



# 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>

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Tuesday, July 20, 2010

5:30 PM

Oakland City Hall, 3rd Floor

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### **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 5:30 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 6:30 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: 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: 20th Anniversary Of The Americans With Disabilities Act  
From: Council President Brunner  
Recommendation: Adopt A Resolution Celebrating The Twentieth Anniversary Of The Americans With Disabilities Act And Honoring Local Disability Services Agencies And Disability Advocates For Distinguished Service To The City Of Oakland And The

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Disability Community  
(09-1570)

- S-4.2 Subject: Oakland Pride Festival  
From: Councilmembers Kaplan and Kernighan  
Recommendation: Adopt A Resolution Celebrating The First Annual Oakland Pride Festival And Honoring The Oakland Pride Organization For Their Commitment To Oakland And The Lesbian, Gay, Bisexual, Transgender, Queer And Allied Communities  
(09-1648)

**This item was added to the agenda by the July 15, 2010 Rules and Legislation Committee.**

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

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETING OF JULY 6, 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  
(09-1621)
- 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  
(09-1626)
- 7.3-CC Subject: Amendments To Planning Code  
From: Community And Economic Development Agency  
Recommendation: Adopt An Ordinance, Recommended By The Planning Commission, To (A) Amend Section 17.136.075 Of The Oakland Planning Code And Make Other Related Amendments To The Planning Code And Building And Construction Code (Chapter 15.36 Of The Oakland Municipal Code) Relating To Required Findings For The Demolition Of Historic Structures; And (B) Adopt Administrative Submittal Requirement For Applications To Demolish Historic Structures

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(09-1419)

**Introduction (First Reading) was approved July 6, 2010; 7 Ayes; 1 Excused  
- De La Fuente**

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE OF THE  
ORDINANCE**

- 7.4-CC Subject: Alameda County Transportation Commission  
From: Council President Brunner  
Recommendation: Adopt A Resolution Appointing Councilmembers Larry Reid And Rebecca Kaplan To The Alameda County Transportation Commission ("ACTC"), Which Allocates Funding for Transportation Projects And Has All Of The Authority, Powers And Rights Of The Alameda County Congestion Management Agency ("ACCMA") And The Alameda County Transportation Improvement Authority ("ACTIA")  
(09-1636)
- 7.5-CC Subject: Amicus Brief - Challenging SB 1071  
From: Council President Brunner  
Recommendation: Adopt A Resolution Authorizing The City Attorney, On Behalf Of The City Of Oakland, To Join In An Amicus (Friend Of The Court) Brief In The United States District Court Case Of Friendly House, et al., V. Michael B. Whiting, et al. (Case No. CV 10-1061- PHX-JWS), Asking The Court To Grant The Plaintiffs' Motion For A Preliminary Injunction To Prevent The Implementation Of Arizona Senate Bill 1070, Which Among Other Things Authorizes The Police "When Practicable" To Detain People They "Reasonably Suspect" Are In The United States Illegally  
(09-1635)
- 7.6-CC Subject: Port Liaison Committee Appointment  
From: Council President Brunner  
Recommendation: Adopt A Resolution Appointing Councilmember Desley Brooks To The City - Port Liaison Committee To Serve In The Seat From Which Council Member Kernighan Resigned  
(09-1637)
- 7.7-CC Subject: League Of California Cities Delegate  
From: Council President Brunner  
Recommendation: Adopt A Resolution Appointing Councilmember Jean Quan As Voting Delegate And Councilmember Larry Reid As Alternate Delegate For The League Of California Cities 2010 Annual Conference  
(09-1624)
- 7.8-CC Subject: Kaplan's Pay-Go Funds for Youth Healing Retreat  
From: Councilmember Kaplan  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$500.00 From Councilmember Kaplan's Pay-Go Funds To Skyline High School Titans Football Team For Travel Expenses To Oakland Feather River Camp For A Youth Healing Retreat

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(09-1633)

**An urgency finding will be necessary to hear this item.**

7.9-CC Subject: ~~Violence Prevention And Public Safety Services~~  
From: ~~Budget Office~~  
Recommendation: ~~Adopt An Ordinance Authorizing A Fiscal Year 2010-2011 Increase To A Special Tax Imposed For Violence Prevention And Public Safety Services In Accordance With The Violence Prevention And Public Safety Act Of 2004 (Measure Y); And Setting June 15, 2010 As The Date For A Public Hearing~~

(09-1293)

**This item was removed by the July 15, 2010 Rules and Legislation Committee**

7.10-CC Subject: User Fee Ordinance  
From: Oakland Fire Department  
Recommendation: Adopt An Ordinance Adding Title 8, Health And Safety, Chapter 8.56, Emergency Response Services Fees Program, To The Oakland Municipal Code To Establish And Implement A Program To Charge User Fees For The Emergency Response Services Rendered By The City Of Oakland In Connection With Motor Vehicle Accidents Caused By Any And All Non-Resident Drivers Deemed To Be At-Fault And Any And All Criminally Negligent Drivers, Regardless Of Residence, And Amending The Master Fee Schedule To Include The New User Fees

(09-1614)

**Introduction (First Reading) was approved July 6, 2010; 7 Ayes, 1 Excused - De La Fuente**

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE OF THE ORDINANCE**

7.11-CC Subject: Chiquita Cole - 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 Chiquita Cole V. City Of Oakland, Alameda County Superior Court Case No. RG08-385951, In The Amount Of \$95,000.00 As A Result Of A Collision Between A Vehicle In Which Ms. Cole Was A Passenger And An OPD Vehicle (Oakland Police Department)

(09-1638)

**Council discussed this item in closed session on July 6, 2010. Motion authorizing settlement passed with 6 Ayes, 1 Absent - Reid, 1 - Excused - De La Fuente**

7.12-CC Subject: Ahmad Bilal - 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 Ahmad Bilal V. City Of Oakland, Alameda

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County Superior Court Case No. RG09-438773, City Attorney's File No. 26839, In The Amount Of \$12,000.00, As A Result Of An Automobile Accident Involving A Police Vehicle (Police Department)  
[\(09-1639\)](#)

**This item was not discussed in Closed Session.**

7.13-CC Subject: Adam Hayes - Settlement Agreement  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Adam Hayes, In The Amount Of \$9,256.47, As A Result Of Property Damage Sustained Due To An Obstructed City Sewer Main On November 22, 2009 (Public Works Agency)  
[\(09-1640\)](#)

