



SUPPLEMENTAL

City of Oakland

Meeting Agenda

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, June 17, 2008

6:00 PM

Oakland City Hall, 3rd Floor

DEFINITION OF TERMS:

CONSENT ITEM: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee. These items are heard on the 6:00 P.M. portion of the agenda.

NON-CONSENT ITEM: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee. These items are heard on the 7:00 P.M. portion of the agenda.

ACTION ITEM: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

INFORMATIONAL ITEM: an item of the agenda consisting only of an informational report that does not require or permit Council action.

1 Pledge of Allegiance

2 Roll Call / ORA & Council

COUNCIL MEMBERS: Jane Brunner, Dist. 1; Patricia Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Jean Quan, Dist. 4; Desley Brooks, Dist. 6; Vice Mayor Larry Reid, Dist. 7; Henry Chang, At-Large, and President Ignacio De La Fuente, Dist. 5

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

4 Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an item from the Consent Calendar, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.

5 Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. (Motion Maker must have voted on prevailing side)

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- 6 Requests from Councilmember(s) to schedule an Action Item considered by Committee but not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.
- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on May 6, 2008 and May 20, 2008

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: 2008 Distinguished Schools - Recognition
From: Councilmembers Kernighan, De La Fuente & Brunner
Recommendation: Adopt A Resolution Commending Three Oakland Elementary Schools - Lincoln, Hillcrest And Think College Now - For Their Selection As 2008 Distinguished School Award Honorees By The California School Recognition Program Of The State Of California Department Of Education
[\(07-1352\)](#)
- 8.2 Subject: Bruce Beasley - Recognition
From: Councilmember Henry Chang
Recommendation: Adopt A Resolution Honoring Oakland Artist Bruce Beasley On His Selection By The International Olympic Committee As One Of The Top 20 Artists In The World To Make And Showcase A Monumental Sculpture For The "2008 Beijing Olympics"
[\(07-1372\)](#)
- 8.3 Subject: Dennis Richmond - Recognition
From: Council President De La Fuente
Recommendation: Adopt A Resolution Honoring Dennis Richmond On His Retirement From KTVU Channel 2 After More Than 40 Years Of Broadcast Service
[\(07-1409\)](#)
- 8.4 Subject: Chabot Space & Science Center - Recognition
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Proclaiming Chabot Space & Science Center Day June 21, 2008, At The Chabot Space Games Honoring Chabot's 125th Anniversary
[\(07-1437\)](#)

In accordance with Rule 28 of the Council's Rules of Procedure Resolution 79006 C.M.S., this item was placed on this agenda.

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

10. CONSENT CALENDAR (CC) ITEMS:

- 10.1-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

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(07-1456)

10.2-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

(07-1457)

~~10.3-CC Subject: Tract 7868 Final Map
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation~~

~~1) A Resolution Conditionally Approving A Final Map For Tract No. 7868 For The
Tassafaranga Affordable Housing Project At 968 81st Avenue For The Oakland Housing
Authority Foundation; And~~

~~(07-1276)~~

~~2) A Resolution Approving A Subdivision Improvement Agreement With The Oakland
Housing Authority Foundation For Deferred Construction Of Public Infrastructure
Improvements At 968 81st Avenue For The Final Map For Tract No. 7868 For The
Tassafaranga Affordable Housing Project~~

~~(07-1276-1)~~

**This item was withdrawn by the June 12, 2008 Rules and Legislation
Committee**

10.4-CC Subject: Priority Project Funds - District Five
From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De
La Fuente's Priority Project Funds To Oakland Babe Ruth League In The Amount Of
\$750.00 To Fund Travel Expenses On Their Fall College Tour

(07-1403)

10.5-CC Subject: Priority Project Funds - District Five
From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De
La Fuente's Priority Project Funds To The Lend-A-Hand Foundation In The Amount Of
\$400.00 To Fund The Purchase Of Back-To-School Backpacks

(07-1404)

10.6-CC Subject: Priority Project Funds - District Five
From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De
La Fuente's Priority Project Funds To The Glenview Elementary School PTA In The
Amount Of \$1,000.00 To Fund Travel Expenses For Glenview Elementary School's
Odyssey Of The Mind Tournament

(07-1405)

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- 10.7-CC Subject: Habitat For Humanity - Final Tract Map
 From: Community and Economic Development
 Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Conditionally Approving A Final Map For Tract No. 7904 At 10800 Edes Avenue For Phase II Of An Affordable Housing Project For Habitat For Humanity Of The East Bay; And
[\(07-1387\)](#)
- 2) A Resolution Approving A Subdivision Improvement Agreement With Habitat For Humanity Of The East Bay For the Final Map For Tract No. 7904 For Deferred Construction Of Public Infrastructure Improvements At 10800 Edes Avenue For A Phase II Affordable Housing Project
[\(07-1387-1\)](#)
- 10.8-CC Subject: Final Map Tract 7803 - 2335 Market Street
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Conditionally Approving A Final Map For Tract No. 7803 To Convert Six Rental Housing Units To Condominium Ownership At 2335 Market Street
[\(07-1365\)](#)
- 10.9-CC Subject: Glen Daniels Trails/Kings Estates Open Space - New Trail
 From: Vice Mayor Larry Reid
 Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal Process For A Pay-Go Funded Contract In The Amount Of \$40,000 With Volunteers For Outdoor California (V-O-Cal), A Non-Profit Volunteer Trail Building And Maintenance Organization, For Construction Of A New Trail At Glen Daniels Trails/King Estates Open Space
[\(07-1432\)](#)
- 10.10-CC Subject: 333 Wayne Avenue - Final Map Tract 7754
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Conditionally Approving A Final Map For Tract No. 7754 To Convert Five Rental Housing Units To Condominium Ownership At 333 Wayne Avenue
[\(07-1425\)](#)
- 10.11-CC Subject: Sharp Business Systems - Copy Rental Contract
 From: Department of Information Technology
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Sharp Business Systems, Pleasanton, California In An Annual Amount Not-To-Exceed Three Hundred, Thirty-Three Thousand, Two Hundred Sixteen Dollars (\$333,216.00) For Cost Per Copy Rental Of Convenience Copiers For A Two-Year Term With Two (2) Options To Extend The Contract For Two (2) Additional One-Year Terms At An Annual Rate Of Three Hundred, Thirty-Three Thousand, Two-Hundred Sixteen Dollars (\$333,216.00), For A Total Not-To-Exceed Contract Amount Of One Million,

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Three Hundred Thirty Two Thousand, Eight Hundred Sixty Four Dollars And No Cents
(\$1,332,864.00)
(07-1330)

**The May 27, 2008 Finance and Management Committee approved
recommendations; 4 Ayes**

10.12-CC Subject: Relocation Plan For Pacific Renaissance Plaza Residential Project
From: Community and Economic Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Residential Relocation Plan For Pacific Renaissance
Plaza Residential Project
(07-1257)

2) An Agency Resolution Approving The Residential Relocation Plan For Pacific
Renaissance Plaza Residential Project
(07-1257-1)

