



# AGENDA REPORT

**TO:** Honorable City Council

**FROM:** Deanna J. Santana  
City Administrator

**SUBJECT:** Supplemental Report  
Ratification of 2013 Recess Actions

**DATE:** October 2, 2013

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Staff recommends that the City Council adopt the Resolution ratifying the actions taken by the Mayor during the 2013 Annual Recess of the City Council.

## OUTCOME

Adoption of this resolution will confirm action taken by the Mayor during the Council/Mayor 2013 Annual Recess Agenda.

## REASON FOR SUPPLEMENTAL

At the October 1<sup>st</sup> City Council meeting staff was directed to provide additional information regarding the 2013 Mayor's Summer Recess. During the recess, a full agenda packet containing reports and resolutions were printed and distributed for transparency, regarding the actions taken by the City Administrator on behalf of the Mayor as required by the Council's Rules of Procedures.

During the 2013 Recess the Mayor received only four (4) requests; a brief summary on each item has been added for Council's consideration.

August 13, 2013 - Council/Mayor's Annual Recess Agenda

- Resolution authorizing the City Administrator to Execute a Seventh Amendment to the Professional Services Agreement with Kimley-Horn & Associates for On-Call Engineering Services Extending the Term of the Contract for an Additional Year to September 30, 2014, with no change to the Original Contract

*Due to limited resources, the Public Works Agency (PWA) is unable to dedicate staff solely to the Oakland Army Base(OAB) project. Therefore, Kimley-Horn's assistance was required to supplement PWA's services. Kimley-Horn's contract, however, was expiring in September and all of the extensions allowed under the Fourth Amendment were used. This resolution provides for another one-year extension of the Agreement and ensures that there is no interruption in technical support for the OAB project, especially when the design-build approach is used.*

Item: \_\_\_\_\_  
City Council  
October 15, 2013

*Engineering issues must be addressed when they arise. A delay in resolving issues could have added substantially to the cost of construction. On-call consultants such as Kimley-Horn are necessary to provide assistance on demand.*

- Resolution Waiving Local and Small Business Participation Requirements and Authorizing the Award of a Professional Services Contract in an amount not to Exceed One Hundred and Eighty Thousand Dollars (180,000) to Martin & Chapman and Company for the Conduct of a Special Election to be held Wednesday, November 13, 2013 for the Newly Formed Community Facilities District (CFD) No. 2013-1 (Wildfire Prevention District)

*Government code section 53326 requires parties calling for newly formed CFD elections to receive authorization from partner entities who will perform the election services duties in cases where a CFD election would occur less than 125 days from the official call of the election. The call of the CFD 2013-1 Special Election was scheduled to occur at the August 2, 2013 special meeting of the City Council. August 2, 2013 is the 103<sup>rd</sup> day prior to the proposed November 13, 2013 special mail ballot election. Alameda County Registrar of Voters has provided no authorization to conduct the election as an agent of the City. To meet statutory requirements to both obtain authorization and proceed with conduct of the election, the City must engage third party services to commence not later than the legal deadline of August 15, 2013.*

#### **August 20, 2013 – Council/Mayor’s Annual Recess Agenda**

- Resolution Fixing the Rate of Property Tax and Levying a Tax on Real and Personal Property in the City of Oakland for Fiscal Year 2013-2014 for Voter-Approved Indebtedness

*The resolution is submitted during summer recess in order to meet the schedule for property tax rate submittal established by the County of Alameda (the "County"). All tax rates must be submitted to the County by August 31, 2013 for inclusion in FY 2013-2014 property tax bill. In the event of any changes to the County's assessed valuation data, the proposed resolution allows the City Administrator or her designee to approve any necessary adjustments in the rates for the General Obligation Bonds, Series 2005, 2006, 2009B, and 2012 Bonds prior to the County's preparation of the tax bills. Council will be notified of any significant changes to the rates estimated in this report.*

- Resolution Amending Resolution No. 84465 C.M.S. to Change the Recipient of Grant # 115 from the Incorrect Name "Community Initiative" to the Correct Name "Center for Media Change"

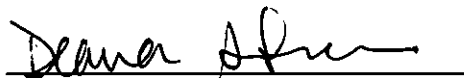
*The Center for Media Change's Hack the Hood Summer Boot camp program was recommended by the OFCY Planning and Oversight Committee (POC) and approved for funding by the Oakland City Council on June 18, 2013, for programming in FY2013-2014, with a starting date of July 1, 2013. Due to a clerical error in Resolution No. 84465 C.M.S approved by Council, the grant recipient was erroneously named "Community Initiative" instead of "Center for Media Change," and the program name was erroneously listed as "Center for Media Change - Hack the Hood," instead of the correct name "Hack the Hood." Adoption of this resolution will correct the clerical error in Resolution No. 84465 C.M.S., and allow the City Administrator to execute a grant contract with the agency. Adoption during the summer recess allowed Oakland Fund for Children and Youth (OFCY) to enter into the contract with Center for Media Change so the agency could receive payments for services that were delivered starting July 1, 2013 and prevented delay in reimbursement to the agency.*

In times past, there were more contracts approved during the recess, for example, during the 2010 recess there were 10 requests for action. During the Annual Recess of 2011, there were two requests for action, and in 2012, there were four. *(Attached)*

The City Administrator's goal is to make the best use of time and resources and staff is encouraged to seek approval to extend or renew contracts while Council is in session. As a result, the number of requests for services during the Mayor's Annual Recess has decreased. All reports are distributed during the recess as a transparency requirement to ensure proper disclosure of actions, with no information withheld.

