmte on 11/13/90 agenda) Budget for supporting development of a "Strategic Plan" for the City of Oakland
- (5) Request from Bay Area Post Polio for \$5,000 for Conference Number III, Perspectives for the '90s (COMMITTEE ACTION)

To remain on pending list: No specific date set:

- (1) (from #39 on 9/18/90 agenda) Request from Councilmember Riles, Jr. for City Council discussion on setting aside \$5,000 for use by each of our Sister City Programs
- (2) (#42 on 10/16/90 agenda) Request from Councilmember Mary Moore for staff to report on how Oakland's \$8.5 to \$9 million projected expense for Workers' Comp Claims compares (on a per capita basis) to other cities

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(Gibson Haskell/Spees - 3 Ayes; Absent: Councilmember Gilmore - 1)

- 2. REPORT FROM THE CITY MANAGER ON THE STATUS OF COUNCIL'S REQUEST FOR ADDITIONAL PROGRAM CHANGES TOTTALLING \$1.5 MILLION

COMMITTEE ACTION

- 1. Accepted the informational report from the City Manager on the status of Council's request for additional program changes totaling \$1.5 million.
- 2. Directed the City Clerk to maintain this item on the pending list, with a report back sometime in February.

(Gibson Haskell/Spees - 3 Ayes; Absent: Councilmember Gilmore - 1)

- 3. STATUS REPORT FROM THE BUDGET MANAGER ON THE EMERGENCY CONTINGENCY FUND

COMMITTEE ACTION

Accepted the status report on the Emergency Contingency Account for filing purposes.

(Gibson Haskell/Spees - 3 Ayes; Absent: Councilmember Gilmore - 1)

- 4. REQUEST FROM MITCHELL ZAHN, PROGRAM DIRECTOR, UNITED CEREBRAL PALSY FOR CONSIDERATION OF A DISABLED STOPPING AREA IN FRONT OF THE CEREBRAL PALSY BUILDING

COMMITTEE ACTION

Directed the staff of the City Manager's office to meet with Mr. Mitchell Zahn to resolve the request for a consideration of a disabled stopping area in front of the Cerebral Palsy Building.

(Gibson Haskell/Spees - 3 Ayes; Absent: Councilmember Gilmore - 1)

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53. A report from Councilmember Marge Gibson Haskell, Chairperson of the Oakland City Council Committee on Cultural Services, Education, Recreation & Sports/Social Services, Health & Welfare of its regular meeting held on Tuesday, December 4, 1990 (In conjunction with Item Nos. 54 and 55 below)

Councilmember Spees made a motion, seconded by Councilmember Ogawa to accept the report and to adopt Resolution Nos. 67709 C.M.S. and 67710 C.M.S. and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees and President Wilson - 6. Noes: None. Absent: Councilmember Moore - 1.

RESOLUTION NO. 67709 C.M.S.

54. A resolution establishing a joint participation in the development of a Bay Trail with the cities of Richmond, Berkeley, Albany, and Emeryville (In conjunction with Item No. 53 above)

RESOLUTION NO. 67710 C.M.S.
CONTRACT NO. 10176

55. A resolution authorizing the City of Oakland to apply for, accept and expend up to \$100,000 of grant funds for resource enhancement planning under the Coastal Conservancy Resource Enhancement Program for the Lake Merritt Estuary (In conjunction with Item No. 53 above)

After considerable discussion, the Committee took the following actions:

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1. DETERMINATION OF SCHEDULE FOR OUTSTANDING COMMITTEE ITEMS

COMMITTEE ACTION

Approved the following list of outstanding Committee items as amended:

Scheduled for January 7, 1991:

- (1) (from #31 on 10/16/90 agenda) Underground Utilities: Staff to provide (a) list of areas that have requested undergrounding; (b) list of

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priorities and the procedures by which these priorities are brought to Council

- (2) Status report from the City Manager on Oakland's Strategic Plan for Cultural Development and recommendation to reconvene city-wide planning process (COMMITTEE ACTION)

To remain on pending list: No specific date set:

