

DRAFT



City of Oakland Meeting Minutes

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk

Concurrent Meeting of the Oakland Redevelopment Agency

/ City Council

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

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

Tuesday, March 16, 2010

5:30 PM

Oakland City Hall, 3rd Floor

- 1 Pledge of Allegiance
- 2 Roll Call / ORA & Council
COUNCIL MEMBERS: Patricia Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Jean Quan, Dist. 4; Ignacio De La Fuente, Dist. 5; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Rebecca Kaplan, At-Large, and President Jane Brunner, Dist. 1
- 3 Open Forum / Citizens Comments
(Time Available: 15 minutes)
- 4 ACTIONS ON SPECIAL ORDERS OF THE DAY
(Ceremonial Presentations, Reports/Presentations from the Mayor, Council Acknowledgements/Announcements):
 - 4.1 Subject: Honoring Deane Calhoun- Retirement
From: Councilmember Reid
Recommendation: Adopt A Resolution Honoring Deane Calhoun For Her Commitment To Ending Gun Violence In The Oakland Community And Congratulating Her On Her Retirement From Youth Alive!
[09-1228](#)
[View Report.pdf](#)
 - 4.2 Subject Barbara Killey - Retirement
From: Councilmembers Reid And Nadel
Recommendation: Adopt A Resolution Honoring Barbara Killey For Her Many Years Of Valuable Service And Congratulating Her On Her Retirement
[09-1109](#)
[View Report.pdf](#)
 - 4.3 Subject: Oakland Arbor Day 2010
From: Public Works Agency
Recommendation: Adopt A Resolution Proclaiming Saturday, April 10, 2010 To Be The City Of Oakland's Arbor Day 2010 And Authorizing An Official Tree Planting Ceremony At Children's Fairyland
[09-1243](#)
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S-4.4 Subject Commending Prevention International
From: Councilmembers Kernighan And Kaplan
Recommendation: Adopt A Resolution Commending Prevention International: No Cervical
Cancer For Providing Medical Services And Education To Women And Medical Centers In
India And Countries Of Africa And Latin America For Five Years
[09-1270](#)

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5 Approval of the draft minutes from the Concurrent Meeting of the ORA/City Council held
on March 2, 2010

6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests to: Reschedule items from consent to Non-Consent to the next Council Agenda,
Speak on Consent Calendar, Register Votes, Change order of Items, Reconsiderations, Pull
Items held in Committee):

7. CONSENT CALENDAR (CC) ITEMS:

7.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis
With Regard To The AIDS Epidemic
[09-1249](#)

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7.2-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local
Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In
The City Of Oakland
[09-1250](#)

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7.3-CC Subject: Amending The Planning Code And Zoning Maps
From: Community And Economic Development Agency
Recommendation: An Ordinance Adopting Various Planning Code Text And Map Amendments [Removal Of The S-16, Industrial-Residential Transitional Overlay Zone And Rezoning Of The Southeast Corner Of 24th Street And Webster Street From C-40, Community Thoroughfare Commercial Zone, S-5, Broadway Retail Frontage Interim Combining Zone To C-40, S-4 Design Review Overlay Zone], Including: A) Adding Consumer Service Activities As A Permitted Activity To The CIX2 Zone And As A Conditionally Permitted Activity In The Lo Zone; B) Require Landscaping For Nonresidential Facilities Where Currently Not Required; C) Require Screening Of All New Open Parking, Loading, And Storage Areas In Commercial And Industrial Zones; D) Create Master Sign Program Provisions; E) Expand Exceptions To 1000' Separation Requirement For Alcohol Sales To Include Off-Site Sales Of Alcohol In The Jack London Square Area; F) Delete Additional Parking Requirements For One-Family Dwellings In R-1 Through R-30 Zones On Street Without On-Street Parking; And F) Various Amendments Which Codify Administrative Practice, Update References, Clarify Language, And Other Changes