**The May 27, 2008 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Recused - Brunner**

10.13-CC Subject: Broadway/MacArthur/San Pablo Redevelopment Project
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A One-Year Extension Of The
Project Area Committee For The Broadway/MacArthur/San Pablo Redevelopment
Project To July 25, 2009
(07-1312)

**The May 27, 2008 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Absent - Reid**

10.14-CC Subject: Association Of Bay Area Governments Funding
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The Application For, Acceptance
And Appropriation Of Up To \$30,000 From Association Of Bay Area Governments
Community Engagement Funding Program To Provide Community Engagement Efforts
Associated With The Lake Merritt BART Station Area Specific Plan Project And Up To
\$30,000 To Provide Community Engagement Efforts Associated With The Broadway
Retail Corridor Area Specific Plan
(07-1313)

**The May 27, 2008 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Absent - Reid**

10.15-CC Subject: 2008-2009 Multipurpose Senior Services Program
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply
For And Accept A Grant In The Amount Of \$1,581,165, From The State Department Of
Aging For The Multipurpose Senior Services Program For Fiscal Year 2008-2009; And

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Authorizing The City Administrator To Allocate \$237,174 Of The Grant To Contract With Eight Agency Providers To Provide In Home Services To The Seniors Enrolled In MSSP In Amounts Up To \$40,000 Per Year Per Provider For All Providers For Fiscal Year 2008-2009; And Authorizing The City Administrator To Extend The Agreements For Two Years Subject To Satisfactory Performance And Funding Availability; And Authorizing the City Administrator To Accept, Appropriate And Allocate Any Additional Funding Received Without Returning To Council

(07-1181)

The May 27, 2008 Life Enrichment Committee directed staff to return in the Fall with the following: 1) A report on the complete overall services for senior citizens citywide; and 2) An analysis of the State of California budget cuts geared toward Senior Services; 4 Ayes

10.16-CC Subject: 2008-2009 Paratransit Services Contracts
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept Funds In The Amount Of \$963,900 From Alameda County Transportation Improvement Authority (ACTIA) Measure B Funds And Apply For, Accept And Appropriate Up To \$323,000 Measure B Gap Funds For Fiscal Year 2008-2009 For Paratransit Services And Authorizing The City Administrator To Execute Contracts To Provide Paratransit Services For Fiscal Year 2008-2009 In Amounts Not To Exceed: 1) \$380,000 To V.I.P. Express Transport, Inc., 2) \$230,000 To Bay Area Community Services (BACS) 3) \$145,000 To Friendly Transportation DBA Friendly Transportation Inc., Friendly Cab Company, Metro Yellow Cab Company, And Yellow Cab Company, 4) \$145,000 To Veterans Transportation Inc. DBA Veterans Transportation Inc., Veterans Cab Company, And 5) \$200,000 To Shundor & Associates Inc. And Authorizing The City Administrator To Execute Amendments To The Contracts For Any Additional Amounts Received Under The Measure B Grant Without Returning To City Council

(07-1182)

The May 27, 2008 Life Enrichment Committee approved recommendations; 4 Ayes

10.17-CC Subject: 2008-2009 Senior Aides Program
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Funds In The Estimated Amount Of \$1,193,398 From Senior Services America, Inc., For The City Of Oakland Senior Aides Program For The Fiscal Year 2008-2009

(07-1183)

The May 27, 2008 Life Enrichment Committee approved recommendations; 4 Ayes

10.18-CC Subject: 2008-2009 Senior Companion And Foster Grandparent Programs
From: Department of Human Services

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Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds From The Corporation For National And Community Services (CNCS) In The Amount Of \$324,951 And The Alameda County Area Agency On Aging In The Amount Of \$19,568 And The City Of Berkeley In The Amount Of \$13,117 For The Senior Companion Program (SCP) And Foster Grandparent Program (FGP) For The Fiscal Year 2008-2009
(07-1184)

**The May 27, 2008 Life Enrichment Committee approved
recommendations; 4 Ayes**

10.19-CC Subject: 2008-2009 Senior Services Grants
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute Grant Agreements Between The City And Eight Oakland Nonprofit Agencies (Alameda Community Food Bank, Alzheimer's Services Of The East Bay, Bay Area Community Services, Lifelong Medical Care, Inc., Rebuilding Together Oakland, Mercy Retirement And Care Center, St. Mary's Center And Vietnamese Community Development, Inc.) To Provide Services To Senior Citizens Under The Senior Services "Set-Aside" Funding For Fiscal Year 2008-09 In A Total Amount Not To Exceed \$295,000
(07-1216)

**The May 27, 2008 Life Enrichment Committee approved
recommendations; 3 Ayes, 1 Recused - Quan**

10.20-CC Subject: Oakland Fund For Children And Youth - Summer Programs
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Summer Programs For Children And Youth For Fiscal Year 2008-2009 In An Amount Not To Exceed \$989,590
(07-1323)

**The May 27, 2008 Life Enrichment Committee approved
recommendations; 4 Ayes**

10.21-CC Subject: Equipment Purchase - TASER X26 Conducted Energy Weapon
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee To: 1) Waive the Competitive Bid Process, 2) Purchase Four Hundred Fifty (450) TASER X26 Conducted Energy Weapons And Associated Equipment From TASER International, Inc., In An Amount Not To Exceed Six Hundred Forty-Five Thousand, And Five Dollars (\$645,005) For Deployment To All Sworn, Uniformed, Police Personnel, And 3) Appropriate Funds In The Amount Of Fifty-Five Thousand Dollars (\$55,000) Annually To The Police Department To Cover Annual And Recurring Costs Associated With Full Deployment Of The TASER Conducted Energy Weapons
(07-0901)

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**The May 27, 2008 Public Safety Committee approved recommendations; 4
Ayes**

10.22-CC Subject: Bay Area Task Force - Reimbursements
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Accept And Appropriate Reimbursement Funds In An Amount Not-To-Exceed Twenty Thousand Dollars (\$20,000) In Federal Funds From The Department Of Justice, United States Drug Enforcement Administration (USDEA) To The Oakland Police Department (OPD) In Overtime Costs For Six (6) Police Officers And One (1) Sargeant For The Period Of March 15, 2008 To June 30, 2008 For Work Associated With The USDEA Greater East Bay Area Task Force (DEA Task Force) (07-1243)

**The May 27, 2008 Public Safety Committee approved recommendations; 4
Ayes**

10.23-CC Subject: Global Positioning System (GPS) - Ankle Bracelet Monitoring Service
From: Oakland Police Department
Recommendation: Adopt The Following Pieces of Legislation:

1) A Resolution Waiving The Competitive Bid Process And Authorizing The City Administrator To Award A Lease Contract For Global Positioning System (GPS) Tracking Equipment And Tracking Services To Securealert, Inc., In An Amount Not-To-Exceed One Hundred Thousand Dollars (\$100,000.00) To Be Used In The Monitoring Of Persons On Probation In The City Of Oakland; and (07-1282)