For questions regarding this report, please contact Sandra Eve-Fisher, City Administrator's Office at 238-2900.

Respectfully submitted,



Deanna J. Santana  
City Administrator

Prepared by:  
Sandra Eve-Fisher, City Administrator's Analyst  
City Administrator's Office

Attachment A: Summer Recess 2010  
Attachment B: Summer Recess 2011  
Attachment C: Summer Recess 2012  
Attachment D: Summer Recess 2013

Item: \_\_\_\_\_  
City Council  
October 15, 2013



City of Oakland Meeting Agenda

Office of the Mayor Annual Recess Agenda

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

August 1, 2010 - August 31, 2010

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

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

Tuesday, August 10, 2010

8:30 AM

Oakland City Hall - 3rd Floor

\*Pursuant to the Council's Rules of Procedures Resolution No. 82580 C.M.S., Rule 21, Actions During Council Recess, the Mayor is authorized to take such action as would normally be taken by the City Council during the period of the Annual Recess, including to convene emergency meeting(s) of the Council to take such emergency actions, as may be necessary, for the immediate preservation of the public peace, health or safety. The Mayor's actions must conform with and be limited to the requirements of the City's purchasing requirements as set forth in Chapter 2 of the Oakland Municipal Code.

1 Subject: Adeline Street Overhead Project
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To The Lowest Responsible, Responsive Bidder, For The Rehabilitation Of The Adeline Street Overhead Project (Project No. C319710) In Accord With The Plans And Specifications In An Amount Not-To-Exceed \$1,107,000.00, Approved In Resolution No. 82909 C.M.S., Passed July 20, 2010, Which Authorized Various Grant Awards, Appropriations, Procurements And Construction Contracts During The City Council's Summer 2010 Recess; And (09-1666)

2) A Resolution Authorizing The City Administrator Or His Designee To Accept And Appropriate One Million Seventy-Six Thousand Three Hundred Fifty Dollars (\$1,076,350.00) Of Federal Highway Administration (FHWA) - Highway Bridge Program (HBP) Grant Funds Under The California Department Of Transportation Bridge Preventive Maintenance Program (BPMP) For The Rehabilitation Of The Adeline Street Overhead, Between West Oakland, Interstate 880 And The Port Of Oakland, City Project No. C319710, Approved In Resolution No. 82909 C.M.S., Passed July 20, 2010, Which Authorized Various Grant Awards, Appropriations, Procurements And Construction Contracts During The City Council's Summer 2010 Recess (09-1666-1)

2 Subject: Installation Of Lake Merrit Bird Islands
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract In A Not-To-

Exceed Amount Of Six Hundred Thousand Dollar (\$600,000.00) For The Installation Of The Lake Merritt Bird Islands Restoration Project (Project Number G323110) To The Lowest Responsible, Responsive Bidder, Or To Negotiate With The Lowest Bidder If Bids Are Deemed Non-Responsive Or Non-Responsible, Without Return To City Council, Approved In Summer Recess Resolution No. 82909 C.M.S., Passed July 20, 2010, Which Authorized Various Grant Awards, Appropriations, Procurements And Construction Contracts During The City Council's Summer 2010 Recess (09-1671)

- 3      Subject: Rehabilitation Of Sanitary Sewers  
From: Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Mosto Construction For The Rehabilitation Of Sanitary Sewers At Easement Of Oak Knoll From Sage Road And Adjacent To Saint Andrews Road (Project No. C329112) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Three Hundred Forty-Six Thousand Seven Dollars (\$346,007.00), Approved In Resolution No. 82909 C.M.S., Passed July 20, 2010, Which Authorized Various Grant Awards, Appropriations, Procurements And Construction Contracts During The City Council's Summer 2010 Recess (09-1672)

- 4      Subject: Relocation Of Sanitary Sewer Pipes - High Street  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Utility Agreement With The State Of California Department Of Transportation (Caltrans) For Relocation Of Sanitary Sewer Pipes At High Street And To Accept And Appropriate Funds From Caltrans Under Utility Agreement No. 1382.18 In An Amount Of Approximately Three Hundred Thousand Dollars (\$300,000.00), Approved In Resolution No. 82909 C.M.S., Passed July 20, 2010, Which Authorized Various Grant Awards, Appropriations, Procurements And Construction Contracts During The City Council's Summer 2010 Recess (09-1673)

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

ORA - Oakland Redevelopment Agency  
S - Supplemental Item



# 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

## Office of the Mayor Annual Recess Agenda

August 1, 2010 - August 31, 2010

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

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

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Tuesday, August 24, 2010

8:30 AM

Oakland City Hall - 3rd Floor

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*\*Pursuant to the Council's Rules of Procedures Resolution No. 82580 C.M.S., Rule 21, Actions During Council Recess, the Mayor is authorized to take such action as would normally be taken by the City Council during the period of the Annual Recess, including to convene emergency meeting(s) of the Council to take such emergency actions, as may be necessary, for the immediate preservation of the public peace, health or safety. The Mayor's actions must conform with and be limited to the requirements of the City's purchasing requirements as set forth in Chapter 2 of the Oakland Municipal Code.*