09-1160

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7.4-CC Subject: Misuse Or Abuse Of Distinguishing Placards And Special License Plates
From: Finance & Management Agency
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Sections 10.48.010 "Schedule Of Parking Fines" To Add Or Increase A City Of Oakland Fine For California State Vehicle Code Sections 4461. 4463 "Misuse Or Abuse Of Distinguishing Placards And Special License Plates" To \$1,100 (One Thousand One Hundred Dollars), And Section 22507.8 " Disabled Person Parking Space" To \$368 (Three Hundred Sixty-Eight Dollars) And Section 22522 "3 Feet From Sidewalk Access Ramp" To \$313 (Three Hundred Thirteen Dollars)

09-1135

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7.5-CC Subject: Juan Serrano - Settlement
From: City Attorney's Office
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Juan Serrano V. City of Oakland, Alameda County Superior Court Case No. RG08-384314, in the Amount of \$500,000.00 As A Result of A Slip and Fall Into A Storm Drain Resulting in Injury (Public Works Agency)

09-1266

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- 7.6-CC Subject: Carol Wertheim - Settlement
From: City Attorney's Office
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Carol Wertheim V. City Of Oakland, Et Al., Alameda County Superior Court No. RG09448743 Our File No. 26909, In The Amount Of \$35,000.00 (Public Works Agency - Personal Injury)
[09-1267](#)
[View Report.pdf](#)
- 7.7-CC Subject: Loren Nails - Settlement
From: City Attorney's Office
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Settle The Case Of Loren Nails V. City Of Oakland, Et Al., United States District Court Case No. C09-00565-SI, Our File No. 26703, In The Amount Of \$10,000.00 This Case Involves Arrest Without Probable Cause And Excess Force. (Oakland Police Department - Alleged Civil Rights Violation)
[09-1268](#)
[View Report.pdf](#)
- 7.8-CC Subject: 100th Birthday Celebration - Helene Hurd Nixon
From: Council President Brunner
Recommendation: Adopt A Resolution Honoring (Texas) Helene Hurd Nixon on her 100th Birthday
[09-1252](#)
[View Report.pdf](#)
- 7.9-CC Subject: 2008-2009 Audit Report
From: Finance and Management Agency
Recommendation: Receive An Informational Report Presenting The Measure Y - Violence Prevention & Public Safety Act Of 2004 Audit And Program Status Report
[09-1067](#)
[View Report.pdf](#)
- S-7.10-CC Subject: The Josie De La Cruz Park Phase 2
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution: 1) Awarding A Contract To The Lowest, Responsible, Responsive Bidder, Ray's Electric, Inc., For The Base Bid Amount Of One Hundred Seventy-One Thousand Eight Hundred Dollars (\$171,800.00) For The Construction Of The Josie De La Cruz Park Phase 2 Improvement Project (No. C329540) In Accord With Plans And Specifications And Contractor's Bid; 2) Accepting and Appropriating A Grant From The Unity Council In The Amount Of Thirty-Two Thousand Dollars (\$32,000.00) For The Project; And 3) Authorizing An Increase In The Construction Contract Up To A Maximum Of Two Hundred Eighty-Seven Thousand Three Hundred Dollars (\$287,300.00) To Implement All The Bid Alternates As Additional Funds Become Available, Without Return To Council
[09-1166](#)
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S-7.11-CC Subject: Rehabilitation Of Sanitary Sewers - Andes Construction
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes Construction, Inc. For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Edes Avenue, Jones Avenue And 98th Avenue (Sub-Basin 86-003 - Project No. C268410), In The Amount Of One Million Two Hundred Fifty-Two Thousand One Hundred Forty-Seven Dollars (\$1,252,147.00)
[09-1167](#)

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S-7.12-CC Subject: Team Oakland Program
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A One Year Agreement With Youth Employment Partnership, Inc., To Implement The Team Oakland Program, Inc., With A Second Year Option To Extend, In An Amount Not To Exceed \$249,000 Each Year, For A Total Contract Amount Not-To-Exceed \$498,000, If The Contract Is Extended
[09-1205](#)