- (1) (#14 on 11/7/89 Cmte) Report from the Director of the Office of Parks and Recreation for Council review and endorsement of Recreational Vehicle Park Proposal
- (2) Council referral on 3/20/90) The issue of developing a policy whereby a program can be established to handle requests to support Cultural Enrichment Opportunities for Oakland Youth
- (3) Cable Oakland - Theft of Cable Services
- (4) Referral from Council on 12/19/89; continued from 2/6/90) Request from Dannay Seng, student, to discuss alcohol and cigarette billboards
- (5) (#21 on 5/1/90 agenda) Request from Councilmember Wilson Riles, Jr. for support in inviting His Holiness Dalia Lama to visit Oakland in 1991
- (6) Request from Roddy Moore, President of the Oakland Museum Women's Board, for City of Oakland assistance in locating free warehouse space for their annual White Elephant Sales
- (7) (from #24 on 10/9/90 agenda) Request from Alameda County Health Care Services Agency department of environmental Health for endorsement of development of proposed program for abatement of toxic lead contamination in the environment
- (8) (from #25 on 10/9/90 agenda) Request from Nancy Sidebotham on the status of the former library at 6915 Edwards Avenue
- (9) (#13 on 10/2/90 Cmte) Report and recommendation from the Director of the Office of Parks and Recreation regarding the Boat Storage on Lake Merritt (a follow up report to come back in six months, regarding the relocation of OPR administrative offices away from the lake area)

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(10) (#14 on 10/2/90 Cmte) Report and recommendation from the Director of the Office of Parks & Recreation regarding the Rotary Nature Center Deck and Terrace Design Proposal (Staff to come back with alternative proposals)

(Spees/Moore - 3 Ayes; Absent: Councilmember Riles - 1)

2. ORAL REPORT AND RECOMMENDATION FROM THE DIRECTOR OF THE OFFICE OF PARKS AND RECREATION ON OAKLAND ZOO/KNOWLAND PARK MASTER PLAN

COMMITTEE ACTION

Accepted the report from the Director of Parks & Recreation on the Oakland Zoo/Knowland Park Master Plan Oral Presentation.

(Spees/Moore - 3 Ayes; Absent: Councilmember Riles)

3. REPORT AND RECOMMENDATION FROM THE DIRECTOR OF THE OFFICE OF PARKS AND RECREATION ON LOGO SELECTION FOR 52-MILE SCENIC DRIVE

COMMITTEE ACTION

1. Recommended that the word Scenic be included in the logo; and
2. Approved the report and recommendation and selected the first, second and third place winners of the Oakland 52 Mile Scenic Drive logo competition

(Moore/Spees - 3 Ayes; Absent: Councilmember Riles - 1)

4. INFORMATIONAL REPORT AND RECOMMENDATION FROM THE DIRECTOR OF THE OFFICE OF PARKS AND RECREATION ON LAFAYETTE AND JEFFERSON SQUARE PARKS DESIGN PROPOSAL

COMMITTEE ACTION

Accepted the informational report from the Director of the Office of Parks and recreation on Lafayette and

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Jefferson Square Parks Design Proposal for filing purposes.

(Spees/Moore - 3 Ayes; Absent: Councilmember Riles - 1)

- 5. REPORT AND RECOMMENDATION FROM THE DIRECTOR OF THE OFFICE OF PARKS AND RECREATION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND EXPEND UP TO \$100,000 OF GRANT FUNDS FOR RESOURCE ENHANCEMENT PLANNING UNDER THE COASTAL CONSERVANCY RESOURCE ENHANCEMENT PROGRAM FOR THE LAKE MERRITT ESTUARY

COMMITTEE ACTION

- 1. Recommended deletion of any talk about creating a marsh out of the sledge removed from the lake; that Riff Raff be deleted as well; and
- 2. Recommended that any application be submitted jointly by the Office of Public Works and Parks and Recreation; further
- 3. Recommended approval of a resolution authorizing the City of Oakland to apply for, accept and expend up to \$100,000 of grant funds for Resource Enhancement Planning under the Coastal Conservancy Resource Enhancement Program for the Lake Merritt Estuary with the above noted changes.