**This item was not discussed in Closed Session.**

7.14-CC Subject: Cleunice Pereira - 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 Cleunice Pereira V. City Of Oakland, Alameda County Superior Court Case No. RG09-441742, In The Amount Of \$40,000.00 As A Result Of A Collision Between Ms. Pereira And An Automobile In The Intersection Of MacArthur Blvd And Randolph Avenue (Public Works Agency)  
[\(09-1641\)](#)

**This item was not discussed in Closed Session.**

7.15-CC Subject: Juanita Johnson - 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 Juanita Johnson V. City Of Oakland, Alameda County Superior Court Case No. RG08-412871, In The Amount Of \$55,000.00 As A Result Of A Trip And Fall Accident Over An Exposed Streetlight Base. (Office Of Public Works)  
[\(09-1642\)](#)

**This item was not discussed in Closed Session.**

7.16-CC Subject: Cingular License Agreement  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Approving And Authorizing The Execution Of A License Agreement Between New Cingular Wireless PCS And The Oakland Alameda County Coliseum Authority And Certain Related Matters (Office Of The City Administrator)  
[\(09-1644\)](#)

**This item was added to the agenda pursuant to Rule 28 of Council's Rules  
of Procedures Resolution 82580 C.M.S.**

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7.17 Subject: Buenrostro - 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 Jose Buenrostro, Sr. Et Al. V. City Of Oakland, Et Al., United States District Court Case No. 009-00786-JSW, City Attorney's File No. 26782, In The Amount Of Five Hundred Thousand Dollars And No Cents (\$500,000.00) As A Result Of A Civil Right Action Alleging Wrongful Death Action (Oakland Police Department)  
(09-1645)

**This item was added to the agenda pursuant to Rule 28 of Council's Rules of Procedures Resolution 82580 C.M.S.**

S-7.18-CC Subject: Opposition To Senate Bill 974  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution In Opposition To Senate Bill 974 (D. Stienberg) Amending The Enterprise Zone Program  
(09-1594)

**The July 8, 2010 Rules and Legislation Committee approved recommendations; 4 Ayes**

S-7.19-CC Subject: The Limited Public Financing Act - Amendments  
From: Public Ethics Commission  
Recommendation: Adopt An Ordinance Amending Chapter 3.13 Of The Oakland Municipal Code (Aka "The Limited Public Financing Act Of The City Of Oakland") To 1) Limit Eligibility To Candidates For District City Council; 2) Provide That Public Financing Be Limited To The Reimbursement Of Specified Campaign Expenditures; 3) Limit Candidates From Making Contributions Or Loans From Personal Funds To Ten Percent Of The Voluntary Expenditure Ceiling; 4) Require Candidates To Raise In Local Contributions An Amount Equal To Three Percent Of The Voluntary Expenditure Ceiling; 5) Permit Candidates To Appeal To The Public Ethics Commission Any Request For Reimbursement; And 6) Require Candidates To Repay The Election Campaign Fund From Any Surplus Campaign Funds In An Amount Not To Exceed The Percentage That Public Financing Represents Of Total Contributions Received  
(09-1500)

**The July 8, 2010 Rules and Legislation Committee approved recommendations as amend with the following further recommendations: 1) the Public Ethics Commission shall have seven (7) days after the City Clerk has certified the names of all candidates to appear on the ballot to make any pro rata allocation of public financing based on the number of potentially eligible candidates; 2) candidates shall have fourteen (14) days after City Clerk has certified the names of all candidates to appear on the ballot to submit a Statement of Acceptance or Rejection of Public Financing; 3) candidates must have received contributions from local sources and made expenditures in aggregate amounts of five (5) percent of**

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**the expenditure ceiling for the office being sought as a condition of eligibility to receive public financing; 4) the proposed restriction on referring to other candidates in any reimbursed communication be eliminated; 3 Ayes, 1 No - Brunner**

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION OF THE ORDINANCE**

**Final Passage (Second Reading) has scheduled for July 27, 2010**

S-7.20-CC Subject: Support Of Assembly Bill 1532  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution In Support Of Amended Assembly Bill 1532 Authored By Assembly Member Lieu, Which Adds A Separate Section To The Existing California Penal Code's Definition Of A Code Enforcement Officer, By Establishing A Free-Standing Definition For Code Enforcement Officers That Can Be Used By Any Local Jurisdiction In Their Application For Code Enforcement Funding  
(09-1576)

**The July 8, 2010 Rules and Legislation Committee approved recommendations; 3 Ayes, 1 Abstain - Brunner**

S-7.21-CC Subject: Conditional And Revocable Permit - 370 Hawthorne Avenue  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Granting Alta Bates - Summit Medical Center A Conditional And Revocable Permit To Allow A Soil Shoring System To Encroach Under The Public Right-Of-Way For An Addition To The Existing Public Hospital Located At 370 Hawthorne Avenue  
(09-1535)

**The July 13, 2010 Special Public Works Committee approved recommendations: 3 Ayes, 1 Absent - Kernighan**

S-7.22-CC Subject: Used Oil Filter Recycling  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing Submittal Of Used Oil Payment Program Applications And To Act As Lead Jurisdiction For Other Alameda County Jurisdictions, To The California Department Of Resources Recycling And Recovery And Appropriation Of Those Payments For Used Motor Oil And Used Oil Filter Recycling Beginning With Fiscal Year 2010/2011 And Effective Until Rescinded By The City Council  
(09-1552)

**The July 13, 2010 Special Public Works Committee approved recommendations: 4 Ayes**

S-7.23-CC Subject: Hardy Park Restroom Project  
From: Council President Brunner

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Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To The Lowest, Responsive, And Responsible Bidder For The Hardy Park Restroom Project (City Project No. C338710) In An Amount Not-To-Exceed One Hundred Forty Thousand Dollars (\$140,000.00) Without Further Council Review Or Action  
(09-1561)

**The July 13, 2010 Special Public Works Committee approved  
recommendations: 4 Ayes**

S-7.24-CC Subject: Storm Drain Line Rehabilitation Contract  
From: Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Construction Contract To J & M, Inc. For Rehabilitation Of Storm Drain Line Along Shepherd Canyon Road Between Gunn Drive And Paso Robles Drive (Project Number C336020) In The Amount Of Five Hundred Twenty-Four Thousand Eight Hundred Fifty-Three Dollars (\$524,853.00)  
(09-1578)

**The July 13, 2010 Special Public Works Committee approved  
recommendations: 4 Ayes**

S-7.25-CC Subject: Restoration Access Road - North Oakland Sports Field  
From: Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Beliveau Engineering Contractors, Inc. For The Restoration Of Slope And Fire Access Road Above North Oakland Sports Field (Project Number C400810) In Accord With Project Plans And Specifications And Contractors Bid Therefore, In The Amount Of Two Hundred Forty-Six Thousand Six Hundred Fifty-Five Dollars (\$246,655.00)  
(09-1579)