- 1      Subject:    Economic Development Marketing Program  
From:        Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate, Execute And Amend Professional Services Contracts Without Returning To The Agency As Needed To Implement A Comprehensive Economic Development Marketing Program For Redevelopment Project Areas And For The Design And Production Of Quarterly Newsletters, In An Amount Not To Exceed \$76,900 For Fiscal Year 2010 - 2011  
(09-1674)
  
- 2      Subject:    On-Call Civil Engineering Services- Kennedy and Associates  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution 1) Allocating Up To \$150,000 From Fiscal Year 2010-2011 Oakland Army Base Redevelopment Funds For On-Call Civil Engineering Services; And 2) Authorizing The Agency Administrator To Negotiate And Execute A Contract With Kennedy And Associates In An Amount Not To Exceed \$150,000 For On-Call Civil Engineering Services For The Former Oakland Army Base  
(09-1675)
  
- 3      Subject:    Fixing The Rate Of Property Tax  
From:        Finance and Management Agency  
Recommendation: Adopt A Resolution Fixing The Rate Of Property Tax And Levying A Tax On Real And Personal Property In The City Of Oakland For Fiscal Year 2010-2011 For Voter Approved Indebtedness  
(09-1676)

- 4        Subject:    Sobrante Park Restroom Project  
          From:        Public Works Agency  
          Recommendation: Adopt A Resolution Awarding A Construction Contract To Kifle Construction For The Sobrante Park Restroom Project (No. C352910) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Two Hundred Fifty-Three Thousand Dollars (\$253,000.00), Under Oakland Municipal Code Section 2.04.020.1 Which Authorizes The City Administrator To Procure Supplies, Construction Labor And Materials Up To Five Hundred Thousand Dollars During The City Council's Annual Summer Recess  
          (09-1677)
- 5        Subject:    Employment and Training Funding  
          From:        Office Of The Mayor  
          Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept The Fiscal Year 2008 Earmark Of \$285,000 From The Department Of Labor Employment And Training For The Oakland Green Jobs Initiative  
          (09-1678)
- 6        Subject:    On-Call Civil Engineering - Kimley-Horn & Associates  
          From:        Community and Economic Development Agency  
          Recommendation: Adopt I) An Agency Resolution Authorizing The Agency Administrator To Execute A Fourth Amendment To The Professional Services Agreement With Kimley-Horn & Associates For On-Call Civil Engineering Services For The Former Oakland Army Base To Extend The Term Of The Contract For An Additional Year, With The Option Of Two One-Year Extensions, With No Change To The Existing Contract Amount; 2) Authorizing The Agency Administrator To Execute A Third Amendment To The Professional Services Agreement With URS Corporation For On-Call Civil Engineering Services For The Former Oakland Army Base To Extend The Term Of The Contract For An Additional Year, With The Opdon Of Two One-Year Extensions, With No Change To The Existing Contract Amount.  
          (09-1679)

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

ORA - Oakland Redevelopment Agency  
S - Supplemental Item



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

Office of the Mayor Annual Recess Agenda

August 1, 2011 - August 31, 2011

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

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

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Tuesday, August 23, 2011

8:30 AM

Oakland City Hall - 3rd Floor

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*\*Pursuant to the Council's Rules of Procedures Resolution No. 82580 C.M.S., Rule 21, Actions During Council Recess, the Mayor is authorized to take such action as would normally be taken by the City Council during the period of the Annual Recess, including to convene emergency meeting(s) of the Council to take such emergency actions, as may be necessary, for the immediate preservation of the public peace, health or safety. The Mayor's actions must conform with and be limited to the requirements of the City's purchasing requirements as set forth in Chapter 2 of the Oakland Municipal Code.*

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

OPEN FORUM

- 1        Subject: Lake Merritt Improvement Project Grant Funds  
          From: Office Of The Mayor  
          Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Accept And Appropriate Up To \$827,900.00 Of Federal Transportation, Housing And Urban Development And Related Agencies Appropriation Act Of 2010 Funds For The Lake Merritt Improvement Project  
          (AR-11-0001)
  
- 2        Subject: Real And Personal Property Tax  
          From: Office Of The Mayor  
          Recommendation: Adopt A Resolution Fixing The Rate Of Property Tax And Levying A Tax On Real And Personal Property In The City Of Oakland For Fiscal Year 2011-2012 For Voter Approved Indebtedness  
          (AR-11-0002)

Continuation of Open Forum

Adjournment



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**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**

OFFICE OF THE CITY CLERK

2011 AUG 11 PM 4:40

**OAKLAND CITY COUNCIL**

City Attorney

**RESOLUTION NO. 83524 - C.M.S.**

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ACCEPT AND APPROPRIATE UP TO \$827,900.00 OF FEDERAL TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES APPROPRIATION ACT OF 2010 FUNDS FOR THE LAKE MERRITT IMPROVEMENT PROJECT**

**WHEREAS**, City staff made a Federal appropriations request for the Lake Merritt Improvement Project in accordance with the City Council-approved 2009 Federal Legislative Agenda; and

**WHEREAS**, the U.S. Congress appropriated \$827,900.00 in the Transportation, Housing and Urban Development and Related Agencies Appropriation Act of 2010; and