(Moore/Spees - 3 Ayes; Absent: Councilmember Riles - 1)

- 6. REPORT AND RECOMMENDATION FROM THE DIRECTOR OF THE OFFICE OF PARKS AND RECREATION ON SETTING DATE FOR COMMITTEE WORKSHOP ON THE LAKE MERRITT AREA MASTER PLAN

COMMITTEE ACTION

Recommended that a Special Meeting of the full Council be scheduled in January or February to discuss the Lake Merritt Area Master Plan.

(By Direction of Chair)

- 7. STATUS REPORT FROM THE CITY MANAGER ON OAKLAND'S STRATEGIC PLAN FOR CULTURAL DEVELOPMENT AND RECOMMENDATION TO RECONVENE CITY-WIDE PLANNING PROCESS

COMMITTEE ACTION

Recommended that this item be continued to the Committee meeting of January 7, 1990.

(By Direction of Chair)

- 8. REPORT AND RECOMMENDATION FROM THE CITY MANAGER ON THE KTOP PROGRAMMING POLICY COMMITTEE

COMMITTEE ACTION

Recommended that a Special Meeting of the full council be held to discuss the report and recommendation from the City Manager on the KTOP Programming Policy Committee be scheduled in January.

(Spees/Moore - 3 Ayes; Absent: Councilmember Riles - 1)

- 9. STATUS REPORT AND RECOMMENDATION FROM THE CITY MANAGER ON ARTIST WORK/LIVE SPACE DEVELOPMENT AND CORRESPONDING BUILDING CODE AND ZONING ISSUES AFFECTING SUCH DEVELOPMENT

COMMITTEE ACTION

Accepted the status report from the City Manager on artist/work live space development and corresponding Building Code and Zoning issues affecting such development

(Spees/Moore - 3 Ayes; Absent Councilmember Riles - 1)

- 10. REPORT AND RECOMMENDATION FROM THE DIRECTOR OF THE OFFICE OF PARKS AND RECREATION ON ESTABLISHING JOINT PARTICIPATION IN THE DEVELOPMENT OF A BAY TRAIL WITH THE CITIES OF RICHMOND, BERKELEY, ALBANY, AND EMERYVILLE

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COMMITTEE ACTION

Recommended approval of the report and recommendation from the Director of the Office of Parks and Recreation for a resolution establishing joint participation in the development of a Bay Trail with the cities of Richmond, Berkeley, Albany, and Emeryville.

(Spees/Moore - 3 Ayes; Absent: Councilmember Riles - 1)

- 56. A report from Vice Mayor Aleta Cannon, Chairperson of the Oakland City Council Committee on Community Development, Economic & Training/Housing, of its regular meeting held December 11, 1990 (In conjunction with Item Nos. 57, 58 and 59 below)

Councilmember Spees made a motion, seconded by Councilmember Ogawa to accept the report and to adopt Resolution No. 67711 C.M.S. and Resolution No. 67712 C.M.S., and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees and President Wilson - 6. Noes: None. Absent: Councilmember Moore - 1.

RESOLUTION NO. 67111

- 57. A resolution authorizing the City Manager to file an application with the United States Department of Commerce-Foreign Trade Zones Board for the permanent expansion of Foreign Trade Zone No. 56 (In conjunction with Item No. 56 above)

COUNCILMEMBERS BAZILE AND CANNON NOTED ABSENT

The following ordinance was read and, upon call of the roll, finally passed by Ayes: Councilmembers Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 6. Noes: None. Absent: Councilmembers Bazile, Cannon and Moore - 3.