**The July 13, 2010 Special Public Works Committee approved  
recommendations: 4 Ayes**

S-7.26-CC Subject: Energy Efficiency Improvements Agreement - Civic Center Buildings  
From: Public Works Agency  
Recommendation: Adopt A Resolution Waiving Solicitation For Fixed, Sealed Bids And Price-Based Award Requirements And Authorizing The City Administrator Or Designee To: 1. Award A Design-Build Agreement To United Comfort Solutions, Inc. For Energy Efficiency Improvements To The Heating, Ventilating And Air Conditioning (HVAC) System Controls For The Civic Center Complex Buildings For An Amount Not To Exceed Six Hundred Ninety-Five Thousand Dollars (\$695,000.00), To Be Paid In Part With Federal Government Stimulus Package Funds; And 2. Accept And Appropriate Energy-Related Rebates In Project Numbers C388910 (Civic Center Data Center Server Virtualization), And C389010 (Civic Center Electronic HVAC Control Upgrades Building Automation System) For Energy Efficiency Improvements To The HVAC System Controls For The Civic Center Complex Buildings; And 3. Appropriate Fifty-Five Thousand Four Hundred Five Dollars (\$55,405.00) Of Energy Rebate Funds In Project H33620 (CED Loan - HVAC Conservation) For Energy Efficiency



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Improvements To The HVAC System Controls For The Civic Center Complex Buildings  
(09-1581)

**The July 13, 2010 Special Public Works Committee approved  
recommendations: 4 Ayes**

S-7.27-CC Subject: Stop Sign Installation - Various Locations  
From: Public Works Agency  
Recommendation: Adopt A Resolution Approving The Installation Of Stop Signs On:  
1. Cunningham Street At Davenport Avenue;  
2. Whitney Street At 65th Street;  
3. East 24<sup>TM</sup> Street At 12th Avenue;  
4. Carisbrook Drive At Skyline Boulevard;  
5. Ney Avenue At 75th Avenue;  
6. Holway Street At 57th Avenue; And  
7. Wood Street At 14th Street.  
(09-1582)

**The July 13, 2010 Special Public Works Committee approved  
recommendations: 4 Ayes**

S-7.28-CC Subject: Sanitary Sewer Root Foaming  
From: Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Duke's  
Root Control, Inc. For The Sanitary Sewer Root Foaming 2009 - 2011 Project (Project  
No. P188440) In Accord With The Project Plans And Specifications And Contractor's  
Bid In The Amount Of Three Hundred Twenty-Five Thousand Dollars (\$325,000.00)  
(09-1586)

**The July 13, 2010 Special Public Works Committee approved AN  
ALTERNATIVE RECOMMENDATION to reject all bids and direct staff  
to return to the bidders to negotiate with consideration of the use of the  
approved treatment, effort to obtain expense reductions and ensure the  
health and safety of the public is not compromised; 4 Ayes**

S-7.29-CC Subject: Parking Zone Establishment - 37th Avenue  
From: Public Works Agency  
Recommendation: Adopt A Resolution Approving The Establishment Of:  
1) One-Hour Parking From 8:00 A.M. To 6:00 P.M., From Monday To Friday, On Both  
Sides Of 37th Avenue Between East 8th Street And Boehmer Street; And 2) "No Parking  
Anytime" From Monday To Sunday On Both Sides Of 37th Avenue Between Boehmer  
Street And The Southern End  
(09-1593)

**The July 13, 2010 Special Public Works Committee approved  
recommendations: 4 Ayes**

S-7.30-CC Subject: Oakland Ice Center - Parking  
From: Community and Economic Development Agency

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Recommendation: Adopt The Following Pieces of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Ground Lease With San Jose Arena Management, Limited Liability Corporation, For Up To 39 Months To Improve The Agency's Real Property At 1800 San Pablo Avenue, And Operate A Parking Lot To Support The Operation Of The Oakland Ice Center; Amd

[\(09-1598\)](#)

**The July 13, 2010 Special Finance and Management approved recommendations as amended to the Resolution to include a not to exceed clause placing a cap on the \$370,000 estimated cost for upgrades to the Oakland Ice Center Parking lot; 4 Ayes**

2) Adopt An Agency Resolution Approving A Five-Year Agreement With San Jose Arena Management, Limited Liability Corporation To Manage And Operate The Oakland Ice Center For A Percentage Of Net Revenue Pursuant To Specific Criteria

[\(09-1554\)](#)

**The July 13, 2010 Special Community and Economic Development Committee approved recommendations: 4 Ayes**

S-7.31-CC Subject: Refuse Packer Repair  
From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To Appropriate Insurance Claim Recovery Monies In The Amount Of One Hundred Thirty Three Thousand, Seven Hundred Ninety Four Dollars And Eighty Nine Cents (\$133,794.89) Received For Damage To Public Works Agency Refuse Packer Equipment No. 4297 To Be Used For Replacement Of The Equipment And Payment In Full Of The Balance Remaining On The Lease

[\(09-1574\)](#)

**The July 13, 2010 Special Finance and Management Committee approved recommendations: 4 Ayes**

S-7.32-CC Subject: Citywide Records Management Program  
From: Council President Brunner

Recommendation: Adopt A Resolution Regarding Development Of A Citywide Records Management Program

[\(09-1575\)](#)

**The July 13, 2010 Special Finance and Management Committee approved recommendations: 4 Ayes**

S-7.33-CC Subject: 2010 Mayor Recess Agenda Authorized Actions  
From: Office of the City Administrator

Recommendation: Adopt A Resolution Authorizing The City/Agency Administrator To Make Grant Awards, Accept Grant Funds And Take Action On Procurement Of Certain Supplies, Construction Labor And Materials Exceeding \$500,000.00 And Professional

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Services Contracts Exceeding \$300,000.00 During The City Council Annual Recess Of  
2010  
(09-1616)

**The July 13, 2010 Special Finance and Management Committee approved  
recommendations: 4 Ayes**

S-7.34-CC Subject: As-Needed Economic Consulting Services  
From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution

1) Allocating Up To \$970,000 From Fiscal Year 2010-2011 Broadway/MacArthur/San  
Pablo, Central City East, Central District, Coliseum, Oakland Army Base, And West  
Oakland Redevelopment Funds For As Needed Economic Consulting Services; And 2)  
Authorizing The Agency Administrator To Select Four Or More economic Consulting  
Firms And To Negotiate, Award, And Execute Professional Services Agreements With  
The Selected Economic Consultants To Provide As-Needed Economic Consulting  
Services For The Broadway/MacArthur/San Pablo, Central City East, Central District,  
Coliseum, Oakland Army Base, And West Oakland Redevelopment Project Areas In An  
Amount Not To Exceed \$250,000 Per Contract Without Returning To The Agency  
(09-1440)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations: 4 Ayes**

S-7.35-CC Subject: First Amendment To The Joint Exercise Of Powers Agreement  
From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing A First Amendment To  
Joint Exercise Of Powers Agreement Between The Redevelopment Agency And The  
State Of California To Facilitate The Possible Sale Of The Elihu M. Harris Oakland  
State Building  
(09-1522)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations: 4 Ayes**

S-7.36-CC Subject: Lion Creek Crossings Phase IV Rental Project  
From: Community And Economic Development Committee Agenda  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Amending Resolution Number 2010-0040 C.M.S. To Increase  
The Affordability Level, In The Event Of Foreclosure, From 50% To 60% Of Area  
Median Income For The Lion Creek Crossings Phase IV Rental Project Located At 69th  
Avenue And Snell Street, To Be Developed By The East Bay Local Development  
Corporation And The Related Companies Of California Jointly; And  
(09-1537)

2) A City Resolution Amending Resolution No. 82652 C.M.S. To Increase The

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Affordability Level, In The Event Of Foreclosure, From 50% To 60% Of Area Median Income For The Lion Creek Crossings Phase Iv Rental Project Located At 69th Avenue And Snell Street, To Be Developed By The East Bay Local Development Corporation And The Related Companies Of California Jointly  
(09-1537-1)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations: 4 Ayes**

S-7.37-CC Subject: Central City East Redevelopment Project - Extension  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing A One-Year Extension Of The Project Area Committee For The Central City East Redevelopment Project To July 29, 2011  
(09-1539)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations: 4 Ayes**

S-7.38-CC Subject: Infrastructure Development Fund - Oakland Army Base  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Establishment Of A Joint Infrastructure Development Fund In The Initial Amount of Sixteen Million And Three Hundred Thousand (\$16,300,000) For The Development Of Infrastructure, Public Utilities And Public Streets On The Former Oakland Army Base  
(09-1540)

2) An Agency Resolution Authorizing The Agency Administrator, Without Returning To The Agency Board, To Negotiate And Execute A Cost Sharing Agreement Between The Redevelopment Agency And The Port Of Oakland For The Development Of Infrastructure, Public Utilities, And Public Streets On The Former Oakland Army Base Committing A Total Of No More Than Thirty-Two Million Dollars (\$32,000,000) Of Agency Funds To The Development: And  
(09-1540-1)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations as amended to the resolution to  
add language that requires the allocation and appropriation of funds to  
come back to Council for final approval: 4 Ayes**

3) An Agency Resolution Authorizing A) An Amendment To The Exclusive Negotiating Agreement With AMB Property Corporation/California Capital Group (AMB/CCG) To Reflect That The Agency, Through Its Joint Infrastructure Development Fund Established For The Development Of The Former Oakland Army Base; Shall Contribute Up To A Maximum Amount Of \$240,000 For Required California Environmental Quality Act (CEQA) And National Environmental Policy Act (NEPA)

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Reviews And Reports For The Construction Of Infrastructure, Public Utilities, And Public Streets On The Former Army Base; And B) A Waiver Of The Advertising And Request For Proposal/Qualification Process And An Award Of A Contract To LSA Associates, Inc. (LSA) For The Provision Of Required CEQA And NEPA Reviews And Reports In An Amount Not-To-Exceed \$360,000  
(09-1540-2)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations: 4 Ayes**

S-7.39-CC Subject: Construction Of Public Improvements - Oakland Army Base  
From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Apply For, Accept, And Appropriate Federal, State And Local Grant Funding For Planning, Design, And Construction Of Infrastructure Improvements On The Former Oakland Army Base Including, But Not Limited To, Environmental Remediation, Materials Import And Surcharging, Rail Expansion, Public Utilities, Streets, And Landscaping, Without Returning To The Agency Board  
(09-1541)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations as amended to the resolution to  
add language that requires the allocation and appropriation of funds to  
come back to Council for final approval: 4 Ayes**

S-7.40-CC Subject: Redevelopment Survey Area  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Designating The Lowell Street/Golden Gate/Gaskill Neighborhoods, Adjacent To The Broadway/MacArthur/ San Pablo Redevelopment Project Area, As A Redevelopment Survey Area  
(09-1555)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations: 4 Ayes**

S-7.41-CC Subject: Mixed-Use Development  
From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing An Exclusive Negotiating Agreement With Sunfield Development, LLC Or A Related Entity To Develop Portions Of The Block Bounded By San Pablo Avenue, Telegraph Avenue, 18th Street, And 19th Street  
(09-1556)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations: 4 Ayes**

S-7.42-CC Subject: Neighborhood-Serving Retail Center  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

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1) An Agency Resolution Authorizing An Exclusive Negotiating Agreement With Sunfield Development, LLC, For Disposition Of Eleven Agency-Owned Parcels Bounded By Foothill Boulevard, Seminary Avenue And Bancroft Avenue, And Development Of A Neighborhood-Serving Retail Center; And  
(09-1557)

2) An Agency Resolution Authorizing An Exclusive Negotiating Agreement With Sunfield Development, LLC, For Disposition Of Agency-Owned Parcel Bounded By Foothill Boulevard And 73rd Avenue, And Development Of A Mixed Use City Library And Peralta Community College Educational Learning Center And Community Retail Component  
(09-1557-1)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations: 4 Ayes**

S-7.43-CC Subject: Jefferson Oaks Apartments Project

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Relocation Plans For The Oaks Hotel And Jefferson Hotel For The Jefferson Oaks Apartments Affordable Housing Project  
(09-1558)

2) A Resolution Amending Resolution No. 82649 C.M.S. To Reduce The Number Of Units From 110 To 102 For The Jefferson Oaks Apartments Project Located At 1424 Jefferson Street  
(09-1558-1)

3) An Agency Resolution Approving The Relocation Plans And Replacement Housing Plan For The Jefferson Oaks Apartments Project, And Amending Agency Resolution No. 2003-54 C.M.S. To Exempt The Jefferson Oaks Apartments Project From The Agency's Replacement Housing Policy For Single Room Occupancy Units: And  
(09-1558-2)