**The May 27, 2008 Public Safety Committee approved recommendations; 4
Ayes**

2) A Resolution Authorizing The City Administrator To Enter Into Memorandums Of Understanding With The Adult And Juvenile Divisions Of The Alameda County Probation Department For The Loan, At No Cost To The County, Of The City's Global Positioning System (GPS) Monitoring Bracelets And Tracking Services For The Purposes Of Monitoring Persons On Probation Living In The City Of Oakland (07-1282-1)

**The May 27, 2008 Public Safety Committee approved recommendations; 4
Ayes**

10.24-CC Subject: B&B Auto, LLC - Vehicle Towing Service
From: Oakland Police Department
Recommendation: Adopt A Resolution Awarding A Five-Year Contract, Plus Two One-Year Extension Options, With an Estimated Gross Revenue Value of \$8,000,000 To B&B Vehicle Processing, Inc. For Towing And Storage Of Vehicles, Collection And Administration Of City's Administrative Towing Fees, Lien Sale By Public Auction Of Abandoned Vehicles And Various Administrative Services Connected With The Towing

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Operation, And Authorizing The City Administrator To Accept And Appropriate An Estimated Annual Payment In The Amount Of \$1,300,000 From B&B Vehicle Processing, Inc. For Payment Of Administrative And Other Costs In Connection With The Requirements Of The Contract
(07-1299)

The May 27, 2008 Public Safety Committee directed staff to submit a supplemental report including the comparison of cities that was used in determining the tow fees. Staff was also directed to keep track of the number of people that walk away from their cars; 4 Ayes

~~10.25-CC~~ Subject: Assembly Bill 822
From: Councilmember Quan
Recommendation: Action On A Report Providing An Analysis Of Assembly Bill 822 (Levine) An Act To Add Section 42913 To The Public Resources Code, Relating To Recycling: Multi-Family Dwellings
(07-1318)

This item was withdrawn by the June 12, 2008 Rules and Legislation Committee

10.26-CC Subject: Bond Rating System Reform
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Supporting Reform Of The Bond Rating System To Eliminate Discrimination Against Municipal Bonds
(07-1356)

The May 29, 2008 Rules and Legislation Committee approved recommendations; 4 Ayes

10.27-CC Subject: Arlene Reiff Settlement Agreement
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Arlene Reiff V. City Of Oakland; Et Al., Alameda County Superior Court Case No. RG07312065, In The Amount Of \$34,142.00 As A Result Of A Trip And Fall Accident At Or Near 4125 Piedmont Avenue. (Public Works Agency)
(07-1458)

Council discussed this item in Closed Session on March 20, 2008. Motion authorizing settlement passed with 8 Ayes.

10.28-CC Subject: Ameir Rollins Settlement
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Ameir Rollins V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG06298877, City Attorney's File No. 25466, In The Amount Of One Hundred Thousand Dollars And No Cents (\$100,000.00) As A Result Of An Alleged Assault And Battery Incident Arising Out Of An Oakland Police

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Officer Shooting That Rendered Mr. Rollins Permanently Quadriplegic (OPD)
(07-1459)

Council discussed this item in Closed Session on March 20, 2008. Motion authorizing settlement passed with 8 Ayes.

10.29-CC Subject: Fred Mestas And Kevin Johnson Settlement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Fred Mestas And Kevin Johnson V. City Of Oakland, Et Al., California Court Of Appeal Case No. A120153, In The Amount Of \$6,000.00 (Oakland Police Department)
(07-1460)

Council discussed this item in Closed Session on March 20, 2008. Motion authorizing settlement passed with 8 Ayes.

10.30-CC Subject: William Caldwell Settlement
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Settle The Case Of William Caldwell, Et Al., V. The City Of Oakland, Et Al., U.S. District Court Action No. C06-07322 MHP, Our File No. 25256, In The Amount Of \$975,000. This Case Involves Alleged Use Of Excess Police Force And Negligence (PSA)
(07-1461)

Council discussed this item in Closed Session on March 6, 2008. Motion authorizing settlement passed with 8 Ayes.

10.31-CC Subject: Laurel District Streetscape Improvement
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember Quan's Pay-Go Funds To Laurel District Association In The Amount Of Five Thousand Dollars (\$5,000.00) To Fund Completion Of Phase II Of The Laurel District Streetscape Improvement Placement Of 48 Container Planters Along MacArthur Boulevard
(07-1436)

In accordance with Rule 28 of the Council's Rules of Procedure Resolution 79006 C.M.S., this item was placed on this agenda.

10.32-CC Subject: California Nurses Association
From: Councilmembers Jane Brunner & Nancy Nadel
Recommendation: Adopt A Resolution In Support Of A Settlement Of The Contract Dispute Between The California Nurses Association And The Caregivers And Healthcare Employees Union And Alta Bates Summit Medical Center
(07-1439)

In accordance with Rule 28 of the Council's Rules of Procedure Resolution 79006 C.M.S., this item was placed on this agenda.

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10.33-CC Subject: Chabot Space & Science Center Historic Marker
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember
Quan's Pay-Go Funds To Chabot Space & Science Center In The Amount Of One
Thousand Four Hundred Ninety Dollars (\$1,490.00) To Fund Installation Of The Chabot
Space & Science Center Historic Marker In Lafayette Square Park
(07-1441)

**In accordance with Rule 28 of the Council's Rules of Procedure Resolution
79006 C.M.S., this item was placed on this agenda.**

S-10.34-C Subject: Revocable And Conditional Permit - 2355 Broadway, LLC
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting 2355 Broadway LLC A Revocable And
Conditional Permit To Allow A New Electrical Transformer And Vault For An Existing
Building At 2355 Broadway To Encroach Under The Public Sidewalk Along 24th Street
(07-1360)

**The June 10, 2008 Public Works Committee approved recommendations; 4
Ayes**

S-10.35-C Subject: Storm Drainage Pipes Rehabilitation - Shepherd Canyon Road
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To
Appropriate \$970,000.00 For A Capital Improvement Project To Rehabilitate
Deteriorated Storm Drainage Pipes And Structures Under Shepherd Canyon Road From
Shelterwood Drive To Gunn Drive
(07-1366)

**The June 10, 2008 Public Works Committee approved recommendations; 4
Ayes**

S-10.36-C Subject: 42nd/High Street Projects Agreement Amendment
C From: Community and Economic Development Agency
Recommendation: Adopt Resolution Authorizing The City Administrator Or Her
Designee To Execute A Cooperative Agreement And An Amendment To The Existing
Freeway Agreement With The California Department Of Transportation (CALTRANS),
For The High Street Seismic Retrofit And 42nd/High Street Projects
(07-1435)

**The June 10, 2008 Public Works Committee approved recommendations; 4
Ayes**

S-10.37-C Subject: 2521 And 2529 Seminary Avenue - Real Property Purchase
C From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real
Property At 2521 And 2529 Seminary Avenue, From Danilo Mayorga Sr. For \$1,450,000
Less Cost Of Environmental Site Remediation And Authorizing Up To \$100,000 For
Costs For Demolition And Real Estate Closing

