



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

1 Frank H. Ogawa Plaza, Council Chambers, 3rd Floor

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

Tuesday, May 01, 2007

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.

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.

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; Larry Reid, Dist. 7; Vice Mayor 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 April 17, 2007

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: Bike To Work Month
From: Council President Ignacio De La Fuente
Recommendation: Adopt A Resolution Proclaiming Thursday, May 17, 2007, As City Of Oakland Bike To Work Day, And May 2007 As City Of Oakland Bike Month
(07-0121)
- 8.2 Subject: Golden State Warriors Recognition
From: Council President Ignacio De La Fuente
Recommendation: Adopt A Resolution Congratulating The Golden State Warriors On Advancing To The 2007 NBA Playoffs
(07-0191)
- S-8.3 Subject: Municipal Clerk's Week 2007
From: Council President De La Fuente
Recommendation: Adopt A Resolution Declaring April 29, 2007 Through May 5, 2007 As Municipal Clerk's Week; On The May 1, 2007 City Council Agenda As A Ceremonial Item
(07-0216)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the April 26, 2007 Rules and Legislation Committee to place this item on the agenda for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action: relates to a purely ceremonial or commendatory action.

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

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
(07-0153)

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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
[\(07-0154\)](#)

10.3-CC Subject: Rebecca S. Quick - 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 Rebecca S. Quick V. Joseph West; Et Al., Alameda County Superior Court Case No. RG05223484, In The Amount Of \$10,000.00 As A Result Of A Trip And Fall Accident At Or Near 5232 Claremont Avenue In Oakland On June 17, 2004. (Public Works Services Agency)
[\(07-0147\)](#)

This item was not heard in Closed Session

10.4-CC Subject: Nicholas Counts - 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 Nicholas Counts In The Amount Of Six Thousand Five Hundred Dollars And No Cents (\$6,500.00), As A Result Of Bodily Injuries Sustained In An Automobile Collision With A City Vehicle On June 22, 2006. (Public Works Agency)
[\(07-0148\)](#)

This item was not heard in Closed Session

10.5-CC Subject: Councilmember Larry Reid - Travel Authorization
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Authorizing Councilmember Larry E. Reid To Travel To Cleveland, Ohio To Attend "Partners For Success: The Changing Face Of Cities" Conference On May 4 - 5, 2007
[\(07-0158\)](#)

10.6-CC Subject: Intertribal Friendship House
From: Councilmembers Pat Kernighan and Nancy Nadel
Recommendation: Adopt A Resolution Authorizing An Immediate Allocation To The Intertribal Friendship House For Its Operations In The Amount Of \$15,000 From Councilmember Kernighan's Priority Project Funds And \$5,000 From Councilmember Nadel's Priority Project Funds
[\(07-0192\)](#)

10.7-CC Subject: Assembly Bill 444
From: Public Works Agency
Recommendation: Adopt A Resolution Declaring The City Of Oakland's Support For Assembly Bill 444 (Hancock) - Vehicle Registration Fee For Congestion Management

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And Transportation Improvements
(07-0113)

**The April 19, 2007 Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Excused De La Fuente**

S-10.8-CC Subject: 229 Castro Street - Encroachment
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Revoking Approval For Demolished
Encroachments In Second Street And Castro Street For A Vacant Lot At 229 Castro
Street
(07-0098)

**The April 24, 2007 Public Works Committee approved recommendations;
4 Ayes**

S-10.9-CC Subject: Oakland Ice Center Entry - Project
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Rejecting Bids And Authorizing The
Agency Administrator, Or Her Designee, To Award A Construction Contract For
Modification Of The 17th Street Entry To The Oakland Ice Center In Accord With
Specification No. G84040 To Rockridge Builders In An Amount Not-To-Exceed Of One
Hundred Fifty-Nine Thousand Three Hundred And Ninety Dollars (\$159,390.00)
(07-0044)

**The April 24, 2007 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Excused - Reid**

S-10.10-C Subject: Broadway/MacArthur/San Pablo Project Area Committee
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing A One-Year Extension Of The Project Area Committee For
The Broadway/MacArthur/San Pablo Redevelopment Project To July 25, 2008; And
(07-0010)

2) A Resolution Amending The Procedures Of Formation For The
Broadway/MacArthur/San Pablo Redevelopment Project Area Committee To Allow Up
To 8 Neighborhood Groups To Serve On The Project Area Committee, And Designating
The Greater Mosswood Neighborhood Association As A Community Organization
Represented On The Project Area Committee
(07-0010-1)

**The April 24, 2007 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Excused - Reid**

S-10.11-C Subject: MacArthur Boulevard Undergrounding
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

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1) A Redevelopment Agency Resolution Authorizing The Contribution And Appropriation Of Redevelopment Agency Funds To The City Of Oakland Under The Cooperation Agreement In An Amount Not To Exceed \$300,000 For The MacArthur Boulevard Undergrounding Project On MacArthur Boulevard From 73rd Avenue To The San Leandro Border In The Central City East Project Area; And
[\(07-0102\)](#)

2) A Resolution Authorizing The City To Accept And Appropriate A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$300,000 For The MacArthur Boulevard Undergrounding Project On MacArthur Boulevard From 73rd Avenue To The San Leandro Border In The Central City East Project Area
[\(07-0102-1\)](#)

The April 24, 2007 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - Reid

S-10.12-C Subject: Central City East Project Area Committee Extension
C 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, 2008
[\(07-0104\)](#)