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S-7.13-CC Subject: Metropolitan Transportation Commission For Potential Federal Jobs
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To File An Application To The Metropolitan Transportation Commission For Potential Federal Jobs For Main Street Act Of 2010 Funding For Street Resurfacing Projects And Stating The Assurance To Complete The Project(s); And
[09-1208](#)

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2) A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Potential Federal Jobs For Main Street Act Of 2010 Funds Of Approximately \$6 Million For The Purpose Of Street Resurfacing
[09-1208-1](#)

S-7.14-CC Subject: As-Needed Structural Engineering Services
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Three Hundred Thousand Dollars (\$300,000.00) With Olmn Consulting Engineers For As-Needed Structural Engineering Services Over A Period Of Three (3) Years; And
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2) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Amc Consulting Engineers, Inc. For As-Needed Structural Engineering Services Over A Period Of Three (3) Years; And
[09-1212-1](#)

4) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Earthquake And Structures, Inc. For As-Needed Structural Engineering Services Over A Period Of Three (3) Years; And
[09-1212-3](#)

5) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Fratessa Forbes Wong For As-Needed Structural Engineering Services Over A Period Of Three (3) Years; And
[09-1212-4](#)

6) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Ireland Engineering For As-Needed Structural Engineering Services Over A Period Of Three (3) Years; And
[09-1212-5](#)

7) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With St. Onge & Associates For As-Needed Structural Engineering Services Over A Period Of Three (3) Years; And
[09-1212-6](#)

8) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Three Hundred Thousand Dollars (\$300,000.00) With Rajappan & Meyer Consulting Engineers, Inc. For As-Needed Structural Engineering Services Over A Period Of Three (3) Years; And
[09-1212-7](#)

9) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Three Hundred Thousand Dollars (\$300,000.00) With Ags, Inc. For As-Needed Structural Engineering Services Over A Period Of Three (3) Years; And
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10) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Three Hundred Thousand Dollars (\$300,000.00) With Biggs Cardosa Associates, Inc. For As-Needed Structural Engineering Services Over A Period Of Three (3) Years; And
[09-1212-9](#)

11) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Three Hundred Thousand Dollars (\$300,000.00) With The Kpa Group For As-Needed Structural Engineering Services Over A Period Of Three (3) Years; And
[09-1212-10](#)

12) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Three Hundred Thousand Dollars (\$300,000.00) With Mge Engineering, Inc. For As-Needed Structural Engineering Services Over A Period Of Three (3) Years
[09-1212-11](#)

S-7.15-CC Subject: As-Needed Civil Engineering Services
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Aliquot Associates, Inc. For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
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2) Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Chow Engineering, Inc. For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
[09-1213-1](#)

3) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Dks Associates For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
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4) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Earthquake And Structures, Inc. For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
[09-1213-3](#)

5) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Humann Company, Inc. For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
[09-1213-4](#)

6) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Mms Design Associates For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
[09-1213-5](#)

7) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Urban Design Consulting Engineers For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
[09-1213-6](#)

8) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Wreco For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
[09-1213-7](#)

9) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Ags, Inc. For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
[09-1213-8](#)

10) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Bkf Engineers For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
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11) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Kimley-Horn And Associates, Inc. For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
[09-1213-10](#)

12) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Moffat & Nickol For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
[09-1213-11](#)

13) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Rbf Consulting For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
[09-1213-12](#)

14) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Rajappan & Meyer Consulting Engineers, Inc. For As-Needed Civil Engineering Services Over A Period Of Three (3) Years; And
[09-1213-13](#)

15) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Wood Rodgers, Inc. For As-Needed Civil Engineering Services Over A Period Of Three (3) Years
[09-1213-14](#)

S-7.16-CC Subject: As-Needed Geotechnical Services
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Lai & Associates For As-Needed Geotechnical Engineering Services Over A Period Of Three (3) Years; And
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2) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Trc For As-Needed Geotechnical Engineering Services Over A Period Of Three (3) Years; And
[09-1225-1](#)

3) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Ags, Inc. For As-Needed Geotechnical Engineering Services Over A Period Of Three (3) Years; And
[09-1225-2](#)

4) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Cal Engineering & Geology, Inc. For As-Needed Geotechnical Engineering Services Over A Period Of Three (3) Years; And
[09-1225-3](#)

5) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Engeo Incorporated For As-Needed Geotechnical Engineering Services Over A Period Of Three (3) Years; And
[09-1225-4](#)

6) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Fugro West, Inc. For As-Needed Geotechnical Engineering Services Over A Period Of Three (3) Years; And
[09-1225-5](#)

7) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Kleinfelder West, Inc. For As-Needed Geotechnical Engineering Services Over A Period Of Three (3) Years; And
[09-1225-6](#)

8) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Mactec Engineering And Consulting, Inc. For As-Needed Geotechnical Engineering Services Over A Period Of Three (3) Years; And
[09-1225-7](#)

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9) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Ninyo & Moore For As-Needed Geotechnical Engineering Services Over A Period Of Three (3) Years; And
[09-1225-8](#)

10) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) With Treadwell & Rollo, Inc. For As-Needed Geotechnical Engineering Services Over A Period Of Three (3) Years
[09-1225-9](#)

S-7.17-CC Subject: Two Surplus Vacant Lots - Grand View Drive
From: Community & Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The Sale Of Two City-Owned Surplus Vacant Lots Located Between 1522 Grand View Drive And 1600 Grand View Drive, Valued At Two Hundred Thousand Dollars (\$200,000) Each, To Hillside Homes Inc., For The Total Fair Market Value Of Four Hundred Thousand Dollars \$400,000
[09-1169](#)

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S-7.18-CC Subject: Schedule Of Parking Fines
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Sections 10.48.010 "Schedule Of Parking Fines" To Increase The City Of Oakland Fine For A Violation Of Oakland Municipal Code Section 10.36.30B "Valid Parking Receipt Not Displayed" From \$35.00 (Thirty Five Dollars) To \$55.00 (Fifty Five Dollars)
[09-1197](#)

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S-7.19-CC Subject: Fleet Management System From Assetworks
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving Advertising And The Request For Proposal/Qualification Requirements, And Amending Resolution No. 78246 C.M.S., Passed December 16, 2003, Which Authorized A Maintenance Agreement With Assetworks, Inc. In Connection With The Fleet Management System, To Authorize The City Administrator To Extend The Assetworks, Inc. Maintenance Agreement For Up To Three Years, On An Annual Basis, In The Amount Of Thirty Three Thousand Dollars (\$33,000), Plus Five Percent (5%) Annually, For A Total Contract Cap Of One Hundred Four Thousand Thirty Three Dollars (\$104,033)
[09-1201](#)

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S-7.20-CC Subject: California Hotel - Rehabilitation & Conversion
From: Community And Economic Development Agency
Recommendation: Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Amending Agency Resolution No. 2008-0005 C.M.S. To Change The Recipient Of A \$300,000 Grant For The Rehabilitation And Conversion Of The California Hotel To Permanent Supportive Housing From Cahon Associates To The East Bay Asian Local Development Corporation (EBALDC); And

09-1175

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2) An Agency Resolution Amending Resolution No. 2008-0055 C.M.S. To Reallocate Up To \$325,000 From Unused Funds From A Tenant Assistance Program For Residents At Oakland Community Housing, Inc.. Properties To The Trustee Of The California Hotel For Emergency Operating Assistance

09-1175-1

S-7.21-CC Subject: Two Professional Services Agreements
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Professional Services Agreements With Advanced Resources In Construction Services, Ltd., And The Alley Group Construction Managers To Provide Construction Monitoring Services For Affordable Housing Projects On An As-Needed Basis In An Aggregate Amount Not To Exceed Two Hundred And Fifty Thousand Dollars (\$250,000)