ORDINANCE NO. 11280 C.M.S.
DEED NOS. 10080, 10081 AND 10082

- 58. An emergency ordinance authorizing a set-aside in the amount of \$508,000 to be utilized either for the acquisition of three properties which were developed as part of the North Oakland Housing Program and which are in foreclosure or for the

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procurement of an assignment of the first deeds of trust of said properties (In conjunction with Item No. 56 above)

RESOLUTION NO. 67712 C.M.S.
CONTRACT NO. 10177

59. A resolution authorizing the Fifth Amendment to an agreement with the Organized People of Elmhurst Neighborhoods, Inc. to extend the contract to April 15, 1991 (In conjunction with Item No. 56 above)

Following in depth discussion, the Committee took the following actions:

10RA DETERMINATION OF SCHEDULE FOR OUTSTANDING COMMITTEE ITEMS

COMMITTEE ACTION

Approved the following list of outstanding Committee items as recommended by the City Manager:

Scheduled for January 8, 1991:

- (1) (#3 on 10/23/90 Cmte) Status report from the Director of the Office of Community Development on the Development of the Mission and Cactus Motel Sites

To remain on pending list; No specific date set:

- (1) (from 7/13/90 CDED & T/Housing Cmte) A report on a planning process regarding closing of military installation facilities and their conversion to peace time economic benefit, including the necessary steps for the City to obtain the facilities
- (2) (from 3/27/90 Cmte) A request for staff to provide progress reports relative to the Coliseum Commerce Center Corporation's First Year Report, particularly on the Coliseum Commerce Center Corporation's First Year Report, particularly on the pilot business retention and expansion program, to look at cost estimates for businesses securing their facilities (security alarm systems, security guards, etc.), and to do analysis on the current permutation of the Enterprise Zone

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- (3) (#4 on 10/23/90 Cmte) Status report from the Director of the Office of Community Development on the development of a proposed Live/Work Project on a Caltrans owned property bordered by Castro Street, Brush Street, 6th and 7th Street
- (4) (#2 on 10/23/90 Cmte) Report from the Director of the Office of community Development on adopting a five-year Housing Development plan for the City of Oakland
- (5) (#1(b) on 11/27/90 Special Joint Meeting of Council/Planning Commission) The Commission's role in the Redevelopment process-early referral prior to formation for Disposition and Development Agreement (DDA's)

(Bazile/Riles - 3 Ayes: Absent: Councilmember Ogawa - 1)

2. REPORT AND RECOMMENDATION FROM THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT AND EMPLOYMENT REGARDING AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION WITH THE UNITED STATES DEPARTMENT OF COMMERCE-FOREIGN TRADE ZONES BOARD FOR THE PERMANENT EXPANSION OF FOREIGN TRADE ZONE NO. 56

COMMITTEE ACTION

Recommended approval of a resolution authorizing the City Manager to file application with the U.S. Department of Commerce-Foreign Trade Zone; and that the resolution further authorize the City Manager to negotiate and execute any additional agreements.

(Bazile/Riles - 3 Ayes: Absent: Councilmember Ogawa - 1)

3. REPORT AND RECOMMENDATION FROM THE DIRECTOR OF THE OFFICE OF COMMUNITY DEVELOPMENT REGARDING THE LINKED DEPOSIT PROGRAM UPDATE

COMMITTEE ACTION

1. Approved the recommendation of the Office of Community Development that a meeting be convened in mid-January to be attended by representatives of the lending institutions, realtors, appraisers,

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investors, insurance companies, and underwriters to review the findings to date; and that all Councilmembers be notified of the date, time and place of the meeting; and

(Bazile/Riles - 3 Ayes; Absent: Councilmember Ogawa - 1)

- 2. Directed the City Clerk to maintain on the pending list, the linked deposit program update.

(By Direction of Chair)

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- 4. REPORT AND RECOMMENDATION FROM THE DIRECTOR OF THE OFFICE OF COMMUNITY DEVELOPMENT REGARDING AN ORDINANCE AUTHORIZING A SET-ASIDE IN THE AMOUNT OF \$508,000 TO BE UTILIZED EITHER FROM THE ACQUISITION OF THREE PROPERTIES WHICH WERE DEVELOPED AS PART OF THE NORTH OAKLAND HOUSING PROGRAM AND WHICH ARE IN THE FORECLOSURE OR FOR THE PROCUREMENT OF AN ASSIGNMENT OF THE FIRST DEEDS OF TRUST ON SAID PROPERTIES

COMMITTEE ACTION

Recommended approval of an ordinance authorizing a set-aside in the amount of \$508,000 to be utilized either from the acquisition of three properties which were developed as part of the North Oakland Housing Program and which are in the foreclosure or for the procurement of an assignment of the first deeds of trust on said properties.