The April 24, 2007 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - Reid

S-10.13-C Subject: Golden Gate Bonsai Federation - Agreement
C From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A License Agreement Between The City Of Oakland And Golden State Bonsai Federation For Nonexclusive Use Of The Bonsai Garden And Adjacent Nursery Area Located Within The Demonstration Garden Area Of Lakeside Park, Oakland, California For One Dollar Per Year For A Ten Year Term With Two Consecutive Ten-Year Options To Renew
[\(06-0921\)](#)

The April 24, 2007 Life Enrichment Committee approved recommendations and directed staff to include the language "to return to council for the final approval of each 10 year renewal" in the license agreement; 4 Ayes

S-10.14-C Subject: Allied Traffic Enforcement Operations
C From: Oakland Police Department
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal/Qualifications Process And Authorizing The City Administrator To Enter Into Agreements With Law Enforcement Agencies For Allied Traffic Enforcement Operations And Other Law Enforcement Services In An Amount Within The City

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Administrator's Purchasing Authority On Behalf Of The Police Department
(07-0096)

The April 24, 2007 Public Safety Committee approved recommendations and amended the resolution to add a Whereas specifying "only for grant funds"; 3 Ayes, 1 Excused - Reid

S-10.15-C Subject: Police Department Marine Unit
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee, On Behalf Of The City Of Oakland To: 1) Accept And Appropriate Reimbursement Funds Of Up To Fifteen Thousand Dollars (\$15,000) Annually, From The Port Of Oakland To The Oakland Police Department Marine Unit For The Cost Of Fuel For Marine Vessels Used To Patrol The Waterways In And Around The City Of Oakland As Described In The Memorandum Of Understanding With The Port Of Oakland And, 2) Deposit All Funds Received From The Sale Of Two Older Police Boats, And Other Donated Monies In A Separate Project To Be Determined, To Off-Set The Maintenance And Equipment Costs Of New Police Marine Vessels
(07-0108)

The April 24, 2007 Public Safety Committee approved recommendations; 3 Ayes, 1 Excused - Reid

- 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:

ACTION ON NON-CONSENT ITEMS:

- 15 Subject: McKillop Roadway - Landslide Damage
From: Public Works Agency
Recommendation: Adopt A Resolution Renewing And Continuing The Local Emergency Due To Landslide Damage To McKillop Roadway First Proclaimed By the City Of Oakland On October 17, 2006
(07-0152)
- S-16 Subject: Slope Stabilization And Drain Improvements
From: Public Works Agency
Recommendation: Adopt A Resolution Rejecting The Single Bid and Authorizing The City Administrator To Award A Negotiated Construction Contract To Beliveau

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Engineering Contractors, Inc. For The Construction Of Slope Stabilization Piers And Drainage Improvements In Joaquin Miller Park (Project Nos. C282850, C244870 And C195610) For An Amount Not To Exceed Four Hundred Thirty-Eight Thousand Three Hundred Eighty-Two Dollars (\$438,382.00)

(07-0129)

The April 24, 2007 Public Works Committee approved recommendations and directed staff to negotiate for local maximum participation and to negotiate with local landscape architects; 3 Ayes, 1 Abstention - Brooks

S-17 Subject: Jack London Square - Mixed-Use District Parking Program
From: Community and Economic Development Agency
Recommendation: Action On A Report And Recommendation For Review And Consideration Of A New Jack London District Interim Mixed Use Permit Parking Program

Staff Recommendation:

Approve The Concept Of The Interim Mixed-Use District Permit Parking Program For The Jack London District And Direct Staff To Return To City Council With An Implementation Plan for the Jack London District As Well As A Recommended Process For Analyzing City-Wide On-Street Parking Issues By January 2007

(06-0640-1)

The April 24, 2007 Finance and Management Committee approved recommendations and directed staff to include the language "cost-neutral" and a provision for annual updates in the Permit Parking Program; 4 Ayes

S-18 Subject: Newsracks And Newspaper Multi-Racks
From: Councilmember Jane Brunner
Recommendation: Action On A Report And Recommendation On The City's Current Regulations For The Placement And Maintenance Of Newsracks And Newspaper Multi-Racks In Public Rights Of Way, Enforcement Options Currently Available To Ensure Well-Maintained Newsracks And Newspaper Multi-Racks, And Recommendations To Improve Newsrack And Newspaper Multi-Rack Maintenance

(07-0012)

The April 24, 2007 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - Reid

S-19 Subject: Oakland Police Department Reorganization
From: Oakland Police Department
Recommendation: Receive A Report From The Chief Of Police On The Oakland Police Department Assessment Project, Conducted By Harnett Associates, On Organizational And Operational Recommendations To Improve The Department's Effectiveness In Reducing Crime In The City

(07-0060)

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The April 24, 2007 Public Safety Committee accepted and forwarded the report and directed staff to include Councilmember Brunner's document in the Council report; 3 Ayes, 1 Excused - Reid

S-20 Subject: Measure Z Oversight Committee Report
 From: Office Of The City Administrator
 Recommendation: Receive An Annual Report Of The Measure Z Community Oversight Committee For 2006
 (07-0137)

The April 24, 2007 Public Safety Committee accepted and forwarded the report; 3 Ayes, 1 Excused - Reid

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)

Americans With Disabilities Act

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(TDD)

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(...)

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

ORA - Oakland Redevelopment Agency
S - Supplemental Item