**WHEREAS**, Federal, State and local grant agencies and Oakland City Council Rules of Procedure (Resolution No. 82580 C.M.S), Rule 21, require the Council to authorize the City Administrator to accept and appropriate funds for which the City of Oakland has applied, and Council Rules of Procedure Rule 21 and Oakland Municipal Code Section 2.04.016 require the Council to authorize acceptance of grant funds; and

**WHEREAS**, City Council authorized the City Administrator to accept and appropriate these funds during the summer recess per Resolution No. 83497 C.M.S.; and

**WHEREAS**, no local matching funds are required and acceptance of these funds will supplement existing budgets and support project completion; now, therefore, be it

**RESOLVED**, that the City Council authorizes the City Administrator or her designee to accept and appropriate up to \$827,900.00 of Federal Transportation, Housing and Urban Development and Related Agencies Appropriation Act of 2010 for the Lake Merritt Improvement Project; and be it

**FURTHER RESOLVED**, that these funds will be deposited and appropriated to Department of Transportation grant fund (Fund 2116), Streets and Structures organization (Org. 30242), in a project number to be established; and be it

**FURTHER RESOLVED**, that the City Administrator, or her designee, is authorized, on behalf of the City of Oakland, to execute and submit all documents, payment requests, and take any other related actions needed to obtain these funds.

IN COUNCIL, OAKLAND, CALIFORNIA, AUG 23 2011, 20    .

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

NOES -

APPROVED DURING CITY COUNCIL RECESS

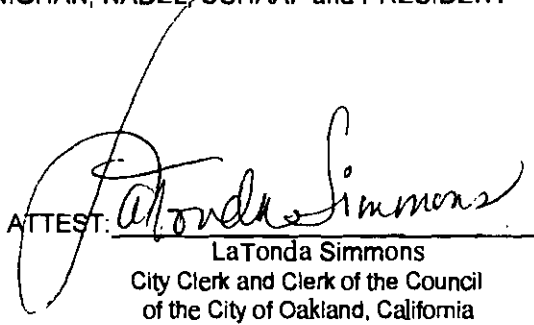
ABSENT -

PURSUANT TO RESOLUTION NO 82580 C.M.S

ABSTENTION -

C.M.S., DATED 03-02-10

ATTEST:

  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

# CITY OF OAKLAND

## AGENDA REPORT

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2011 AUG 11 PM 4:40

TO: Office of the City Administrator  
ATTN: Deanna Santana  
FROM: Finance & Management Agency  
DATE: August 23, 2011

RE: A Resolution Fixing the Rate of Property Tax and Levying a Tax on Real and Personal Property in the City of Oakland For Fiscal Year 2011-2012 for Voter-Approved Indebtedness

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### SUMMARY

A resolution has been prepared to set the property tax rates for fiscal year (FY) 2011-2012 for voter-approved indebtedness, including the City's general obligation bonds and pension obligation bonds. The proceeds generated from these property tax rates will be used towards paying debt service on the City's voter-approved indebtedness.

The resolution is submitted during summer recess in order to meet the schedule for property tax rate submittal established by the County of Alameda (County). All tax rates must be submitted to the County by August 31, 2011 for inclusion in FY 2011-2012 property tax bill.

### FISCAL IMPACT

Passage of this resolution will permit the City to collect the FY 2011-2012 revenues included in the FY 2011-13 Adopted Policy Budget for the payment of debt service for the outstanding general obligation and pension obligation bonds.

### BACKGROUND

In order to provide for the debt service for the City's general obligation and pension obligation bonds, the City must annually set levy rates based on the assessed valuation subject to taxation, and must inform the County of these rates by August 31<sup>st</sup> for inclusion on that year's property tax bill.

The resolution has been prepared pursuant to California Government Code and Article VIII, Section 802, of the Oakland City Charter, setting the FY 2011-2012 property tax rate for voter-approved indebtedness. Article XIII A of the California Constitution (Proposition 13) precludes the adoption of a City-wide property tax rate. A County-wide one percent (1%) property tax rate is assessed by Alameda County and apportioned to cities and special districts in accordance with state law.

Item: \_\_\_\_\_  
Mayor's Summer Recess Agenda  
August 23, 2011

## KEY ISSUES AND IMPACTS

For the City's general obligation bonds, the levy rates are calculated each year to yield the necessary debt service amount based on the assessed valuation of property within the City.

The following property tax rates are required to satisfy the City of Oakland's 2011-2012 voter-approved indebtedness for the indicated general obligation bond series, based upon the current assessed valuation as reported by the County of Alameda:

Bond Issue	Property Tax Rate
\$38,000,000 General Obligation Bonds (Measure G), Series 2002A	0.00656%
\$71,450,000 General Obligation Bonds (Measure DD), Series 2003A	0.01143%
\$122,476,014 General Obligation Refunding Bonds, Series 2005	0.02847%
\$21,000,000 General Obligation Bonds (Measure G), Series 2006	0.00343%
\$64,545,000 General Obligation Bonds (Measure DD), Series 2009B	0.01177%

For the City's Police and Fire pension liability, the property tax rate required to satisfy the City's 2011-2012 voter-approved indebtedness for the indicated pension obligation bonds is 0.1575%.

## SUSTAINABLE OPPORTUNITIES

**Economic:** There are no economic opportunities associated with this report.

**Environmental:** There are no environmental opportunities associated with this report.

**Social Equity:** There are no social equity opportunities associated with this report.

## DISABILITY AND SENIOR CITIZEN ACCESS

There are no disability or senior citizen access issues contained in this report.