(Riles/Bazile - 3 Ayes; Absent: Councilmember Ogawa - 1)

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- 5. REPORT AND RECOMMENDATION FROM THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT AND EMPLOYMENT REGARDING THE OAKLAND EQUITY PARTICIPATION POLICY

COMMITTEE ACTION

Recommended acceptance of the staff report for submittal to the City Council for full discussion at a Special Council meeting to be scheduled after January 22, 1991 at the earliest convenience.

(Bazile/Riles - 3 Ayes; Absent: Councilmember Ogawa - 1)

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6. REPORT AND RECOMMENDATION FROM THE DIRECTOR OF THE OFFICE OF COMMUNITY DEVELOPMENT REGARDING THE FIFTH AMENDMENT TO AN AGREEMENT FOR A REVOLVING LOAN AND GRANT PROGRAM BY AND BETWEEN THE CITY OF OAKLAND AND ORGANIZED PEOPLE OF ELMHURST NEIGHBORHOODS, INC, FOR THE DEVELOPMENT OF HOUSING AT 2428-2452-90TH AVENUE

COMMITTEE ACTION

Recommended approval of the staff report and recommendation from the Director of the Office of Community Development regarding the fifth amendment to an agreement with Organized People of Elmhurst Neighborhoods, Inc. to extend the contract until April 15, 1991.

(Bazile/Riles - 3 Ayes; Absent: Councilmember Ogawa - 1)

COUNCILMEMBER BAZILE NOTED PRESENT

60. An oral report from Councilmember Leo Bazile, Chairperson of the Oakland City Council Committee on Budget, Finance & Audit/Support Services, on Item No. 6 of its regular meeting held on Tuesday, December 18, 1990 (In conjunction with Item No. 61 below)

RESOLUTION NO. 67713 C.M.S.

61. A resolution approving the designation and reserving of fund balance in Fund 570, the Capital Improvement Construction Fund and the recording of the Oakland Athletics Repayment in Fund 570 (In conjunction with Item No. 60 above)

Councilmember Spees made a motion, seconded by Councilmember Ogawa that the report be accepted and Resolution No. 67713 C.M.S. be adopted and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

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62. An oral report from Councilmember Carter Gilmore, Chairperson of the Public Safety/Public Works & Capital Improvements, Land Use, Environmental Concerns, on Item No. 5 of its regular meeting held Tuesday, December 18, 1990 (In conjunction with Item No. 63 below)

Councilmember Gilmore reported that a quorum was not present at the Committee meeting and that all matters were sent to the full Council by consent of those present and should appear on the Council agenda in approximately two weeks. There was one item inadvertently omitted from the Committee agenda -- "A recommendation from the Director of Public Works that a traffic light be installed at Edwards and Greenly Avenues". Councilmember Gilmore said that the Committee was recommending acceptance of the report and approval of the traffic light.

Councilmember Gilmore made a motion, seconded by Councilmember Gibson Haskell to (1) accept the report and (2) approve funding in next year's budget (FY 91-92) for the installation of a traffic light at the intersection of Greenly and Edwards Avenues and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Nocs: None. Absent: Councilmember Moore - 1.

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63. A resolution awarding a contract to General Electric Mobile Communications Distribution, a corporation, for furnishing an 800 Megahertz Trunked Radio System to the City of Oakland for a five year period beginning the date contract is signed by the City Manager, according to Specification No. 520-571 and appropriating Fiscal Year 1991 funds for purchasing this radio system (Non-Local; Non-Minority) (In conjunction with Item No. 62 above)

At the request of Councilmember Bazile, item 63 was pulled from the agenda and referred back to staff. The item is to remain on the Public Safety/Public Works Committee's agenda for a report back from staff.