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(07-1310)

The June 10, 2008 Finance and Management Committee approved recommendations; 4 Ayes

S-10.38-C Subject: Independent Auditor's Report - Redevelopment Agency
C From: Community and Economic Development Agency
Recommendation: Receive An Informational Report Presented In Compliance With The Independent Auditor's Findings On The Redevelopment Agency Of The City Of Oakland Including The Following Reports For The 2006-2007 Fiscal Year: A) Redevelopment Agency Annual Housing Activity Report; B) Blight Report; C) Property Report; And D) Loan Report

(07-1333)

The June 10, 2008 Finance and Management Committee received and forwarded this report and directed staff to return on September 23, 2008 with a report: 1) Outlining the DDA's that the City has entered into in the last ten years, including the requirements of the DDA, the dates the requirements were implemented and if the DDA's requirements were not met, an explanation of why not and how the DDA requirements will be implemented and when; 2) Providing an analysis of the tracking of all Contracting Contracts; and 3) Addressing what its mean for the City to pay for blight removal; 4 Ayes

S-10.39-C Subject: Overtime Reports
C From: Councilmember Quan
Recommendation: Adopt A Resolution Requiring The City Administrator To Produce Semiannual Overtime Reports, Including Budgeted, Year-To-Date Actual, And Year-End Projected Overtime Expenditures

(07-1429)

The June 10, 2008 Finance and Management Committee approved recommendations and directed staff to amend the resolution to include; 1) A five year trend analysis of overtime as a percentage of gross salaries, 2) Actual expenditures for overtime for the prior five years by department and by classification and 3) Comparison of budgeted to actual expenditures by department and by classification; 4 Ayes

S-10.40-C Subject: Youth Employment Partnership - Agreement
C From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A One Year Agreement With The Youth Employment Partnership, Inc., To Provide Workforce Training For Graffiti Abatement Services In The Coliseum Project Area In An Amount Not To Exceed \$30,000

(07-1361)

The June 10, 2008 Community and Economic Development Committee approved recommendations and made the following recommendations for

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future reports: 1) provide analysis of data in the evaluations - success rate/performance measurement; 2) staff should write evaluations and not the company being evaluated; 3) include other evaluations and 4) provide a full overview of all the projects being done by the contractor; 4 Ayes

S-10.41-C Subject: Cypress Mandela Training Center - Agreement
C From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A One Year Agreement With The Cypress Mandela Training Center To Provide Workforce Training For Graffiti Abatement Services In The West Oakland Project Area In An Amount Not To Exceed \$45,000
(07-1362)

The June 10, 2008 Community and Economic Development Committee approved recommendations; 4 Ayes

S-10.42-C Subject: Oakland Artists Agreement
C From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing One Year Agreements With Oakland Artists To Provide Workforce Training To Oakland Youth Through The Creation Of A Mural Beautification And Graffiti Abatement Project In The Coliseum And Central City East Redevelopment Project Areas In A Total Amount Not To Exceed \$ 78,000
(07-1363)

The June 10, 2008 Community and Economic Development Committee approved recommendations; 4 Ayes

S-10.43-C Subject: Gateway Development Service Agreement Amendments
C From: Community and Economic Development Agency
Recommendation: Adopt An Oakland Redevelopment Agency (Agency) Resolution Regarding Amendments To Existing Professional Services Agreements In Support Of Development Of The Gateway Development Area At the Former Oakland Army Base:

- 1) Authorizing The Agency Administrator To Negotiate And Execute An Amendment To The Professional Services Agreement With Kimley-Horn & Associates In An Amount Not To Exceed Nine Hundred Sixty Thousand Dollars (\$960,000) For A Total Contract Amount Of Two Million Nine Hundred Sixty Thousand Dollars (\$2,960,000); And
- 2) Authorizing The Agency Administrator To Negotiate And Execute An Amendment To The Professional Services Agreement With URS Corporation To Extend The Term Of The Contract To June 30, 2010, With No Change To The Existing Contract Amount; And
- 3) Authorizing The Agency Administrator To Negotiate And Execute An Amendment To The Professional Services Agreement With Lamphier-Gregory In An Amount Not To

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Exceed One Hundred Thousand Dollars (\$100,000) For A Total Contract Amount Of Six
Hundred Forty Three Thousand Dollars (\$643,000)

[\(07-1364\)](#)

The June 10, 2008 Community and Economic Development Committee approved recommendations and requested a supplemental report providing a balance sheet reflecting what has been spent for each of the agreements, past, present and future; 4 Ayes

S-10.44-C Subject: Library Advisory Commission Meetings
C From: Oakland Library
Recommendation: Adopt An Ordinance To Amend Ordinance No. 8064 C.M.S., To Change The Frequency Of Meetings To Be Held By The Library Advisory Commission
[\(07-1274\)](#)

The June 10, 2008 Life Enrichment Committee approved recommendations; 4 Ayes

S-10.45-C Subject: Oakland Police Department - Juvenile Desk Report
C From: Councilmembers Jane Brunner and Patricia Kernighan
Recommendation: Action On A Report On The Police Department's Juvenile Desk Including But Not Limited To Updates On (1) Staffing Levels And Cooperation With Social Service Agencies On Referring Juvenile Offenders To Measure Y And Other Intervention Services, And Following Through The Juvenile Justice System; And (2) Opportunities For Youth Ventures To Coordinate Follow-Up Services And Tracking Outcomes For Individual Juveniles With Agencies Including The Alameda County Probation Department, District Attorney's Office, Measure Y Programs, And Oakland Unified School District
[\(07-0504-2\)](#)

The June 10, 2008 Public Safety Committee received and forwarded the report and requested that percentages for juvenile referrals be included in future reports; 4 Ayes

S-10.46-C Subject: Mortgage Lending Bills
C From: Community And Economic Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Support Assembly Bill 69 (Lieu) To Expand Reporting Requirements By Mortgage Lenders And Servicers To Include Information About Defaults, Foreclosures And Loan Modifications;
[\(07-1388\)](#)

2) A Resolution To Support Assembly Bill 1830 (Lieu) To Reform Mortgage Lending Practices For High-Cost, Subprime And Nontraditional Loans;
[\(07-1388-1\)](#)

3) A Resolution To Support Assembly Bill 2359 (Jones) To Prohibit Mortgage Lending Terms That Require Borrowers Of High-Cost, Subprime And Nontraditional Loans To

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Waive Their Legal Rights, Remedies, Obligations Or Procedures, And To Provide For Assignee Liability For Affirmative Claims Or Defences That A Borrower Could Have Asserted Against The Original Lender Of A High-Cost Loan;
(07-1388-2)

4) A Resolution To Support Assembly Bill 2740 (Brownley) To Regulate The Charging Of Fees By Servicers Of Home Loans And Require Prompt Response To Borrower Requests For Information And Dispute Resolution;
(07-1388-3)

5) A Resolution To Support Senate Bill 1137 (Perata) To Modify And Establish New Processes For Home Loan Foreclosure Procedures
(07-1388-5)