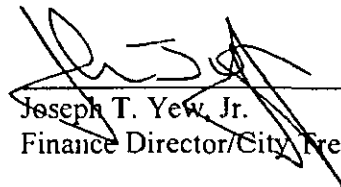
## RECOMMENDATION(S) AND RATIONALE

Staff recommends passage of this resolution as it is required to generate the revenues needed to pay debt service on the City's general obligation and pension obligation bonds.

**ACTION REQUESTED OF THE CITY COUNCIL**

Council is requested to approve the resolution specifying the property tax levy rates for FY 2011-2012. In the event of any changes to the County's assessed valuation data, the proposed resolution allows the City Administrator or his designee to approve any necessary adjustments in the rates for the General Obligation Bonds, Series 2002A, 2003A, 2005, 2006, and 2009B Bonds prior to the County's preparation of the tax bills. Council will be notified of any significant changes to the rates estimated above.

Respectfully submitted,

  
\_\_\_\_\_  
Joseph T. Yew, Jr.  
Finance Director/City Treasurer

Prepared by:  
Katano Kasaine, Treasury Manager  
Treasury Division

**APPROVED AND FORWARDED TO THE  
CITY COUNCIL**

  
\_\_\_\_\_  
Office of the City Administrator

Item: \_\_\_\_\_  
Mayor's Summer Recess Agenda  
August 23, 2011

**City of Oakland  
General Obligation Bonds**

**Levy Calculations for Fiscal Year 2011-2012**

Bond Description	Series 2002A (Measure G)	Series 2003A (Measure DD)	Series 2005 (Refunding)	Series 2006 (Measure G)	Series 2009B (Measure DD)	GO TOTAL
Fund Number	6310	6320	6063 (Baby Bonds)	6311	6321	
Cash Available for DS as of 6/30/11						
Cash Held by Treasury	\$ 711,629	\$ 1,201,140	\$ 1,667,321	\$ 386,350	\$ 1,680,999	\$ 5,647,439
Cash Held by Trustee	12	21	3	32	25	93
<b>Total Cash</b>	<b>711,641</b>	<b>1,201,161</b>	<b>1,667,324</b>	<b>386,382</b>	<b>1,681,024</b>	<b>5,647,532</b>
Debt Service Payments through 12/31/12						
FY 2011-2012 DS Payments	2,541,750	4,417,880	11,119,734	1,322,762	4,612,181	24,014,307
DS Payment in 07/15/12	795,750	1,364,396	-	435,181	1,744,741	4,340,068
DS Payment in 12/15/12	-	-	1,972,387	-	-	1,972,387
Bank & Bonds	9,500	11,500	6,000	6,000	6,000	39,000
<b>Total DS Payments through 12/31/12</b>	<b>3,347,000</b>	<b>5,793,776</b>	<b>13,098,121</b>	<b>1,763,943</b>	<b>6,362,922</b>	<b>30,365,762</b>
Total Debt Service Shortfall	2,635,359	4,592,615	11,430,797	1,377,561	4,681,898	24,718,230
Add: Reserve (6% of FY 11/12 DS)	152,505	265,073	667,184	79,366	276,731	1,440,858
Add: Projected Delinquencies (Unsecured Roll: 11.5%)	26,237	45,732	113,551	13,606	43,692	242,819
Less: Projected Unitary Tax Collected FY 11-12	382,214	665,936	1,653,089	198,102	636,277	3,535,617
<b>Balance to be levied on Tax Roll</b>	<b>\$ 2,431,888</b>	<b>\$ 4,237,484</b>	<b>\$ 10,558,444</b>	<b>\$ 1,272,431</b>	<b>\$ 4,366,044</b>	<b>\$ 22,866,291</b>
<b>Secured Tax Rate <sup>(1)</sup></b>	<b>0.00656%</b>	<b>0.01143%</b>	<b>0.02847%</b>	<b>0.00343%</b>	<b>0.01177%</b>	<b>0.06166%</b>
<b>Assessed Valuation <sup>(2)</sup></b>	<b>37,084,801,270</b>	<b>37,084,801,270</b>	<b>37,084,801,270</b>	<b>37,084,801,270</b>	<b>37,084,801,270</b>	<b>37,084,801,270</b>
<b>Last Year's Secured Tax Rate</b>	<b>0.00683%</b>	<b>0.01190%</b>	<b>0.02954%</b>	<b>0.00354%</b>	<b>0.01137%</b>	<b>0.06318%</b>
<b>DIFFERENCE</b>	<b>-0.00027%</b>	<b>-0.00047%</b>	<b>-0.00107%</b>	<b>-0.00011%</b>	<b>0.00041%</b>	<b>-0.00152%</b>

Note: Totals may not add up due to rounding

(1) Expected Unitary Tax Revenue for FY 2011-2012 not factored into the secured tax rate given the uncertainty of the value of receipt; it will be taken into account for FY 2012-2013 tax roll once the monies from County are received

(2) AV is net of 6% in secured roll delinquencies

*M. Mowden*

OFFICE OF THE CITY CLERK  
OAKLAND

2011 AUG 11 PM 4:41

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

## RESOLUTION FIXING THE RATE OF PROPERTY TAX AND LEVYING A TAX ON REAL AND PERSONAL PROPERTY IN THE CITY OF OAKLAND FOR FISCAL YEAR 2011-2012 FOR VOTER-APPROVED INDEBTEDNESS