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64. A report from Mayor Lionel J. Wilson, Chairperson of the Oakland City Council Committee on Rules and Procedures/Legislative, of its regular meeting held on December 11, 1990

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Councilmember Spees made a motion, seconded by Councilmember Ogawa to accept the report and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

REPORTS FROM STAFF

65. A report from the Director of City Planning on Central District Development Program (CDDP)

Councilmember Spees made a motion, seconded by Councilmember Ogawa to approve the report and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

66. An informational report from the City Manager on the Loma Prieta Earthquake and Recovery, Preparedness and Mitigation Update

Councilmember Spees made a motion, seconded by Councilmember Ogawa to approve the report and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

67. A report from the City Manager on presentation of Final Report by VBN Architects for the repair and renovation of City Hall and recommendations for phasing construction and the process for selecting architects, engineers, and a construction manager for the project

Councilmember Spees made a motion, seconded by Councilmember Ogawa to approve the report and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

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68. A report from the City Manager on the role of the Drug Abuse Prevention Division in the City Manager's Office

Mayor Wilson said that Henry Hurlburt, Chairman of the Mayor's Commission on the Disabled, had brought to him the plan, substantially, that was ultimately approved by the Council for the Drug Abuse Prevention Program. He then thanked Mr. Hurlburt for his service and outstanding work done for the City over the past years.

Councilmember Bazile made a motion, seconded by Councilmember Spees to reconsider item 68 and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

Councilmember Spees made a motion, seconded by Councilmember Bazile that item 68 be held over until a time when Mayor Elect Harris can be present for the discussion and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

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69. A report from the City Manager on County charges for Property Tax Administration and Prisoner Booking

Councilmember Spees made a motion, seconded by Councilmember Ogawa to approve the report and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

COUNCILMEMBER CANNON NOTED ABSENT

RESOLUTIONS

RESOLUTION NO. 67714 C.M.S.
CONTRACT NO. 10178

70. A resolution authorizing the City Manager to enter into an agreement with Kenneth J. Emanuels for \$91,730 per December 18, 1990
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year to represent the City of Oakland in Sacramento before legislative and other organizations

Councilmember Spees made a motion, seconded by Councilmember Gibson Haskell to accept the contract, with the exception of amending the term of the contract to a "month-to-month" basis in order to allow time to clearly define a final work program for what is to be accomplished in the contract and, upon call of the roll, the resolution was adopted by Ayes: Councilmembers Bazile, Gilmore, Gibson Haskell, Ogawa, Riles, Spees and President Wilson - 7. Noes: None. Absent: Councilmembers Cannon and Moore - 2.

COUNCILMEMBER CANNON NOTED PRESENT

RESOLUTION NO. 67715 C.M.S.
CONTRACT NO. 10179

71. A resolution authorizing the City Manager to negotiate and execute a contract with the Coliseum Commerce Center Corporation (CCCC) to implement the 1991 Work Plan for the Business Retention and Expansion Program as contained in the 1990 Annual Report of the (CCCC) Business Retention and Expansion Program

Councilmember Spees made a motion, seconded by Councilmember Ogawa to adopt Resolution No. 67715 C.M.S. and, upon call of the roll, the resolution was adopted by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

COUNCILMEMBERS BAZILE AND CANNON NOTED ABSENT

72. A resolution authorizing the City Attorney to enter into contracts with D.J. Miller and Associates and Mason Tillman and Associates, to conduct a study of the City's Affirmative Action programs in an amount of \$272,000

Councilmember Gilmore made a motion, seconded by Councilmember Gibson Haskell to refer the matter to the Committee on Community Development, Economic Development, Training/Housing and, upon call of the roll, the motion passed by Ayes: Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 6. Noes: None. Absent: Councilmembers Bazile, Cannon and Moore - 3.

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COUNCILMEMBERS BAZILE AND CANNON NOTED PRESENT

73. A resolution authorizing the City Manager to negotiate and execute a professional services contract with Steinmann, Grayson, Smylie, Inc., in an amount not to exceed \$165,000 to conduct a Comprehensive Office Space Study for the City Government of Oakland

Councilmember Gibson Haskell made a motion, seconded by Councilmember Ogawa to refer the matter to the Committee on Budget, Finance/Audit and Support Services, and upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

RESOLUTION NO. 67716 C.M.S.
CONTRACT NO. 10180

74. A resolution rejecting all bids for the Alice Arts Center Renovation (Project No. C11200) and authorizing and directing the Director of Public Works to revise the plans and specifications and to negotiate informally and to award the contract by Council action

Councilmember Spees made a motion, seconded by Councilmember Ogawa to adopt Resolution No. 67716 C.M.S. and, upon call of the roll, the resolution was adopted by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

75. A resolution to negotiate a contract amendment with VBN/MWA to design clocktower repair and base isolation to City Hall, in an amount not to exceed \$333,000

City Clerk Jameson announced that item 75 was inadvertently included on the agenda as a Resolution. The item is a staff report and should have been included under the section, "Reports from Staff".