09-1176

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S-7.22-CC Subject: Purchase Of Real Property At 2330 Webster And 2315 Valdez Street
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 2330 Webster And 2315 Valdez Street In The Central District Redevelopment Project Area, From Oakland PPD Return, LLC, For \$4,050,000, Less The Cost Of Any Environmental Site Remediation, And Authorizing Up To \$25,000 For Real Estate Closing Costs

09-1217

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S-7.23-CC Subject: Weatherization Assistance Program
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator On Behalf Of The City Of Oakland, To Apply For, Accept And Appropriate Grant Funds From The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") For Up To \$4,000,000 From The California Community Services Department's Weatherization Assistance Program For The Purpose Of Providing Weatherization Services To Low-Income Residents

09-1207

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S-7.24-CC Subject: Local Initiatives Support Corporation - Purchase
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Purchase A \$220,300 Loan Secured By 1662-1664 7th Street, 1666 7 th Street, 1672 7 th Street, 715 Campbell Street And 1676 7 th Street In West Oakland From The Local Initiatives Support Corporation For An Amount Not To Exceed \$100,000
09-1173

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S-7.25-CC Subject: Broadway Streetcar And Transit Improvement Plan
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing (1) The Agency Administrator To Apply For, Accept And Appropriate A Grant From The California Department Of Transportation (Caltrans), Community-Based Transportation Planning Grant Program In An Amount Up To \$250,000 For A Broadway Streetcar And Transit Improvement Plan; And (2) A Local Match For The Grant From Central District Funds In The Amount Of \$25,000
09-1259

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S-7.26-CC Subject: Lowell Street Corridor Community Plan
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate A Grant Under The California Department Of Transportation, Transportation Planning Environmental Justice Grant Program In The Amount Of \$150,000 For The Lowell Street Corridor Community Plan; And Accepting A Local Match In The Amount Of \$15,000 For The Project From The Redevelopment Agency Under The Cooperation Agreement; And
09-1260

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2) An Agency Resolution Contributing \$15,000 In Fiscal Year 2009/2010 In General Redevelopment Purpose Funds To The City Of Oakland Under The Cooperation Agreement As A Local Match For The Caltrans Transportation Planning Environmental Justice Grant For The Lowell Street Corridor Community Plan
09-1260-1

09-1260-1

S-7.27-CC Subject: CalPers Extension - Gerald Simon
From: Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Request That The California Public Employees' Retirement System (CalPers) Board Of Administration Approve An Extension Of The Appointment Of Gerald A. Simon As A Temporary Contract Service Employee For Up To Three Hundred Sixty (360) Hours During The Period Of April 8, 2010 Through June 30, 2010 In Accordance With Government Code Section 21221(H)
09-1181

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S-7.28-CC Subject: Council Brooks Travel - Washington D.C
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Attend
The National League Of Cities' 2010 National City Afterschool Summit In Washington, D.C.
From April 19- 21, 2010
[09-1271](#)
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8. ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS

COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE
THEREAFTER:

9. Consideration of items with statutory Public Hearing requirements:

9.1 ~~Subject: Major Conditional Use Permit – 6400 Shattuck Avenue
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing To Consider A Major Conditional Use Permit
And Variance At 6400 Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity
And Adopting One Of The Following Two Alternative Resolutions:-~~

~~1) A Resolution Denying The Appeal (A09-220), Thereby Upholding The Planning
Commission Decision To Approve A Major Conditional Use Permit And Variance At 6400
Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity; Or Alternatively,
[09-1133](#)~~

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~~2) A Resolution Upholding And Approving The Appeal (Case No. A09-220), Thereby
Reversing The Planning Commission Decision And Denying The Major Conditional Use
Permit And Variance At 6400 Shattuck Avenue For Alcoholic Beverage Sales Commercial
Activity
[09-1133-1](#)~~

9.2 Subject: Delinquent Transient Occupancy Taxes
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent
Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of
Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs
Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming
The Recordation Of Liens With Administrative And Assessment Charges As Necessary -
Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien
And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[09-1198](#)

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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over to The County Tax Collector For Collection; Or
[09-1198-1](#)