**WHEREAS**, the City of Oakland must annually set property tax levy rates, based on the assessed valuation subject to taxation, and must inform the County of Alameda of these rates by August 31st for inclusion on that year's property tax bill; and

**WHEREAS**, passage of this resolution will permit the City of Oakland to collect the Fiscal Year 2011-2012 revenues for the payment of debt service for the outstanding voter approved general obligation and pension obligation bonds; and now therefore be it

**RESOLVED**: that a tax of 0.1575% is hereby fixed and levied for Fiscal Year 2011-2012 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for payments to the Police and Fire retirement systems as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED**: that an estimated tax of 0.00656% is hereby fixed and levied for Fiscal Year 2011-2012 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2002A, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED**: that an estimated tax of 0.01143% is hereby fixed and levied for Fiscal Year 2011-2012 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2003A, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED**: that an estimated tax of 0.02847% is hereby fixed and levied for Fiscal Year 2011-2012 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Refunding Bonds, Series 2005, as approved by the voters of the City of Oakland; and be it



**FURTHER RESOLVED:** that an estimated tax of 0.00343% is hereby fixed and levied for Fiscal Year 2011-2012 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2006, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED:** that an estimated tax of 0.01177% is hereby fixed and levied for Fiscal Year 2011-2012 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2009B, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED:** that if the estimated General Obligation Bond rates of 0.00656%, 0.01143%, 0.02847%, 0.00343%, and 0.01177% for Series 2002A, 2003A, 2005, 2006, and 2009B respectively, need to be adjusted to reflect the actual figures for the assessed valuations, the City Administrator or his designee is hereby authorized to make the necessary adjustments; and be it

**FURTHER RESOLVED:** that this Resolution shall take effect immediately upon its passage.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2011

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIHGAN, NADEL, SCHAAF, and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

**CITY OF OAKLAND** LED  
OFFICE OF THE CITY CLERK  
OAKLAND  
**AGENDA REPORT**

2011 AUG 11 PM 4:40

TO: Office of the City Administrator  
ATTN: Deanna J. Santana  
FROM: Public Works Agency  
DATE: August 23, 2011

RE: Resolution Authorizing the City Administrator or Her Designee to Accept and Appropriate up to \$827,900.00 of Federal Transportation, Housing and Urban Development and Related Agencies Appropriation Act of 2010 Funds for the Lake Merritt Improvement Project

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#### SUMMARY

A resolution has been prepared to accept and appropriate up to \$827,900.00 of Federal funds for the Lake Merritt Improvement Project. Application for these funds was made in accordance with the City Council-approved 2009 Federal Legislative Agenda. Due to concerns about Congress rescinding this funding as part of ongoing Federal budget cuts, this item was approved for action during the summer recess via Resolution No. 83497 C.M.S.

#### FISCAL IMPACT

This Federal funding will supplement the budget of existing approved projects that are underway near 12<sup>th</sup> Street at Lake Merritt, which are currently funded by local Measure DD. Funds will be deposited and appropriated into the Department of Transportation grant fund (Fund 2116), Streets and Structures organization (Org. 30242), project number to be established.

#### BACKGROUND

In December 2008 the City Council approved the 2009 Federal Legislative Agenda that included funding for the Lake Merritt Improvement Project. An appropriations request was made via Congresswoman Barbara Lee's office, and an award of \$827,900.00 was authorized by Congress as part of the Federal Transportation, Housing and Urban Development and Related Agencies Appropriation Act of 2010. The funds are being administered by CalTrans and have been making their way through their funding process.

#### KEY ISSUES AND IMPACTS

The Lake Merritt Improvement Project is implementing a major component of the Lake Merritt Master Plan and Measure DD, the Oakland Trust for Clean Water and Safe Parks. Lake Merritt is a National Historic Landmark, as the site of the first designated wildlife refuge in the United States. The proposed Lake Merritt Improvement Project will enhance the quality of this historic

Item: \_\_\_\_\_  
Mayor's Summer Recess Agenda  
August 23, 2011

site by calming adjacent roadways, adding tidal marsh habitat, improving tidal flushing and thus Lake water quality, improving connectivity to surrounding neighborhoods and to San Francisco Bay, and expanding parkland along the shoreline. Acceptance and appropriation of this additional Federal funding will supplement the existing budget and support completion of the project.

## PROJECT DESCRIPTION

Major project components include: converting 12<sup>th</sup> Street from a 12-lane expressway into a 6-lane landscaped boulevard and relocating the existing street to create a new 4-acre shoreline park; replacing culverts at 12<sup>th</sup> Street and 10<sup>th</sup> Street with clear-spanning bridges and a wider channel to improve tidal flushing of the lake; providing pedestrian, bicycle and small boat access from the lake down the channel towards San Francisco Bay; narrowing roadways around the lake perimeter; adding bike lanes; widening pathways; renovating the park landscape; and creating a new tidal marsh habitat and integrated storm water treatment elements.

## SUSTAINABLE OPPORTUNITIES

**Economic:** The project will enhance the physical appearance of Lake Merritt, which will attract more visitors to the neighborhood, providing the potential for further economic development in the area. In addition, the project will generate jobs for Oakland residents, business tax, sales tax, and other revenues for the City by those who work on the project.