4) An Agency Resolution Amending Resolution No. 2010-0045 C.M.S. To Reduce The Number Of Units From 110 To 102 For The Jefferson Oaks Apartments Project Located At 1424 Jefferson Street  
(09-1558-3)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations: 4 Ayes**

S-7.44-CC Subject: Proposed Foods Co Supermarket And Fuel Station

From: Community And Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute An Exclusive Negotiating Agreement With Ralphs/Food 4 Less Grocery Company For Development Of A Proposed Foods Co Supermarket And Fuel Station At The Northeast Corner Of 66th Avenue And San Leandro Street

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(09-1568)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations: 4 Ayes**

S-7.45-CC Subject: Revenue Projections Revision  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Amending Resolution Numbers 2009-0072, 2009-0090 And 2010-0055 C.M.S. To Amend The Agency Budget For Fiscal Years 2010-2011 To Revise Appropriations Related To An Overpayment Of Tax Increment Revenue To The Oak Center And Stanford/Adeline Redevelopment Areas; And An Underrealization Of Tax Increment Revenue In Fiscal Year 2009-2010; And

(09-1569)

2) A Resolution Forgiving The Remaining Interest And Principal Owed On The \$3,285,131 Debt From The Redevelopment Agency Under The 1966 Oak Center Repayment Contract

(09-1569-1)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations: 3 Ayes, 1 Abstain - Brunner**

S-7.46-CC Subject: George P. Scotlan Memorial Convention Center - Repairs  
From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing Allocation Of Agency Funds In An Amount Of Up To \$4,000,000 For Necessary Capital Improvements, Repairs And Rehabilitation To The George P. Scotlan Memorial Convention Center, And Authorizing The Agency Administrator To Negotiate And Execute An Amendment To The Management Agreement With Integrated Services Corporation To Include Construction Management For The \$4,000,000 In Capital Improvements, Including Up To \$153,000 For Management Fees

(09-1603)

**The July 13, 2010 Special Community and Economic Development  
Committee approved recommendations: 3 Ayes, 1 Abstain - Brunner**

S-7.47-CC Subject: Recovery Zone Bond Issuance  
From: Finance And Management Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Revised Resolution Approving The Application Of The City's Recovery Zone Economic Development Bond Issuance Authority Initial Allocations To The Macarthur Transit Village Within The Redevelopment Agency Of The City Of Oakland Broadway/Macarthur/San Pablo Redevelopment Project Area And The Obligations To Be Issued With Respect Thereto; And

(09-1615)

# SUPPLEMENTAL

**This item was modified and placed on this agenda by the July 15, 2010  
Rules and Legislation Committee**

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

2) A Revised Resolution Determining To Apply The City's Recovery Zone Facility Bond Issuance Authority Initial Allocation Of \$7,581,000, And Any Additional Allocations To The Financing Of Various Facilities To Be Acquired, Constructed And Installed By Ports America Oakland And Declaring Intent To Issue Revenue Bonds  
(09-1615-1)

**This item was modified and placed on this agenda by the July 15, 2010  
Rules and Legislation Committee**

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

3) Resolution Approving The Application Of The City's Qualified Energy Conservation Bond Issuance Authority Initial Allocation Of \$4,165,214.52 And Any Additional Allocations To The City Of Oakland Downtown Energy Efficiency Streetlight Project  
(09-1615-2)

**This item was placed on this agenda by the July 15, 2010 Rules and  
Legislation Committee**

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

S-7.48-CC Subject: Head Start Family Child Care Services  
From: Department Of Human Services  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute A Professional Services Agreement With Regina Benoit For Head Start Family Child Care Services In An Amount Not To Exceed \$43,860; And Contingent Upon Receipt Of Head Start Funding, To Execute A One-Year Extension For An Additional Amount Not To Exceed \$43,860, For A Two-Year Total Not To Exceed \$87,720;  
(09-1434)

2) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute A Professional Services Agreement With Mada Hudson Head Start Family Child Care Services In An Amount Not To Exceed \$64,500; And Contingent Upon Receipt Of Head Start Funding, To Execute A One-Year Extension For An Additional Amount Not To Exceed \$64,500, For A Two-Year Total Not To Exceed



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\$129,000;  
(09-1434-1)

3) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute A Professional Services Agreement With Martha Rebollo Head Start Family Child Care Services In An Amount Not To Exceed \$87,720; And Contingent Upon Receipt Of Head Start Funding, To Execute A One-Year Extension For An Additional Amount Not To Exceed \$87,720, For A Two-Year Total Not To Exceed \$175,440;

(09-1434-2)

4) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute A Professional Services Agreement With Vanessa Bulnes Head Start Family Child Care Services In An Amount Not To Exceed \$51,170; And Contingent Upon Receipt Of Head Start Funding, To Execute A One-Year Extension For An Additional Amount Not To Exceed \$51,170, For A Two-Year Total Not To Exceed \$102,340;

(09-1434-3)

5) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute A Professional Services Agreement With Valerie Hamilton Head Start Family Child Care Services In An Amount Not To Exceed \$87,720, And Contingent Upon Receipt Of Head Start Funding, To Execute A One-Year Extension For An Additional Amount Not To Exceed \$87,720, For A Two-Year Total Not To Exceed \$175,440; And

(09-1434-4)

6) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute A Professional Services Agreement With Sally Chu Head Start Family Child Care Services In An Amount Not To Exceed \$70,950; And Contingent Upon Receipt Of Head Start Funding, To Execute A One - Year Extension For An Additional Amount Not To Exceed \$70,950, For A Two-Year Total Not To Exceed \$141,900

(09-1434-5)

**The July 13, 2010 Life Enrichment Committee approved  
recommendations; 4 Ayes**

S-7.49-CC Subject: Gates To The Gardens At Lake Merritt  
From: Cultural Affairs and Marketing  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Shawn Lovell For Public Art Design, Fabrication And Installation Services For The Gates For The Gardens At Lake Merritt Public Art Project In An Amount Not To Exceed Eighty-Six Thousand Dollars (\$86,000) In Measure DD Public Art Funds  
(09-1534)

**The July 13, 2010 Life Enrichment Committee approved**

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**recommendations; 4 Ayes**

S-7.50-CC Subject: Professional Services Agreement - Salvation Army  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator, To Execute A Professional Services Agreement With Salvation Army To Provide Center-Based Early Care And Education Services For 28 Low-Income Families With Children Ages 0-3, In An Amount Not To Exceed \$73,450 For July-September 2010; And Contingent Upon Receipt Of Early Head Start Funding, Authorizing The City Administrator To Execute A One-Year Extension For October 1, 2010 Through September 30, 2011 For An Additional Amount Not To Exceed \$109,200, For A Total Not To Exceed \$182,650  
(09-1571)