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Transient Occupancy Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code
[09-1198-2](#)

9.3

Subject: Delinquent Business Taxes

From: Finance And Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or
[09-1199](#)

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2) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City Administrator On The Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; Or
[09-1199-1](#)

3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code
[09-1199-2](#)

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9.4 Subject: Delinquent Mandatory Garbage Fees 2009
From: Finance And Management Agency
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For July/August/September 2009 Monthly Accounts And October/November/December 2009 Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[09-1021](#)

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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[09-1021-1](#)

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code
[09-1021-2](#)

9.5 Subject: Delinquent Real Property Transfer Taxes
From: Finance And Management Agency
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[09-1200](#)

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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[09-1200-1](#)

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code
[09-1200-2](#)

9.6 Subject: Rockridge Business Improvement District Assessment
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Resolution Confirming The Annual Report Of The Rockridge Business Improvement District Advisory Board and Levying The Annual Assessment For The Rockridge Business Improvement District For Fiscal Year 2010- 2011
[09-1194](#)

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ACTION ON NON-CONSENT ITEMS:

10 Subject: Voting Outreach And Education Campaign Fund
From: Councilmembers De La Fuente and Kaplan
Recommendation: (1) Hear A Presentation From The County Of Alameda Registrar Of Voters (I) Describing The County's Implementation Plan For Ranked-Choice Voting, Including Outreach And Education, And (Ii) Demonstrating How To Vote Using A Ranked-Choice Voting Ballot; And (2) Adopt An Ordinance (I) Suspending For The 2010 Municipal Election The City Of Oakland's Limited Public Financing Program (Chapter 3.13 Of The Oakland Municipal Code) And (Ii) Authorizing The Transfer Of \$225,000 From The Election Campaign Fund To The Instant Run-Off Voting (IRV) Outreach And Education Campaign Fund For The November 2010 Municipal Election, And (3) Authorizing The City Administrator To Issue An Expedited RFP Within 30 Days, To Community Non Profit Organizations With Demonstrated Ability, Expertise And Successful History Of Reaching And Working Effectively In And With Low Voter Propensity Communities, In A Culturally Competent Manner, For The Purposes Of Targeted Ranked Choice Voting (RCV)/ Instant Run Off Voting (IRV) Outreach And Education (TITLE CHANGE)
[09-1186](#)

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11 Subject: Oakland Golf LLC - Rent Relief
From: Office Of Parks And Recreation
Recommendation: Adopt A Resolution To Approve Fifty Percent (50%) Of The Minimum Rent Relief To Oakland Golf LLC For The Operation Of The Metropolitan Golf Links During Fiscal Year July 1, 2009 Through June 30, 2010 As Authorized In The First Sublease And Operating Agreement Approved By Resolution No. 81241 (C.M.S.) On May 6, 2008
[09-1011](#)

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12 Subject: 15% Reduction In General Fund - All City Elected Offices
From: Council President Jane Brunner and Councilmember De La Fuente
Recommendation: Adopt A Resolution Amending The City Of Oakland Fiscal Years ("FY") 2009-11 Adopted Budget, Which Previously Was Amended By Resolution Nos. 82315, 82519, And _____, To Approve The Following Additional Budget Balancing Measures For Anticipated Fiscal Years 2009-11 Shortfalls: A Fifteen Percent (15%) Reduction Of The General Purpose Fund Budgets Of All Elected Officers, Including The City Council, Mayor, City Attorney And City Auditor
[09-1269](#)

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S-13 Subject: Affordable Housing Activities
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending Resolution No. 81110 C.M.S. To Approve An Assignment Of An Existing Loan In The Amount of \$5,815,000 By New Altenheim Partners, LP To Eden Housing Or Its Affiliate, And To Increase The Amount Of An Affordable Housing Development Loan To Eden Housing For The Altenheim Phase II Senior Housing Development Located At 1720 Macarthur Boulevard By \$625,000 For A Total City Loan Of \$6,440,000; And
[09-1174](#)