**Environmental:** Opening the channel to the Bay will significantly improve the natural tidal circulation into Lake Merritt and enhance wildlife habitat and water quality.

**Social Equity:** A shoreline park will be created and will include new recreational elements. Improvement of the pedestrian and bicycle access will increase the social connection between Lake Merritt and the surrounding neighborhoods and improve Lake access for all Oaklanders.

## DISABILITY AND SENIOR CITIZEN ACCESS

Project design will include new ADA-compliant street crossings and pathways that will provide equal opportunity and access along Lake Merritt and to Channel Park, Laney College and BART.

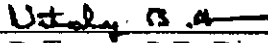
## RECOMMENDATION AND RATIONALE

Staff recommends that City Council approve the resolution to accept and appropriate this additional Federal funding to supplement the existing budget and support completion of the project. Due to concerns about Congress rescinding this funding as part of ongoing Federal budget cuts, this item was approved for action during the summer recess via Resolution No. 83497 C.M.S.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that City Council approve the resolution.

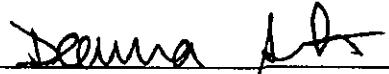
Respectfully submitted,

  
\_\_\_\_\_  
Vitaly B. Troyan, P.E., Director  
Public Works Agency

Reviewed by:  
Michael Neary, P.E., Assistant Director, PWA  
Department of Engineering and Construction

Prepared by:  
Joel Peter, Measure DD Program Manager  
Department of Engineering and Construction

**APPROVED AND FORWARDED TO THE  
CITY COUNCIL:**

  
\_\_\_\_\_  
Office of the City Administrator

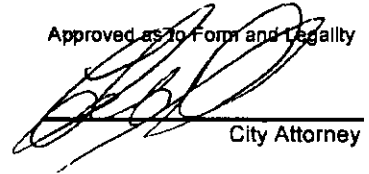
FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2011 AUG 11 PM 4:40

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

Approved as to Form and Legality



City Attorney

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER  
DESIGNEE TO ACCEPT AND APPROPRIATE UP TO \$827,900.00 OF  
FEDERAL TRANSPORTATION, HOUSING AND URBAN  
DEVELOPMENT AND RELATED AGENCIES APPROPRIATION ACT  
OF 2010 FUNDS FOR THE LAKE MERRITT IMPROVEMENT  
PROJECT**

**WHEREAS**, City staff made a Federal appropriations request for the Lake Merritt Improvement Project in accordance with the City Council-approved 2009 Federal Legislative Agenda; and

**WHEREAS**, the U.S. Congress appropriated \$827,900.00 in the Transportation, Housing and Urban Development and Related Agencies Appropriation Act of 2010; and

**WHEREAS**, Federal, State and local grant agencies and Oakland City Council Rules of Procedure (Resolution No. 82580 C.M.S), Rule 21, require the Council to authorize the City Administrator to accept and appropriate funds for which the City of Oakland has applied, and Council Rules of Procedure Rule 21 and Oakland Municipal Code Section 2.04.016 require the Council to authorize acceptance of grant funds; and

**WHEREAS**, City Council authorized the City Administrator to accept and appropriate these funds during the summer recess per Resolution No. 83497 C.M.S.; and

**WHEREAS**, no local matching funds are required and acceptance of these funds will supplement existing budgets and support project completion; now, therefore, be it

**RESOLVED**, that the City Council authorizes the City Administrator or her designee to accept and appropriate up to \$827,900.00 of Federal Transportation, Housing and Urban Development and Related Agencies Appropriation Act of 2010 for the Lake Merritt Improvement Project; and be it

**FURTHER RESOLVED**, that these funds will be deposited and appropriated to Department of Transportation grant fund (Fund 2116), Streets and Structures organization (Org. 30242), in a project number to be established; and be it

37  
**FURTHER RESOLVED**, that the City Administrator, or her designee, is authorized, on behalf of the City of Oakland, to execute and submit all documents, payment requests, and take any other related actions needed to obtain these funds.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

**AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID**

**NOES -**

**ABSENT -**

**ABSTENTION -**

**ATTEST:** \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

OFFICE OF THE CITY CLERK

2011 AUG 11 PM 4:40

**OAKLAND CITY COUNCIL**

City Attorney

**RESOLUTION NO. 83524 - C.M.S.**

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ACCEPT AND APPROPRIATE UP TO \$827,900.00 OF FEDERAL TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES APPROPRIATION ACT OF 2010 FUNDS FOR THE LAKE MERRITT IMPROVEMENT PROJECT**

**WHEREAS**, City staff made a Federal appropriations request for the Lake Merritt Improvement Project in accordance with the City Council-approved 2009 Federal Legislative Agenda; and

**WHEREAS**, the U.S. Congress appropriated \$827,900.00 in the Transportation, Housing and Urban Development and Related Agencies Appropriation Act of 2010; and

**WHEREAS**, Federal, State and local grant agencies and Oakland City Council Rules of Procedure (Resolution No. 82580 C.M.S), Rule 21, require the Council to authorize the City Administrator to accept and appropriate funds for which the City of Oakland has applied, and Council Rules of Procedure Rule 21 and Oakland Municipal Code Section 2.04:016 require the Council to authorize acceptance of grant funds; and