**The July 13, 2010 Life Enrichment Committee approved  
recommendations; 4 Ayes**

S-7.51-CC Subject: Renaming Of The Fox Square Park  
From: Office of Parks and Recreation  
Recommendation: Adopt A Resolution Renaming The "Fox Square Park" Located At 1900 Rashida Muhammad Street For A Ten Year Period With The Option To Revisit The Naming Rights For An Additional Ten Years, To The "Henry J. Kaiser Memorial Park"  
(09-1583)

**The July 13, 2010 Life Enrichment Committee approved  
recommendations; 4 Ayes**

S-7.52-CC Subject: Lincoln Square Outdoor Corridor Improvement  
From: Office of Parks and Recreation  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Approve, Accept And Appropriate A Grant Contract Awarding Two Hundred Thousand Dollars (\$200,000) In Grant Funds From The Stewardship Council Infrastructure Grant For The Lincoln Square Outdoor Recreation Corridor Project  
(09-1589)

**The July 13, 2010 Life Enrichment Committee approved  
recommendations; 4 Ayes**

S-7.53-CC Subject: Regional Catastrophic Planning Grant  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into A Regional Catastrophic Planning Grant Program Grant Administration Agreement With City And County Of San Francisco For Fiscal Year 2010 RCPGP Grant Funds In An Amount Up To Three Hundred Thousand Dollars (\$300,000.00), 2) Accept, Appropriate And Administer Fiscal Year 2010 RCPGP Grant Allocations, 3) Approve The Preliminary Spending Plan And Waive City Of Oakland Central Services Overhead Fees Of Seven Thousand Two Hundred Ninety Seven Dollars (\$7,297.00) For The Fiscal Year 2010 RCPGP Grant, And 4) Expend Funds In Accord

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With The Preliminary Spending Plan Without Further Council Authorization, Which Includes The Continuation Of One Senior Emergency Planning Coordinator And Award Of Professional Services Contracts Without Further Council Authorization, Provided City Hiring And Contract Services Requirements And Programs/Policies Are Followed  
(09-1492)

**The July 13, 2010 Public Safety Committee approved recommendations; 4  
Ayes**

S-7.54-CC Subject: Urban Area Security Initiative (UASI) Grants  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Enter Into Sub-Recipient Grant Agreements With Regional Partner Agencies For In Order To Convey Specified Equipment To Them In Connection With Regional Emergency Response Preparedness Activities Funded By Fiscal Year 2004 And Fiscal Year 2005 Urban Area Security Initiative (UASI) Grants  
(09-1494)

**The July 13, 2010 Public Safety Committee approved recommendations; 4  
Ayes**

S-7.55-CC Subject: Agreements With The Maritime Exchange  
From: Oakland Fire Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Authorizing The City Administrator Or His Designee To: 1. Enter Into A Port Security Grant Program ("PSGP") Grant Administration Agreement With The Maritime Exchange Of The San Francisco Bay Region For Fiscal Year 2008 PSGP Grant Funds In The Amount Up To Nine Hundred Forty Four Thousand Nine Hundred And Forty Two Dollars (\$944,942); And 2. Accept, Appropriate And Administer The Fiscal Year 2008 PSGP Grant Allocation; And 3. Approve The Preliminary Spending Plan; And 4. Expend Funds In Accordance With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases Approved In The Federally Authorized Equipment List, Provided City Competitive Solicitation And Purchasing Programs/Policies Are Followed;  
(09-1613)

2) Resolution Authorizing The City Administrator Or His Designee To:  
1. Enter Into A Port Security Grant Program ("PSGP") Grant Administration Agreement With The Maritime Exchange Of The San Francisco Bay Region For Fiscal Year 2009 PSGP Grant Funds In The Amount Up To Seven Hundred Forty Four Thousand Four Hundred And Fifty Three Dollars (\$744,453); And 2. Accept, Appropriate And Administer The Fiscal Year 2009 PSGP Grant Allocation; And 3. Approve The Preliminary Spending Plan; And 4. Expend Funds In Accordance With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases Approved In The Federally Authorized Equipment List, Provided Competitive Solicitation And Purchasing Programs/Policies Are Followed; And

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(09-1613-1)

3) Resolution Authorizing The City Administrator Or His Designee To:  
1. Enter Into A Port Security Grant Program ("PSGP") Grant Administration Agreement With The Maritime Exchange Of The San Francisco Bay Region For Fiscal Year 2010 PSGP Grant Funds In The Amount Up To Six Hundred Eighty Two Thousand Six Hundred And Ninety Four Dollars (\$682,694); And 2. Accept, Appropriate And Administer The Fiscal Year 2010 PSGP Grant Allocation; And 3. Approve The Preliminary Spending Plan; And 4. Expend Funds In Accordance With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases Approved In The Federally Authorized Equipment List, Provided Competitive Solicitation And Purchasing Programs/Policies Are Followed

(09-1613-2)

**The July 13, 2010 Public Safety Committee approved recommendations; 4 Ayes**

S-7.56-CC Subject: Port Security Grant Program  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into A Memorandum Of Understanding/Grant Administration Agreement With The Port Of Oakland Under Which The City Will Receive Fiscal Year 2009 American Recovery And Reinvestment Act (ARRA) Port Security Grant Program (PSGP) Funding In The Amount Of Two Million Nine Hundred Twenty One Thousand Seven Hundred Dollars (\$2,921,700) To Jointly Develop, Establish And Operate A Port/City Domain Awareness Center (DAC), And 2) Accept, Appropriate And Administer Said ARRA PSGP Grant Funds; And 3) Approve The Preliminary Spending Plan For The City Of Oakland Associated With Said Grant And Waive City Of Oakland Central Services Overhead Of \$87,000, And 4) Expend Funds In Accordance 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 (AEL) And Services Required By The Grant, Provided City Competitive Solicitation And Purchasing Program/Policies Are Followed

(09-1564)

**The July 13, 2010 Public Safety Committee approved recommendations; 4 Ayes**

S-7.57-CC Subject: Edward Byrne - Justice Assistance Grant  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Eight Hundred Thirty-Nine Thousand And Twenty-Eight Dollars (\$839,028) From The U.S. Department Of Justice, Office Of Justice Programs, Bureau Of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant (JAG) Local Program For The Period Of July 1, 2010 Through June 30, 2012, To Supplement Frontline Policing

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Services, And Appropriate Said Funds To The Police Department  
(09-1565)