Councilmember Spees made a motion, seconded by Councilmember Ogawa to accept the report and staff recommendation that the Office of Public Works be authorized

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to negotiate an amendment to the agreement with VBN Architects in association with Michael Willis and Associates to proceed with the design of the permanent repairs for the clocktower and base isolation system for City Hall and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Speas, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

INTRODUCTION OF ORDINANCES

The following Ordinances were read and, upon call of the roll, the ordinances were passed to print by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Speas, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

- 76. An ordinance amending Article XXIII of the Oakland Traffic Code pertaining to the establishment of a residential permit parking area and amending section 401 of the Oakland Traffic Code to increase the fine for parking in excess of the posted time limit within a residential permit parking area
- 77. An ordinance amending the Oakland Planning Code and Oakland Municipal Code to establish a Conditional Use Permit Procedure for all proposals involving the use of shared access facilities (Common Driveways and Private Access Easements)

ANNOUNCEMENTS

Community Development Block Grants

Councilmember Riles brought the matter of the Community Development Block Grants to the Council's attention, saying that the matter needed to be considered as an emergency item.

City Manager Gardner said that there are eight third-party Community Development Block Grant contracts that were not concluded. The non-profit organizations needed funds to operate between the present and January 8, 1991. The Council was being asked to authorize Mr. Gardner to execute the contracts on its behalf to be ratified by the Council on January 8, 1991.

Councilmember Gibson Haskell made a motion, seconded by
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Councilmember Bazile that the Council discuss Community Development Block Grants that are in process and experiencing difficulty in moving forward as an emergency item and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

Councilmember Gibson Haskell made a motion, seconded by Councilmember Riles that City Manager Gardner be authorized to execute the contracts to be ratified by the Council upon its return on January 8, 1991 and, upon call of the roll, the motion passed by Ayes: Councilmembers Bazile, Cannon, Gilmore, Gibson Haskell, Ogawa, Riles, Spees, and President Wilson - 8. Noes: None. Absent: Councilmember Moore - 1.

Appreciations

Councilmember Gibson Haskell thanked Bill Lowe for his service and noted that this would be the last meeting attended by Mr. Lowe as her assistant.

Councilmember Gilmore thanked the Council and his assistants for their support during his tenure.

OPEN FORUM

Mr. Robert Brooks Hamilton

Mr. Robert Brooks Hamilton addressed the Council with regard to problems he had encountered with an apartment building he was constructing. According to Mr. Brooks Hamilton he had experience difficulty in acquiring the proper City approvals and meeting the City's Inspectional Services' units requirements. In fact, he had been required to remove certain electrical apparatuses on at least three separate occasions which caused him great financial loss.

Councilmember Cannon said that the matter had been referred to staff previously and that staff continued to work on the problem. Councilmember Bazile indicated that he and Terry Roberts, Director OPW had both inspected the scene personally. He also said that, if staff is to continue to try to assist Mr. Brooks Hamilton in this matter, the City Attorney ought to be involved.

Councilmember Riles suggested to Mr. Brooks Hamilton that, if he was not satisfied with the City's response or felt that he could not be helped, he might seek the assistance of private legal counsel.

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Ms. G. Lenhart

Ms. Lenhart expressed her council over the burden placed on small land owners when they must pay the business tax for renting single family dwellings.

Having no further business and, upon motion duly made, the meeting was adjourned in memory of Abe Rose and Warren "Brownie" Brown at 10:50 p.m.



ARRECE JAMESON
City Clerk and
Clerk of the Council

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