



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

*Special 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, July 26, 2011

5:30 PM

City Council Chambers - 3rd Floor

1 Pledge of Allegiance

2 Roll Call / ORA & Council

COUNCIL MEMBERS: Desley Brooks, Dist. 6; Jane Brunner, Dist. 1, Ignacio De La Fuente; Dist. 5; Rebecca Kaplan, At-Large; Pat Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Libby Schaaf, Dist. 4; Council President Larry Reid, Dist. 7

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

4 Subject: Municipal ID System
From: President Pro Tempore De La Fuente
Recommendation: Receive A Status Update And Explanation Of The Delays Associated With The Implementation Of Oakland's Municipal ID System
(10-0483)

This item was added to this agenda by the July 14, 2011 Rules and Legislation Committee.

5 Subject: PFRS Funding Options And Swap Termination
From: Finance And Management Agency
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland Authorizing And Approving The Termination Of The Swap Agreement Related To The Oakland Joint Powers Financing Authority, Lease Revenue Bonds, 1998 Series A1/A2
(10-0777-1)

The committee deferred this item to the July 19, 2011 Closed Session to discuss potential litigation against the lender.

6 Subject: PFRS Ballot Measure
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Submitting On The Council's Own Motion, A Proposed Charter Amendment, Entitled, "Measure Allowing the Police and Fire Retirement System Board and City Council to Set an Actuarially Sound Deadline For Fully Funding Its Retirement Plan", To Be Submitted To The Electors At The Next Special or General Municipal Election; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance

With The Next Election Date

[\(10-0786\)](#)

This item was continued from the July 19, 2011 City Council Agenda.

- 7 Subject: Operation And Maintenance Agreement - ACTC
From: Public Works Agency
Recommendation: Adopt A Resolution Authoring the City Administrator to Negotiate and Execute a Memorandum of Understanding and an Operation and Maintenance Agreement with the California Department Of Transportation for the Interstate 80 Integrated Corridor Mobility (1-80 ICM) Project to Provide Transportation Improvements on San Pablo Avenue and West Grand Avenue in Oakland with an Estimated Value of Nine Hundred Eighty-Six Thousand, Four Hundred Dollars \$986,400.00

[\(10-0753\)](#)

The July 12, 2011 Public Works Committee approved staff recommendations and amended the resolution to authorize the City Administrator to enter into an agreement with the California Department of Transportation rather than the Alameda County Transportation Commission.

- 8 Subject: Assistant City Administrator Salary
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Authorizing the City Administrator to Approve an Initial Salary for the Position of Assistant City Administrator That Exceeds the Mid-Point of the Salary Range, As Required By Ordinance No. 12918

[\(10-0799\)](#)

- 9 Subject: Salary Schedule Amendment - City Administrator
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 (The Salary Ordinance) To Increase The Salary For The Classification Of City Administrator

[\(10-0798\)](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE

Introduction (First Reading) was passed on July 19, 2011; 8 Ayes

- 10 Subject: Salary Ordinance Amendment - IAF Local 55
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule No. 12187 (The Salary Ordinance) To Reduce The Salaries Of Employees Represented By The International Association Of Firefighters Union Local 55 By 8.85% From July 1, 2011 To June 30, 2014

[\(10-0803\)](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE

Introduction (First Reading) was passed on July 19, 2011; 8 Ayes

- 11 Subject: Redevelopment Agency Continuance And Payment Obligations
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance Continuing The Existence Of The
Redevelopment Agency Of The City Of Oakland And Declaring Compliance With
Payment Obligations Of Part 1.9, Division 24, Of The California Health And Safety
Code
(10-0831)

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second
Reading) OF THIS ORDINANCE**

Introduction (First Reading) was passed on July 19, 2011; 8 Ayes

- 12 Subject: Oakland Police Officers Association MOU - PP1 And UN2
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Approving Memoranda Of Understanding
Between The City Of Oakland And The Oakland Police Officers Association
Representing Employees In Bargaining Unit PP1 And UN2 For The Period Of July 1,
2011 Through June 30, 2015
(10-0829)

- 13 Subject: Notice Of New Structures - Municipal Code Amendment
From: Councilmember Libby Schaaf
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To
Add Title 15, Chapter 15.10, Public Notice Of City Of Oakland's Intent To Construct Or
Install New Public Safety-Related Telecommunications Facilities On City-Owned
Property, To Establish Requirements For The City Of Oakland To Provide 30 Days
Mailed And Posted Notice To Property Owners And Tenants (Both Residential And
Commercial) Within 300 Feet Of A City Of Oakland-Owned Property Of The City's
Intent To Construct Or Install New Public Safety-Related Telecommunications Facilities,
Including But Not Limited To Towers, Poles Or Antennas, That Are Not Otherwise
Subject To A Public Notice Requirements
(10-0682)