**The July 13, 2010 Public Safety Committee approved recommendations; 4  
Ayes**

S-7.58-CC Subject: SAP Professional Services Contract  
From: Department of Information Technology  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His  
Designee To Award A Professional Services Contract To SAP Or An Authorized  
Distributor Of Their Products, For Installation, Configuration And Training Of The  
Crystal Report Server Application In An Amount Not-To-Exceed Thirty Five Thousand  
Dollars (\$35,000) In Oakland Police Department  
(09-1577)

**The July 13, 2010 Public Safety Committee approved recommendations; 4  
Ayes**

S-7.59-CC Subject: Urban Area Security Initiative - San Francisco  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His  
Designee To: 1) Enter Into An Urban Area Security Initiative (UASI) Grant  
Administration Agreement With The City And County Of San Francisco For Distribution  
Of Fiscal Year 2009 Urban Area Security Initiative (UASI) Grant Funds In The Amount  
Up To Five Million And Seven Hundred Thousand Dollars (\$5,700,000) To The City Of  
Oakland, And: 2) Accept, Appropriate And Administer The Fiscal Year 2009 UASI  
Grant Allocations, And 3) Approve The Preliminary Spending Plan And Waive City Of  
Oakland Central Services Overhead (CSO) Fees Of Fifty Three Thousand And Seven  
Hundred Forty Dollars (\$53,740), 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  
City Bidding Requirements And Purchasing Programs/Policies Are Followed  
(09-1563)

**The July 13, 2010 Public Safety Committee approved recommendations; 4  
Ayes**

S-7.60-CC Subject: Rockridge Community Planning - Paygo Funds  
From: Councilmember De La Fuente  
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De  
La Fuente's Ravgo Funds To Rockridge Community Planning Council In The Amount  
Of \$22,021.70 For Fabrication And Installation Of Public Art, Kiosk, And Seating Areas  
in FROG Park And To Waive The Competitive Process  
(09-1664)

**This item was added to the agenda by the July 15, 2010 Rules and  
Legislation Committee.**

# SUPPLEMENTAL

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

S-7.61-CC Subject: Quan's Pay-Go Funds - Snapshot Mosaics  
From: Vice Mayor Quan  
Recommendation: Adopt A Resolution Authorizing A Professional Services Contract Of \$25,000.00 Funded By Council Member Jean Quan's Pay-Go Funds, To Gina Dominguez Of Snapshot Mosaics For The Fabrication And Installation Of Five "Way Finding" Ceramic Mosaic Sidewalk Panels And To Waive The Competitive Process  
(09-1478)

**This item was added to the agenda by the July 15, 2010 Rules and Legislation Committee.**

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

S-7.62-CC Subject: Proposition 84- Safe Drinking Water  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing A Grant Application To The California Strategic Growth Council For Up To One Million Dollars (\$1,000,000) For The Sustainable Communities Planning Grant And Incentives Program Under The Safe Drinking Water, Water Quality And Supply, Flood Control, River And Coastal Protection Bond Act Of 2006 (Proposition 84) To Prepare A Comprehensive Transportation Policy Plan To Meet The City's Sustainable Community And Energy And Climate Action Plan Goals  
(09-1650)

**This item was added to the agenda by the July 15, 2010 Rules and Legislation Committee.**

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

S-7.63-CC Subject: Statewide General Election  
From: Office of The City Clerk  
Recommendation: Adopt An Ordinance Requesting Consolidation Of The City Of Oakland General Municipal Election With The Statewide General Election To Be Held In The City Of Oakland On Tuesday, November 2, 2010  
(09-1658)

**This item was added to the agenda by the July 15, 2010 Rules and Legislation Committee.**

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

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**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION OF  
THE ORDINANCE**

**Final Passage (Second Reading) has been scheduled for July 27, 2010**

S-7.64-CC Subject: Reginald Oliver & Harold Oliver et. al. - Settlement Agreement  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Cases Of Reginald Oliver, et. al. v. City Of Oakland et al., And Harold Jackson et. al. v. City Of Oakland, et al., United States District Court Case (09-1667)

**This item was added to the agenda pursuant to Rule 28 of the Council's Rules of Procedures, Resolution 82580 C.M.S.**

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

S-7.65-CC Subject: Amicus Curaie - Embassy LLC  
From: Councilmember Nadel  
Recommendation: Adopt A Resolution Authorizing The City Attorney, On Behalf Of The City Of Oakland, To Join In Or Submit A Separate Amicus Curaie (Friend Of The Court) Letter In Support Of A Petition For Review To The California Supreme Court On Behalf Of The City Of Santa Monica California In The Case Of Embassy LLC V. City Of Santa Monica (California Court Of Appeal, 2<sup>nd</sup> District, No, B217622, June 14, 2010) Which Held That Landlord's Cannot Waive Ellis Act (Gov. Code § 7060) Rights (09-1665)

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

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, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

**9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING  
REQUIREMENTS:**

9.1 Subject: Sewer Service Charge Increase  
From: Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Chapter 13 Of The Oakland Municipal Code (Section 13,04.020) Increasing The Sewer Service Charge And Providing For Annual Increases Of Sixteen Percent Through January 1, 2013 And Increases Based On The Consumer Price Index Thereafter (09-1299-1)

# SUPPLEMENTAL

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION OF  
THE ORDINANCE**

**Final Passage (Second Reading) has been scheduled for July 27, 2010**

9.2 Subject: Self-Serve Laundromat Appeal  
From: Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal (AIO-125), Thereby Upholding The Planning Commission Decision To Approve A Major Conditional Use Permit At 1500 E. 12th Street To Establish A Self-Serve Laundromat (Consumer Service Commercial Activity) (Planning Case File No.CMLO-065)  
(09-1553)

9.3 Subject: S-4 Design Review Combining Zone  
From: Community And Economic Development Committee Agenda  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Emergency Ordinance, Pursuant To Charter Section 213, To Take Effect Immediately Upon Introduction And Adoption, Which Extends Interim Controls Established Under Ordinance No. 12885 C.M.S. And No. 12852 C.M.S. For An Additional Two Years Or Until The City Council Adopts Permanent Regulations, Applying The S-4 Design Review Combining Zone Which Requires New Or Rehabilitated Building Facilities To Follow Established Design Review Procedures, To:

A) Those C-10, C-30, C-35 And C-40 Zoned Areas Which A Designated In The General Plan As Neighborhood)Center Commercial, Community Commercial, Ok Urban Residential; And

B) Upper Broadway - From Hawthorne Avenue To Interstate 580, And From 38th Street To College Avenue, And To The Community Commercial General Plan Areas Northeast Of The Intersection Of Broadway And Pleasant Valley To View Place  
(09-1605)

**ACTION ON THIS ITEM WILL RESULT IN BOTH INTRODUCTION  
AND FINAL PASSAGE OF THE ITEM**

**This item requires a vote of 6 Ayes for passage**

9.4 Subject: Conditional Use Permit - 1331 Harrison Street  
From: Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Alternative Resolutions:

1) A Resolution Approving A Conditional Use Permit And Variance For A Temporary Surface Parking Lot At 1331 Harrison Street; Or  
(09-1611)



# SUPPLEMENTAL

2) A Resolution Denying A Conditional Use Permit And Variance For A Temporary Surface Parking Lot At 1331 Harrison Street.