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2) A Resolution Authorizing A Rehabilitation Loan In An Amount Not To Exceed \$840,000 To Resources for Community Development For The Drachma Housing Project Located At 1428 8th Street; 1510 9th Street; 1711 Goss Street; 1030 Wood Street; 1479 12th Street; 1107 Center Street; 1503 12th Street, And Authorizing Loan Extensions And/Or Changes In The Terms For Existing City Loans For The Project; And
[09-1174-1](#)

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3) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$2,500,000 To Affordable Housing Associates For The Jefferson Oaks Apartments Project Located At 1424 Jefferson Street, And Authorizing Changes In Terms For Previous City Loans For The Project Known As The Oaks Hotel Located At 587 15th Street; And [09-1174-2](#)

4) A Resolution Amending Resolution No. 78595 C.M.S. To Increase The Amount Of An Affordable Housing Development Loan To Satellite Housing For The St. Andrew's Manor Housing Project Located At 3250 San Pablo Avenue By \$500,000 For A Total City Loan Amount Of \$1,248,300; And [09-1174-3](#)

5) A Resolution Amending Resolution No. 81112 To Increase The Amount Of An Affordable Housing Development Loan To Resources For Community Development For The 720 E. 11th Street Project By \$279,336 For A Total City Loan Amount Of \$1,669,503 And To Extend For 12 Months The Time Funds Are Reserved For The Project; And [09-1174-4](#)

6) A Resolution Amending Resolution No. 81111 C.M.S. To Extend By Eighteen (18) Months The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$3,499,453 To East Bay Asian Local Development Corporation And The Related Companies Of California Jointly For The Lion Creek Crossings Phase IV Rental Project Located At 69th Avenue And Snell Street; And [09-1174-5](#)

7) A Resolution Amending Resolution No. 81845 C.M.S. To Extend The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$3,850,344 To Bridge Housing Corporation For The St. Joseph's Family Phase II Project Located At 2647 International Boulevard, Oakland; And [09-1174-6](#)

8) A Resolution Appropriating \$2,683,966 From Fund Balance In The Low And Moderate Housing Funds, The 2000 Subordinated Affordable Housing Bond Fund, And The 2006 Subordinated Affordable Housing Bond Fund For Housing Development Activities; And [09-1174-7](#)

9) A Resolution Authorizing A Rehabilitation Loan In An Amount Not To Exceed \$1,800,000 To East Bay Asian Local Development Corporation For The Drasnin Manor Project Located At 2530 International Boulevard, And Authorizing Loan Extensions And/Or Changes In The Terms For Existing Agency Loans For The Project; And [09-1174-8](#)

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10) A Resolution Amending Resolution No. 2009-0030 C.M.S. To Increase The Amount Of A Preservation And Rehabilitation Loan To East Bay Asian Local Development Corporation By \$1,260,000 For The Effie's House (Ivy Hill) Project Located At 829 East 19th Avenue For A Total Loan Amount Of \$2,517,000, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Agency Loans For The Project; And
[09-1174-9](#)

11) A Resolution Authorizing A Rehabilitation Loan In An Amount Not To Exceed \$867,000 To Dignity Housing West, Inc. For The James Lee Court Apartments Project Located At 690 15th Street, And Authorizing Loan Extensions And/Or Changes In The Terms For Existing Agency Loans For The Project; And
[09-1174-10](#)

12) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$3,850,000 To AMCAL Multi-Housing, Inc. For The MacArthur Apartments Project Located At 9800 MacArthur Boulevard; And
[09-1174-11](#)

13) A Resolution Amending Resolution No. 2009-0032 C.M.S. To Increase The Amount Of An Affordable Housing Rehabilitation Loan To Resources For Community Development For The Marin Way Court Affordable Housing Development Located At 2000 International Boulevard By \$1,200,000 For A Total Agency Loan Amount Of \$2,400,000, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Agency Loans For The Project; And
[09-1174-12](#)