**The June 12, 2008 Rules and Legislation Committee approved
recommendations; 4 Ayes**

S-10.47-C Subject: Support Of Assembly Bill 31
C From: Community And Economic Development
Recommendation: Adopt A Resolution Declaring Council Support For Assembly Bill No. 31, Which Would Establish Legislative Intent To Make \$400 Million Available For The Acquisition And Development Of Urban Parks, Recreational Areas And Facilities Through Competitive Grants Under The Urban Parks Act Of 2006, Changes The Target Community Definition From "Heavily Urbanized County" To "Critically Underserved Community" And Establishes Priority Grant Award Criteria
(07-1389)

**The June 12, 2008 Rules and Legislation Committee approved
recommendations; 4 Ayes**

S-10.48-C Subject: Support For Internet Radio
C From: Councilmembers Jane Brunner and Nancy Nadel
Recommendation: Adopt A Resolution In Support Of The Internet Radio Equality Act (H.R. 2060, S. 1353) And Pandora, A Free Online Radio Station Located In Oakland's Uptown Area Enterprise Zone
(07-1446)

**The June 12, 2008 Rules and Legislation Committee approved
recommendations; 4 Ayes**

10.49-CC Subject: Sun Microsystems Agreements
From: Department of Information Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator To:
(1) Exercise The Renewal Clause Of The Master Lease-Purchase Agreement With Sun Microsystems Finance, Inc., To Finance The Purchase Of The Hardware, Equipment, Software And Services Necessary To Accomplish A "Technology Refresh" Of The City's Primary Information Technology Systems Infrastructure In A Finance Amount Not-To-Exceed Three Million Two Hundred Twenty-Two Thousand Five Hundred Dollars (\$3,222,500.00); And,

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(2) Purchase The Sun Microsystems Equipment And Services From Govstor, LLP Through A State Of California Department Of General Services Cooperative Agreement Established Under The California Strategic Sourcing Initiative Statewide Contract Program In An Amount Not-To-Exceed Two Million Four Hundred Ninety-Two Thousand Eight Hundred One Dollars (\$2,492,801.00); And,

(3) Waive The City's Formal Bidding And Competitive RFP/RFQ Selection Requirements, And Informally Bid And Award Contracts To Third Party Vendors For The Purchase Of Related Equipment And Services Needed For The Sun Microsystems' Technology Refresh In An Amount Not To Exceed Four Hundred Seventy Thousand Four Hundred Seventy Four Dollars (\$470,474.00), Without Return To Council
(07-1370)

The May 27, 2008 Finance and Management Committee approved recommendations and directed staff to amend section three (3) of the resolution to NOT waive the City's Formal Bidding and Competitive RFP/RFQ selection requirements and to formally Bid to award the contract; 4 Ayes

MATERIAL FOR THIS ITEM CAN BE FOUND UNDER ITEM 18

- 11 An oral report from the Agency Counsel / City Attorney of final decisions made during Closed Session
- 12 A disclosure of non-confidential Closed Session Discussion pursuant to Section 15 of the Sunshine Ordinance

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

- 13 Reconsideration of Ordinances pursuant to Charter Section 216

14. Consideration of items with statutory Public Hearing Requirements:

- 14.1 Subject: Acceptance of Wildfire Prevention Annual Report
From: Budget Office
Recommendation: Conduct A Public Hearng And Upon Conclusion Adopt A Resolution Confirming The Information In The Annual Report For The City Of Oakland Wildfire Prevention Assessment District For Fiscal Year 2008-2009 And Levying Of The Assessments
(07-1171-1)
- 14.2 Subject: Landscaping & Lighting Assessment Improvement
From: Public Works Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Ordering Improvement To The City Of Oakland Landscape And Lighting Assessment District And Confirming The Levying Of The Assessments And Directing The Fiscal

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Year 2008-2009 Assessment To Be Turned Over To The County Auditor For Billing
And Collection

[\(07-1279\)](#)

This item was continued from the May 20, 2008 City Council meeting

- 14.3 Subject: Library Services Retention And Enhancement Act (Measure Q)
From: The Budget Office
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An
Ordinance Authorizing A Fiscal Year 2008-2009 Increase To A Special Tax Imposed For
Library Services In Accordance With The Library Services Retention And Enhancement
Act Of 2004 (Measure Q)

[\(07-1302\)](#)

**The May 27, 2008 Finance and Management Committee approved
recommendations; 3 Ayes, 1 Absent - Brunner**

**ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION
(FIRST READING) OF THIS ORDINANCE.**

Final Passage (Second Reading) has been scheduled for July 1, 2008

- 14.4 Subject: Paramedic Services Act Of 1997 (Measure N)
From: The Budget Office
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An
Ordinance Authorizing A Fiscal Year 2008-2009 Increase To A Special Tax Imposed For
Paramedic Emergency Services In Accordance With The Paramedic Services Act Of
1997 (Measure N)

[\(07-1303\)](#)

**The May 27, 2008 Finance and Management Committee approved
recommendations; 3 Ayes, 1 Absent - Brunner**

**ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION
(FIRST READING) OF THIS ORDINANCE.**

Final Passage (Second Reading) has been scheduled for July 1, 2008

- 14.5 Subject: Emergency Medical Services Retention Act Of 1997 (Measure M)
From: The Budget Office
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An
Ordinance Authorizing A Fiscal Year 2008-2009 Increase To A Special Tax Imposed For
Emergency Medical Services In Accordance With The Emergency Medical Services
Retention Act Of 1997 (Measure M)

[\(07-1304\)](#)

**The May 27, 2008 Finance and Management Committee approved
recommendations; 3 Ayes, 1 Absent - Brunner**

SUPPLEMENTAL

**ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION
(FIRST READING) OF THIS ORDINANCE.**

Final Passage (Second Reading) has been scheduled for July 1, 2008

14.6

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
[\(07-1398\)](#)

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
[\(07-1398-1\)](#)

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
[\(07-1398-2\)](#)

14.7

Subject: Delinquent Mandatory Garbage Fees
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For October/November/December 2007, Monthly Accounts And January/February/March 2008, 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

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(07-1399)

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

(07-1399-1)

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

(07-1399-2)

14.8

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

(07-1400)

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

(07-1400-1)

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

(07-1400-2)

14.9

Subject: Delinquent Real Property 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

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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

(07-1401)

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

(07-1401-1)

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

(07-1401-2)

14.10

Subject: Recycling Facilities - Moratorium

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Establishing A Temporary Moratorium On The Establishment Or Expansion Of An Activity Or Facility That Involves Primary Recycling And Intermediate Processing Facilities, To Take Effect Immediately Upon Adoption

(07-1449)

Pursuant to California Government Code Section 65858, Introduction and adoption of this ordinance requires a vote of 4/5 of the members (7 Affirmative Votes). This ordinance is introduced and adopted at the same meeting and it is in effect for 45 days.