(09-1611-1)

9.5 Subject: Central Estuary Specific Plan - Zoning Amendment  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution To Adopt A Preferred Land Use Alternative For The Central Estuary Specific Plan Or Other Appropriate Zoning Amendment And To Have That Preferred Alternative Reviewed Under The California Environmental Quality Act. The Preferred Alternative Includes: (1) West Subarea: Mixed-Use Infill, Strengthening Of The Existing Specialty Food Producing Industrial Area; (2) Central West Subarea: Preservation Of The Existing Neighborhood Including Live/Work Uses; (3) Central East Subarea: No Change From Existing Conditions At The Owens Brockway Site And Retail/Commercial Use Between High Street And (The New Alignment For) 42nd Street; And (4) East Subarea: Commercial-Industrial Mix, Similar To The Existing CIX-1 Zone, In The Area At The Tip Of Tidewater, Adjacent To Martin Luther King Jr. Regional Shoreline Park, With Research And Development (R&D) Uses To The North And West.

(09-1045-1)

## **ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

S-10 Subject: Medical Cannabis Cultivation  
From: Councilmembers Reid And Kaplan  
Recommendation: Adopt An Ordinance Amending Title 5 Of The Oakland Municipal Code, Entitled Business Licenses And Regulations, To Add Chapter 5.81, Pertaining To Medical Cannabis Cultivation Facility Permitting And Amending The Master Fee Schedule (Ordinance No. 9336, As Amended) To Establish Regulatory Fees Regarding This Activity; And

(09-1619-1)

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

**Final Passage (Second Reading) has been scheduled for July 27, 2010**

3) Resolution Amending Resolution Nos. 78331 and 79647, C.M.S. which Established the City's Law Enforcement Policy Regarding Medical Cannabis and Private Adult Cannabis Offenses to Clarify the City's Law Enforcement Policy and Guidelines Regarding Possession, Use, Cultivation, Processing, Manufacturing of Medical Cannabis by Patients, Primary Care Givers and Cooperatives and Collectives Consisting of Patients and their Primary Caregivers in Residential Settings and Non-Residential Settings Such as Commercial and Industrial Facilities

(09-1619-2)

**The July 13, 2010 Public Safety Committee approved recommendations with a request that permitting requirements for medium grow facilities**

# SUPPLEMENTAL

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**return in the fall; 3 Ayes, 1 No - Nadel**

- 11 Subject: Parking Access And Revenue Control Systems (PARCS)  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Contract Between The City Of Oakland And Scheidt And Bachmann USA, Inc. To Provide A Parking Access And Revenue Control Systems(PARCS) Not To Exceed \$2,500,000  
(09-1525)

**This item was continued from the July 6, 2010 City Council Meeting**

- S-12 Subject: Joint TIGER II Planning Grant  
From: Community And Economic Development Agency  
Recommendation: Receive An Informational Report On Potential Applications For Grants For Planning Activities For Transit-Oriented Development Under The Joint TIGER II Planning Grant From The U.S. Department Of Transportation And Community Challenge Planning Grant From The U.S. Department Of Housing And Urban Development  
(09-1656)

**This item was added to the agenda by the July 15, 2010 Rules and Legislation Committee.**

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

- S-13 Subject: Streets And Roads Rehabilitation Phase II  
From: Public Works Agency  
Recommendation: Adopt A Resolution Awarding The Contract For Construction Of Various Streets And Roads, Rehabilitation Phase II (Project No. C396810) To Bay Cities Paving & Grading, Inc. In The Amount Of One Million Four Hundred Seventy-Six Thousand Sixty-Eight Dollars And Twenty-One Cents (\$1,476,068.21) (TITLE CHANGE)  
(09-1580)

**The July 13, 2010 Special Public Works Committee approved recommendations; 4 Ayes**

- S-14 Subject: Fruitvale Bart Parking Lot  
From: Community And Economic Development  
Recommendation: Adopt An Agency Resolution Authorizing The Acquisition Of 3.41 Acres Of Real Property At The Fruitvale BART Parking Lot Located In The Coliseum Redevelopment Project Area, From The San Francisco Bay Area Rapid Transit District, For \$6,000,000 And Authorizing Up To \$20,000 For Real Estate Closing Costs  
(09-1567)

**The July 13, 2010 Special Community and Economic Development Committee approved recommendations; 4 Ayes**

# SUPPLEMENTAL

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

**Tuesday, July 20, 2010**

- S-15      Subject:    1226 73rd Avenue Repairs And Upkeep Grant  
From:        Department of Human Services  
Recommendation: Adopt The Following Pieces Of Legislation:  
1) A Resolution Authorizing The Assumption By East Oakland Community Project, Of A Grant In The Amount Of \$25,000 Awarded Previously To Mercy Properties California By The City For Repairs And Upkeep Of The City-Owned Property Located At 1226 73rd Avenue Which Is Used For Households Enrolled In The Shelter Plus Care Program, And Superseding Resolution Number 81132 C.M.S.; And  
[\(09-1588\)](#)  
2) An Ordinance Authorizing The Assumption By East Oakland Community Project, Of A Lease On A City-Owned Property Located At 1226-73rd Avenue And Previously Awarded To Mercy Properties California For Use As A Shelter Plus Care Housing Facility, And An Extension Of The Lease Period For Another Three Years Until June 2015  
[\(09-1572\)](#)

**The July 15, 2010 Life Enrichment Committee approved recommendations and directed staff to amend the contract to state that all repairs would be completed within the first 6 months of the contract; 4 Ayes**

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION OF  
THE ORDINANCE**

**Final Passage (Second Reading) has been scheduled for September 7, 2010**

## **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)**

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[\(TTD\)](#)

# SUPPLEMENTAL

**Concurrent Meeting of the Oakland  
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**Tuesday, July 20, 2010**

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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