14) A Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$2,397,000 To East Bay Asian Local Development Corporation For The Oakland Point LP Scattered Sites Affordable Housing Project Located At 915-17 Chester Street, 1025 Center Street, 1442-46 10th Street, 1430 10th Street, 963 Center Street, 1734 9th Street, And 1501 8th Street, And Authorizing Loan Extensions And/Or Changes In The Terms For Existing Agency Loans For The Project; And
[09-1174-14](#)

16) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$148,000 To Paul Wang Enterprises For The 62nd Street Condominiums Located At 1029 62nd Street; And
[09-1174-16](#)

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17) A Resolution Amending Resolution No. 2008-0027 C.M.S. To Increase The Amount Of An Affordable Housing Development Loan To Resources For Community Development For The 720 E. 11th Street Project By \$967,664 For A Total Agency Loan Amount Of \$5,827,497, And To Extend For 12 Months The Amount Of Time Funds Are Reserved For The Project; And [09-1174-17](#)

18) A Resolution Amending Resolution No. 2009-0020 C.M.S. To Increase The Amount Of An Affordable Housing Development Loan To BRIDGE Housing Corporation For The St. Joseph's Family Phase II Project At 2647 International Boulevard By \$1,314,000 For A Total Agency Loan Amount of \$4,333,656, And To Extend For Six Months The Amount Of Time Funds Are Reserved For The Project; And [09-1174-18](#)

19) A Resolution Amending Resolution No. 2008-0018 C.M.S. To Extend By Eighteen (18) Months The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$1,652,000 To Alameda County Social Service Agency, Fred Finch Youth Center, And Affordable Housing Associates Jointly For The Emancipation Village Project Located At 3800 Coolidge Avenue, Oakland; And [09-1174-19](#)

20) A Resolution Amending Resolution No. 2008-0023 C.M.S. To Extend By Eighteen (18) Months The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$2,980,547 To East Bay Local Development Corporation And The Related Companies Of California Jointly For The Lion Creek Crossings Phase IV Rental Project Located At 69th Avenue And Snell Street; And [09-1174-20](#)

21) A Resolution Amending Resolution No. 2007-0021 C.M.S. And No. 2009-0026 C.M.S. To Extend By Twelve (12) Months The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$5,133,000 To Oakland Housing Initiatives And Christian Church Homes Of Northern California Jointly For The Harrison Street Senior Housing Project Located At 1633 Harrison Street And 321 17th Street, Oakland; And [09-1174-21](#)

22) A Resolution Amending Resolution Nos. 2007-0025 C.M.S. And 2008-0022 To Extend By One Year The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$6,032,000 To Christian Church Homes Of Northern California For The Hill-Elmhurst Senior Housing Project Located At 9415-9437 International Boulevard; And [09-1174-22](#)

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23) A Resolution Authorizing A Modification Of The \$386,550 Affordable Housing Site Acquisition Loan To Habitat For Humanity East Bay For 10211 Byron Avenue To Extend The Term, Reduce The Interest Rate, And Forgive The Accrued Interest; And
[09-1174-23](#)

24) A Resolution Amending Resolution No. 2008-0016 C.M.S. To Approve The Assignment Of An Existing Loan In The Amount of \$1,753,000 By New Altenheim Partners, LP To Eden Housing Or Its Affiliate For The Altenheim Phase II Senior Housing Development Located at 1720 MacArthur Boulevard; And
[09-1174-24](#)

25) A Resolution Amending Resolution No. 2009-0033 C.M.S. To Allow An Existing Commitment Of Funds To Affordable Housing Associates For The Oaks Hotel Project In The Amount Of \$1,100,000 To Be Used For The Expanded Jefferson Oaks Apartments Project Located At 1424 Jefferson Street And To Allow An Extension Of Time For The Commitment Of Funds
[09-1174-25](#)

ADJOURNMENT OF COUNCIL SESSION

(Meeting shall conclude no later than 12:00 a.m., unless extended by Majority Vote of the Council)

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

Meeting Minutes

March 16, 2010

City Clerk and Clerk of the Council