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**AT THIS TIME, THE CITY COUNCIL WILL HEAR ITEMS 34 THROUGH
41 AND CONTINUE THE DISCUSSIONS REGARDING THE
2008-2009 MIDCYCLE BUDGET**

**PLEASE REFER TO THE MATERIALS FOR ITEMS 34 THROUGH 41
WHICH BEGIN ON PAGE 30 OF THIS AGENDA**

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SUPPLEMENTAL

ACTION ON NON-CONSENT ITEMS:

15 Subject: Taxi Cab Fare Increases
From: Office of the City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.64 To:

A) Increase Basic Fare Components, Add New Fare Components, And Authorize Collection From Passengers Of All Mandatory Fees Paid By Drivers; And

B) Authorize City Administrator To Establish A Gasoline Surcharge Should Gasoline Prices Warrant

[\(07-0710-3\)](#)

The May 27, 2008 Public Safety Committee forwarded Item A and Item B (I & P from the original ordinance) above to the full Council for discussion at the June 17, 2008 meeting and kept the other items and pieces of Legislation in committee for discussion on June 24. Staff was directed to prepare a supplemental report providing a survey of cities to see how they are addressing the increase in gasoline costs in correlation to taxi service (i.e. flag drop rates, fare components and surcharges). Staff was also directed to send a letter to all the companies to inform them of the date and time this item will be discussed. The Committee requested that the report for the June 24th meeting also include a list of where the taxi stands are currently located; 4 Ayes

ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION (FIRST READING) OF THIS ORDINANCE.

Final Passage (Second Reading) has been scheduled for July 1, 2008

16 Subject: Sale Of 2008-2009 Tax And Revenue Anticipation Notes
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2008-2009 In An Amount Not To Exceed \$155,000,000 And The Issuance And Sale Of 2008-2009 Tax And Revenue Anticipation Notes, Series A And Series B (Federally Taxable) Therefor And Approving Certain Related Matters
[\(07-1315-1\)](#)

ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE (SECOND READING) OF THIS ORDINANCE

Introduction (First Reading) was approved on May 20, 2008; 8 Ayes

17 Subject: Planning Code Amendments
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending The Oakland Planning Code To:
(1) Add Chapter 17.73 "CIX-1, CIX-2, IG And IO Industrial Zones", Which Will Create

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The Following Four New Zones: Commercial Industrial Mix-1, Commercial Industrial Mix-2, General Industrial And Industrial Office;
(2) Amend The City's Zoning Maps To Map These Proposed Zones In Areas In The City That Currently Have The General Plan Land Use Designations Of Business Mix And General Industrial/Transportation;
(3) Amend Chapter 17.10 "Use Classifications";
(4) Add Chapter 17.100 "S-19 Health And Safety Protection Overlay Zone"; And Amend Zoning Map To Add Overlay;
(5) Amend Chapter 17.120 "Performance Standards"; And
(6) Amend The "Guidelines For Determining Project Conformity With The General Plan And Zoning Regulations" To Reflect The New Zones
(07-0978)

At the May 20, 2008 meeting, council amended the ordinance to remove the portion pertaining to recycling and to amended the language to prohibit Primary Recycling Collection Centers within 600 feet of a residential zone and allow them only with the granting of a conditional use permit (CUP) in CIX-1, CIX-2 and IG industrial zones in areas greater than 600 feet from residential zones; Intermediate Recycling Processing Facilities would be prohibited within 300 feet of a residential zone and require the granting of a conditional use permit elsewhere in all four industrial zones and directed staff to bring forward in addition to the final passage of the ordinance and emergency moratorium regarding recycling facilities for a specific time period and to work on developing a licensing program with performance standards.

**ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE
(SECOND READING) OF THIS ORDINANCE**

Introduction (First Reading) was approved on May 20, 2008; 8 Ayes

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- 18 Subject: Sun Microsystems Agreements
From: Department of Information Technology
Recommendation: ~~Adopt A Resolution Authorizing The City Administrator To:~~
~~(1) Exercise The Renewal Clause Of The Master Lease Purchase Agreement With Sun-~~
~~Microsystems Finance, Inc., To Finance The Purchase Of The Hardware, Equipment,~~
~~Software And Services Necessary To Accomplish A "Technology Refresh" Of The City's-~~
~~Primary Information Technology Systems Infrastructure In A Finance Amount-~~
~~Not To Exceed Three Million Two Hundred Twenty Two Thousand Five Hundred-~~
~~Dollars (\$3,222,500.00); And,~~
- ~~(2) Purchase The Sun Microsystems Equipment And Services From Govstor, LLP-~~
~~Through A State Of California Department Of General Services Cooperative Agreement-~~
~~Established Under The California Strategic Sourcing Initiative Statewide Contract-~~
~~Program In An Amount Not To Exceed Two Million Four Hundred Ninety Two-~~
~~Thousand Eight Hundred One Dollars (\$2,492,801.00); And,~~
- ~~(3) Waive The City's Formal Bidding And Competitive RFP/RFQ Selection-~~
~~Requirements, And Informally Bid And Award Contracts To Third Party Vendors For-~~
~~The Purchase Of Related Equipment And Services Needed For The Sun Microsystems'-~~
~~Technology Refresh In An Amount Not To Exceed Four Hundred Seventy Thousand-~~
~~Four Hundred Seventy Four Dollars (\$470,474.00), Without Return To Council~~
~~(07-1370)~~

**THIS ITEM HAS BEEN MOVED TO THE CONSENT CALENDAR AS
ITEM 10.49-CC**

- 19 Subject: Exclusive Negotiating Agreement - Avant Housing And Hahn Family
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Authorizing An Exclusive Negotiating Agreement With Avant Housing,
LLC, And The Hahn Family To Redevelop Portions Of The Block Bounded By
Telegraph Avenue, Broadway, 22nd Street, And 21st Street; And
(07-1281)
- 2) An Agency Resolution Authorizing An Exclusive Negotiating Agreement With Avant
Housing, LLC, And The Hahn Family To Redevelop Portions Of The Block Bounded By
Telegraph Avenue, Broadway, 22nd Street, And 21st Street
(07-1281-1)

**The May 27, 2008 Community and Economic Development Committee
directed staff to return in 7 months with an informational/status report
including a project overview, requests for direction and recommendations;
4 Ayes**

- 20 Subject: 2008-2009 Linkages And Respite Programs Grant
From: Department of Human Services

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Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept, Grant Funds From The Alameda County Area Agency On Aging In The Amount Of \$206,184 For The Linkages Program And \$8,057 For The Respite Program For Fiscal Year 2008-2009; And Authorizing The City Administrator To Apply For And Accept \$280,000 From Alameda County For Targeted Case Management Claims; And Authorizing The Appropriation Of A Balance Of \$22,794 In The Linkages Handipark Funds For The Linkages Program Fiscal Year 2008-2009

(07-1180)

The May 27, 2008 Life Enrichment Committee approved recommendations and directed staff to submit a Supplemental report with the following: 1) A list of the community meetings attended and/or held; and the outreach plan used in the zip code areas of 94619 and 94605; 4 Ayes