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second
Reading) OF THIS ORDINANCE**

Introduction (First Reading) was passed on July 19, 2011; 8 Ayes

- 14 Subject: Amending Cannabis Ordinances
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Chapter 5.80 Of The Oakland Municipal Code Pertaining
To Medical Cannabis Dispensary Permits
(10-0751)

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second
Reading) OF THIS ORDINANCE**

Introduction (First Reading) was passed as amended to include provisions that provide the city access to all financial information regarding the operations of the dispensary and further requires the health records of the dispensaries participants remain separate from the financial information on July 19, 2011; 8 Ayes

3) An Ordinance Amending The Master Fee Schedule (Ordinance Number 13024 C.M.S., As Amended) To Establish A Medical Cannabis Dispensary Permit Application Fee And An Annual Regulatory Fee For Permitted Medical Dispensaries & To Establish A Cultivation Of Medical Cannabis Permit Application Fee And An Annual Regulatory Fee For Permitted Medical Cannabis Cultivation
(10-0751-2)

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second
Reading) OF THIS ORDINANCE**

Introduction (First Reading) was passed as amended to include a \$5000 application fee and a \$60,000 annual dispensary regulatory fee on July 19, 2011; 8 Ayes

15 Subject: Henry J. Kaiser - Lease Revenue Bonds
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Authorizing the Substitution of City Hall for the Henry J. Kaiser Convention Center Securing the Existing Obligations for the Oakland Joint Powers Financing Authority Lease Revenue Refunding Bonds (Oakland Convention Centers), Series 2001; Approving the Execution and Delivery of Amendments to Leases to Substitute such Property and Authorizing the Taking of all Necessary Actions Relating Thereto
(10-0684)

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second
Reading) OF THIS ORDINANCE**

**Introduction (First Reading) was passed on July 19, 2011; 7 Ayes, 1 No -
Brooks**

16 Subject: Vice Mayor Brooks Travel - Beaumont, Texas
From: Vice Mayor Desley Brooks
Recommendation: Adopt A Resolution Authorizing Vice Mayor Desley Brooks To Travel To Beaumont, Texas To Attend The National League Of Cities National Black Caucus Of Local Elected Officials' Annual Summer Conference: Empowering Our Communities, Strengthening Our Leaders From August 10-13, 2011
(10-0827)

17 Subject: Library Advisory Appointment
From: Office Of The Mayor

Recommendation: Adopt A Resolution Approving The Nomination Of Ruby Bernstein
And Kathryn Sterbenc To The Library Advisory Commission
[\(10-0815\)](#)

- 18 Subject: Land Purchase Agreement - Park Blvd And Monterey Blvd
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Acquire
Parcel 029A-1330-027-03 And Parcel 029A-1330-009-01 For Use As A Part Of The
Montclair Golf Course From The California Department Of Transportation For \$25,000
[\(10-0700\)](#)

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second
Reading) OF THIS ORDINANCE**

Introduction (First Reading) was passed on July 19, 2011; 8 Ayes

- 19 Subject: Police and Fire Retirement Board Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Approving the Mayor's Nomination of Cynthia
Blumgart to the Police and Fire Retirement Board as Insurance Representative
[\(10-0816\)](#)
- 20 Subject: Support SB 490 - Abolishing Death Penalty
From: Councilmembers Nadel and Schaaf
Recommendation: Adopt A Resolution In Support Of Senate Bill 490 (Hancock), Which
Abolishes The Death Penalty In California If Passed By The California Legislature And
Approved By The Voters
[\(10-0847\)](#)
- 21 Subject: Support SB 15 - Changes To California Budget Process
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution To Support SB 15 (Desaulnier And Wolk)
Which Would Require The Annual Submission Of A Two-Year Budget And Makes
Various Changes To The Information That Is Required To Be Submitted By The
Governor To The Legislature As Part Of The Budget Process For The State Of California
[\(10-0844\)](#)
- 22 Subject: Support SB 14 - Performance Based Budget Process
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution To Support SB 14 (Wolk, Desaulnier, And Huff)
Which Would Create A Performance- Based Budget Process And A Program Evaluation
Legislative Process For The State Of California
[\(10-0843\)](#)
- 23 Subject: State Homeland Security Program Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His
Designee To: 1) Enter Into A State Homeland Security Program (SHSP) Grant
Agreement Or Memorandum Of Understanding (MOU) With The Alameda County
Sheriff's Office (ACSO) For Distribution Of Fiscal Year 2010 State Homeland Security