21 Subject: Arts And Cultural Services In Oakland - Contracts
From: Cultural Arts And Marketing

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Cultural Services Grants With Seventy (70) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2008-2009 In A Total Amount Not To Exceed \$1,144,838.51

(307-1305)

The May 27, 2008 Life Enrichment Committee approved recommendations and requested that staff 1) Develop a detailed plan on options to ensure greater parity City wide for distribution of the funds for Art & Cultural Services; 2) Create alternative Outreach strategies for grantee participation in District 6 and District 7; and 3) Contact current grantees and encourage them to make additional efforts to perform Arts and Cultural services Citywide; 3 Ayes, 1 Abstain - Brooks

22 Subject: Consent To Search Report
From: Councilmembers Brooks and Kernighan

Recommendation: Action On A Report And Recommendation From The Office Of Chief Of Police On The Development Of A Consent To Search Program For The City Of Oakland, Which Is A Gun Control Strategy Used In Other Cities Across The Country To Locate Guns That May Be In Possession Of Juveniles, And May Have Been Used In The Commission Of Crimes In The City

(07-1080-4)

The May 27, 2008 Public Safety Committee received and forwarded the report and directed staff to submit a supplemental report describing the outreach plan for educating the public about this program. A copy of the handout should be included with the report; 4 Ayes

23 Subject: Oakland Police Officers' Association - Arbitration Award
From: Finance And Management Agency

Recommendation: Adopt The Following Pieces of Legislation:

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1) A Resolution Approving The Arbitration Award And Memorandum Of Understanding Pertaining To Sworn Police Officers In Bargaining Units PP1 And PT1, Represented By The Oakland Police Officer's Association, Covering The Period Of July 1, 2006 To June 30, 2010

[\(07-1306\)](#)

2) A Resolution Approving An Initial Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Management Association, Representing Employees In Representation Unit UN2, Covering The Period Of July 1, 2006 To June 30, 2010; And

[\(07-1306-1\)](#)

3) An Ordinance Amending The Salary Schedule Ordinance No. 12187 (The Salary Ordinance) To Increase The Salaries Of Employees In Representation Units PP, PT, And UN2 By Two Percent Effective July 1, 2006, Two Percent Effective January 1, 2007, Four Percent Effective July 1, 2007, Four Percent Effective July 1, 2008 And Four Percent Effective July 1, 2009, Pursuant To The Memoranda Of Understanding For The Oakland Police Officers' Association And The Oakland Police Management Association

[\(07-1306-2\)](#)

**ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION
(FIRST READING) OF THIS ORDINANCE.**

Final Passage (Second Reading) has been scheduled for July 1, 2008

24 Subject: Caldecott Improvement Project
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Settlement Agreement With The California Department Of Transportation Relating To The Caldecott Improvement Project (Fourth Bore)
[\(07-1423\)](#)

25 Subject: Oakland Community Housing Portfolio
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation

1) An Agency Resolution Authorizing A \$65,000 Grant From The Agency's 2006 Affordable Housing Bond Fund To The John Stewart Company For Capital Improvements To And Payment Of Outstanding Payables For The Oaks Hotel At 587 15th Street;

[\(07-1424\)](#)

2) An Agency Resolution Authorizing A \$150,000 Grant From The Agency's 2006 Affordable Housing Fund To John Stewart Company For Capital Improvements To Payment Of Outstanding Payables For Kenneth Henry Court At 6455 Foothill Boulevard;

[\(07-1424-1\)](#)

3) An Agency Resolution Allocating Up To \$191,288 From The Agency's 2006

SUPPLEMENTAL

Affordable Housing Bond Fund For To Pay Liability Insurance Premiums For Nine Oakland Community Housing, Inc. Affiliated Affordable Rental Properties In Oakland;
(07-1424-2)

4) An Agency Resolution Authorizing An Amendment To A Housing Services Contract With Eden Information And Referral For A Tenant Assistance Program In An Amount Not To Exceed \$893,650 To Assist Households Displaced From Seven Affordable Rental Properties In Oakland Owned By Affiliates Of Oakland Community Housing, Inc., Including Up To \$643,650 For Rental Assistance Payments, Up To \$50,000 For Motel Vouchers, And Up To \$200,000 To Administer The Program, Thereby Increasing The Total Amount Of The Contract To \$973,650; And Accepting A Contribution Of \$843,650 From The Redevelopment Agency Under The Cooperation Agreement And Allocating Up To \$50,000 In Community Development Block Grant Funds For This Program;
(07-1424-3)

5) An Agency Resolution Authorizing A Contribution Of Up To \$843,650 In Low And Moderate Income Housing Funds To The City Under The Cooperation Agreement To Fund A Contract With Eden Information And Referral To Provide A Tenant Assistance Program For Households Displaced From Seven Affordable Rental Properties In Oakland Owned By Affiliates Of Oakland Community Housing, Inc.; And
(07-1424-4)

6) An Agency Resolution Approving The Transfer Of Home Resales And Loan Servicing Of The Second Mortgage Program For The Jingtowntown Homes Project, Including The Transfer Of All Remaining Funds Held By Jingtowntown Housing, Inc., To The City To Be Administered By The City For The Remainder Of The Affordability Term
(07-1424-5)

26 Subject: Civil Service Rules Revision
From: Finance and Management Agency
Recommendation: Receive An Informational Report Regarding The Revision Of The Civil Service Board's Personnel Manual (Civil Service Rules)
(07-1442)

27 Subject: Civil Service Rules - Addition
From: Finance and Management Agency
Recommendation: Adopt A Resolution Approving The Addition Of Rule 5.03 -Continuous Testing With Rule Of The List For Entry Level Classifications To The Personnel Manual Of The Civil Service Board In Accordance With Municipal Code 2.08.030 (Ordinance No. 8979 C.M.S.)
(07-1443)

S-28 Subject: Team Oakland Program
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter A One Year Agreement With A One Year Option For Renewal With The Nonprofit Youth

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Employment Partnership, Inc. (YEP) To Implement The Team Oakland Program In An Amount Not To Exceed \$249,000.00 Each Year

(07-1395)

The June 10, 2008 Public Works Committee approved recommendations and directed staff to include contract deliverables for YEP regarding the exact work they are expected to do (i.e. classes on financial literacy, civic pride and how to maintain employment), as well as the social service component in regards to the youth. Staff was also directed to bring back the policy regarding the SLBE requirements for Non-Profit organizations; 2 Ayes, 2 Abstained - Chang and Nadel

S-29

Subject: Five Year Financial Plan

From: Councilmember Quan

Recommendation: Adopt A Resolution Amending Resolution No. 77923 C.M.S. Regarding The City Of Oakland Long-Term Financial Planning Policy To Add A Specific Date When The Five-Year Financial Plan Is To Be Provided To The City Council

(07-1431)

The June 10, 2008 Finance and Management Committee directed staff to amend the resolution to receive the report every two (2) years; 3 Ayes, 1 Abstain - Brunner