Program (SHSP) Grant Funds To The City Of Oakland In An Amount Up To Two Hundred And Fifty Thousand Dollars (\$250,000), 2) Accept, Appropriate And Administer The Fiscal Year 2010 SHSP Grant Allocations, And 3) Approve The Preliminary Spending Plan And Waive City Of Oakland Central Services Overhead (CSO) Fees Of Ten Thousand And Seven Hundred Forty Dollars (\$10,740), And 4) Expend Funds In Accord With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases In Excess Of The City Administrator's Purchasing Authority For Equipment On The Federally Authorized Equipment List And Services Required By The Grant, Provided The City's And The County's Bidding Requirements And Purchasing Programs And Policies Are Followed; On The July 26, 2011 Public Safety Committee Agenda

[\(10-0796\)](#)

- 24 Subject: MacArthur Transit Village Phase I
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Conditionally Approving A Final Map (Phase 1) For Tract No. 8047, The Vacation (Abandonment) Of A Portion Of Apgar Street Within The Macarthur Transit Village Project Site, The Dedications Of Public Easements And Right Of Way, And A Subdivision Improvement Agreement With MacArthur Transit Community Partners For Deferred Construction Of Public Infrastructure Improvements, All Associated With Construction Of A Parking Garage For The San Francisco Bay Area Rapid Transit District (BART) And An Affordable Housing Multiple Family Building [TITLE CHANGE]

[\(10-0782\)](#)

This item was continued from the July 19, 2011 City Council Agenda.

- 25 Subject: IAF Local 55 - MOU FQ1
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Approving Memoranda Of Understanding Between The City Of Oakland And The International Association Of Firefighters Local 55 Representing Employees In Bargaining Unit FQ1 For The Period Of July 1, 2011 Through June 30, 2014

[\(10-0828\)](#)

- 26 Subject: Local 1021 MOU - Part-Time Unit
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Approving Memoranda Of Understanding Between The City Of Oakland And The Service Employees International Union, Local 1021 Part-Time Unit Representing Employees In Representation Units SII For The Period Of July 1, 2011 Through June 30, 2013

[\(10-0822\)](#)

- 27 Subject: Local 1021 MOU - Specified Units
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Approving Memoranda Of Understanding Between The City Of Oakland And The Service Employees International Union, Local 1021, Representing Employees In Representation Units SB1, SC1 And SD1, Covering The Period Of July 1, 2011 Through June 30, 2013

(10-0821)

- 28 Subject: Local 21 MOU - Units TA1, TF1, TM2, TW1, UH1, UM1 And UM2
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional And Technical Engineers Local 21, Representing Employees In Representation Units TA1, TF1, TM2, TW1, UH1, UM1 And UM2, Covering The Period From July 1, 2011, Through June 30, 2013

(10-0823)

- 29 Subject: Local 21 MOU - Deputy City Attorney I-IV
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional And Technical Engineers Local 21, Deputy City Attorney I-IV Representing Employees In Representation Unit TM1 For The Period Of July 1, 2011 Through June 30, 2011

(10-0824)

- 30 Subject: International Brotherhood of Electrical Workers - MOU
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The International Brotherhood Of Electrical Workers Representing Employees In Representation Units IE1 And TV1 For The Period Of July 1, 2011 Through June 30, 2013

(10-0825)

- 31 Subject: Confidential Management Employees Association - MOU
From: Department of Human Resources Management
Recommendation: Adopt A Resolution Approving the Memorandum of Understanding between the City of Oakland and the Confidential Management Employees Association Representing Employees in Representation Unit U31 for the Period of July 1, 2011 through June 30, 2013

(10-0826)

Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

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

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit
Phone: (510) 238-3226
Fax: (510) 238-6699
Recorded Agenda: (510) 238-2386
Telecommunications Display Device: (510) 839-6451
(TTD)

**THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY
MATERIAL ON OR OVER THE GALLERY BANNISTERS IS
STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF
THOSE ATTENDING MEETINGS.**

**MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED
TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA
PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK,
1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA
94612 FROM 8:30AM TO 5:00PM**

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

ORA - Oakland Redevelopment Agency
S - Supplemental Item