S-30

Subject: Business Services Contract

From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing A Professional Services Agreement With Oakland Commerce Corporation For Business Retention And Expansion Services To Businesses In Oakland In An Amount Not To Exceed \$150,000 For The Period Beginning July 1, 2008, And Ending The Earlier Of December 31, 2008, Or 120 Days After Notice Of Termination, And Authorizing An Amount Not To Exceed \$4,500 For Contract Compliance

(07-1237-1)

The June 10, 2008 Community and Economic Development Committee amended the resolution to approve a month to month contract extension with a 30 day notice for termination; 4 Ayes

S-31

Subject: 2008-2009 Children And Youth Services

From: Department of Human Services

Recommendation: Adopt A Resolution Appropriating And Allocating \$695,275 In Interest Income Earned To The Oakland Fund For Children And Youth; Appropriating And Allocating \$2,060,973 From Fund Balance In Kids First! Children's Fund (1780); And Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Direct Services For Children And Youth For Fiscal Year 2008-2009 In An Amount Not To Exceed \$12,830,415

(107-1324)

SUPPLEMENTAL

The June 10, 2008 Life Enrichment Committee approved recommendations and directed staff to provide in a future report the following information: 1) All the programs by districts; and 2) What is the pay rate for the worker? The Committee also directed that staff collaborate more with the Department of Parks and Recreation in the beginning stages of the RFP; 4 Ayes

S-32 Subject: 2007-2008 Measure Y Grantee Programs Report
From: Department of Human Services
Recommendation: Action On A Report On Progress Of Fiscal Year 2007-2008 Measure Y Grantee Programs, A Motion To Approve Allocations Of \$385,380 To City Agencies To Administer Violence Prevention Programs In Fiscal Year 2008-2009, And A Resolution Authorizing The City Administrator To Execute Agreements Between The City Of Oakland And Various Agencies To Provide Violence Prevention Programs For A Total Amount Not To Exceed \$6,428,189 (\$6,058,189 Measure Y Funding And \$370,000 Matched Sources) For The Period Of July 1, 2008 To June 30, 2009 And To Execute A No-Cost Amendment To The Agreement With Youth Employment Partnership, Inc. Extending The Agreement Until June 30, 2009
(07-1371)

The June 10, 2008 Public Safety Committee approved recommendations and requested that staff look into shifting dollars used in the middle school for the 2nd Step program into the Restorative Justice program and address the difficulties the 2nd Step program is having in the middle school; 4 Ayes

S-33 Subject: Measure Y Evaluation - Berkeley Policy Associates
From: Office of the City Administrator
Recommendation: Receive The Measure Y (Violence Prevention And Public Safety Act Of 2004) Outcome Evaluation Report For Violence Prevention Programming, 2005-2008
(07-1374)

The June 10, 2008 Public Safety Committee received and forwarded this report and directed staff to look at including as a requirement to participate in the programs that surveys are completed and that blind access is given to data needed to do the evaluations. The Committee also requested a follow up report on the probation programs and whether they are doing more harm than good; 4 Ayes

CONTINUED DISCUSSION OF THE 2008-2009 MIDCYCLE BUDGET ITEMS

S-34 Subject: Misdemeanor Prosecution Program
From: Vice Mayor Larry Reid/Council President De La Fuente/The Mayor
Recommendation: Adopt A Resolution Authorizing The City Administrator To Implement The Infraction And Misdemeanor Prosecution Program As Part Of The City's Crime Fighting Strategic Plan; Authorizing Its Funding In An Amount Not To Exceed Six Hundred Fifty Eight Thousand Four Hundred And Fifty Five Dollars (\$658,455); And Authorizing Its Implementation To Begin Immediately To Help Remedy The

SUPPLEMENTAL

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Criminal Conditions Adversely Impacting the Quality Of Life Of Oakland Residents
(TITLE CHANGE)
(07-1235)

S-35 Subject: Internal Service Funds Report
 From: Budget Office
 Recommendation: Action On A Report Discussing The Financial Status Of The Internal
 Service Equipment Fund (4100) And The Internal Service Facilities Fund (4400), And
 Providing Options For Internal Service Rate Changes For User Agencies/Departments In
 Order To Balance The Fund
(07-1264)

S-36 Subject: Master Fee Schedule Amendment
 From: The Budget Office
 Recommendation: Adopt An Ordinance Amending Ordinance Number 12809 C.M.S.
 (Master Fee Schedule), As Amended, To Establish, Modify, And Delete Fees Assessed
 By The Office Of The City Administrator, Office Of The City Attorney, Office Of The
 City Clerk, Oakland Public Library, Police Services Agency, Fire Services Agency,
 Office Of Parks And Recreation, Public Works Agency, And Community And Economic
 Development Agency
(07-1343)

**ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION
(FIRST READING) OF THIS ORDINANCE**

Final Passage has been scheduled for July 1, 2008

S-37 Subject: 2008-2009 Budget Changes
 From: The Budget Office
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending The Second Year Of The City's Fiscal Year 2007-2009
Biennial Budget, Which Was Adopted Pursuant To Resolution No. 80674 C.M.S., Based
On The Mid-Cycle Budget Review Of Fiscal Year 2008-2009 Revenues And
Expenditures;
(07-1344)

2) An Agency Resolution Amending The Second Year Of The Redevelopment Agency's
Fiscal Year 2007-2009 Biennial Budget, Which Was Adopted Pursuant To Resolution
No. 80674 C.M.S., Based On The Mid-Cycle Budget Review Of Fiscal Year 2008-2009
Revenues And Expenditures; And
(07-1344-1)

3) A Resolution Establishing An Appropriations Limit For Fiscal Year 2008-2009
Pursuant To Article XIII B Of The California Constitution
(07-1344-2)

S-38 Subject: Safety Vehicle Replacement

SUPPLEMENTAL

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From: The Budget Office
Recommendation: Action On A Report Discussing Public Safety Vehicle Replacement
(07-1411)

S-39 Subject: Low Usage Vehicles
From: The Budget Office
Recommendation: Action On A Report Discussing The Process For Addressing Low
Usage Vehicles
(07-1412)

S-40 Subject: City Paid Parking Spaces
From: The Budget Office
Recommendation: Action On A Report Discussing The Number And Cost Of City Paid
Parking Spaces For City Employees
(07-1413)

S-41 Subject: Payroll And Compensation Audit Follow Up
From: Council President De La Fuente
Recommendation: Action On A Report From The City Administrator Regarding
Implementation Of Recommendations From The City Auditor's Payroll And
Compensation Audit
(07-1054-3)

**Subsequent to the June 12, 2008 Rules and Legislation Committee meeting,
and in accordance with Rule 28 of the Council's Rules of Procedure
Resolution 79006 C.M.S., this item was placed on this agenda.**

**This item requires and urgency finding pursuant to Section 2.20.080 E(2)
of the Sunshine Ordinance requiring a 2/3 majority vote.**

Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

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

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SUPPLEMENTAL

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(...)

LATONDA SIMMONS
Agency Secretary/City Clerk
and Clerk of the Council

ORA - Oakland Redevelopment Agency
S - Supplemental Item