**WHEREAS**, City Council authorized the City Administrator to accept and appropriate these funds during the summer recess per Resolution No. 83497 C.M.S.; and

**WHEREAS**, no local matching funds are required and acceptance of these funds will supplement existing budgets and support project completion; now, therefore, be it

**RESOLVED**, that the City Council authorizes the City Administrator or her designee to accept and appropriate up to \$827,900.00 of Federal Transportation, Housing and Urban Development and Related Agencies Appropriation Act of 2010 for the Lake Merritt Improvement Project; and be it

**FURTHER RESOLVED**, that these funds will be deposited and appropriated to Department of Transportation grant fund (Fund 2116), Streets and Structures organization (Org. 30242), in a project number to be established; and be it

**FURTHER RESOLVED**, that the City Administrator, or her designee, is authorized, on behalf of the City of Oakland, to execute and submit all documents, payment requests, and take any other related actions needed to obtain these funds.

IN COUNCIL, OAKLAND, CALIFORNIA, AUG 23 2011, 20      

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

NOES - APPROVED DURING CITY COUNCIL RECESS

ABSENT - PURSUANT TO RESOLUTION NO. 82580 CMS

ABSTENTION - C.M.S., DATED 03-02-10

ATTEST:



LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California





**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

**Office of the Mayor Annual Recess Agenda**

**August 1, 2012 - August 31, 2012**

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

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

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**Tuesday, August 14, 2012**

**8:30 AM**

**Oakland City Hall - 3rd Floor**

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*\*Pursuant to the Council's Rules of Procedures Resolution No. 82580 C.M.S., Rule 21, Actions During Council Recess, the Mayor is authorized to take such action as would normally be taken by the City Council during the period of the Annual Recess, including to convene emergency meeting(s) of the Council to take such emergency actions, as may be necessary, for the immediate preservation of the public peace, health or safety. The Mayor's actions must conform with and be limited to the requirements of the City's purchasing requirements as set forth in Chapter 2 of the Oakland Municipal Code.*

- 1        Subject:     Burke Williams Sorenson, LLP Contract Amendment  
          From:        Oakland Police Department  
          Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Contract With Burke Williams Sorenson, LLP To Complete Additional Investigative Work And Incorporate Additional Investigations Of Police Misconduct Claims Resulting From Occupy Oakland Protest Incidents, Increasing The Budget By One Hundred And Seventy Five Thousand Dollars (\$175,000) For A Total Contract Amount Of Two Hundred Seventy Five Thousand Dollars (\$275,000)  
          (AR12-001)
  
- 2        Subject:     Real And Personal Property Tax  
          From:        Office Of The City Administrator  
          Recommendation: Adopt A Resolution Fixing The Rate Of Property Tax And Levying A Tax On Real And Personal Property in The City Of Oakland For Fiscal Year 2012-2013 For Voter Approved Indebtedness  
          (AR12-002)
  
- 3        Subject:     Key Tracer Systems Contract - Electronic Key System  
          From:        Oakland Police Department  
          Recommendation: Adopt A Resolution: Authorizing The City Administrator Or Her Designee To 1) Enter Into A Contract With Key Tracer Systems Inc. In An Amount Not To Exceed Forty Seven Thousand Three Hundred And Eighty Seven Dollars (\$47,387) For The Purchase Of An Electronic Key Management System For Tracking And Distributing Police Vehicles For The Oakland Police Department; And 2) Waive The City Of Oakland's Local And Small Local Business Enterprise Program Provisions  
          (AR12-003)

Adjournment

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)

**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  
City Clerk and  
Clerk of the Council



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 JUL 31 PM 1:54

## AGENDA REPORT

TO: DEANNA J. SANTANA

FROM: Howard A. Jordan

SUBJECT: Burke Williams Sorenson, LLP  
Contract Amendment

DATE: July 20, 2012

City Administrator  
Approval

*Deanna Santana*

Date

*7/31/12*

COUNCIL DISTRICT: City-Wide

### RECOMMENDATION

Staff recommends that the Council approve a resolution authorizing the City Administrator to amend the contract with Burke Williams Sorenson, LLP to 1) increase the contract amount from one hundred thousand dollars (\$100,000) to two hundred seventy five thousand dollars (\$275,000) and 2) complete additional administrative investigations of police misconduct complaints resulting from *Occupy Oakland* events in the City of Oakland.

### REASON FOR URGENCY

This resolution is being submitted due to the urgency and time-sensitivity of *Occupy Oakland* high profile and complex investigations, and this action cannot wait until the City Council reconvenes in September, 2012. The majority of cases assigned to Burke Williams Sorenson, LLP must be completed by late August 2012 in order to comply with a Court Order issued in the *Allen v. City of Oakland, et al.*, federal court case. Reassigning these cases and starting with a new investigator would jeopardize the City's ability to comply with legal and court mandated deadlines. Compliance with the Court Order and the 3304 deadlines is a top priority of the City.

Since October 25, 2011<sup>1</sup>, the Oakland Police Department Internal Affairs Division has received numerous misconduct complaints against members of the Oakland Police Department (OPD) as a result of *Occupy Oakland* protests and events. Due to the volume, sensitivity, and complexity of these complaints, the need existed to increase the Department's investigative capacity to ensure compliance with California Government Code 3304 deadlines for imposing discipline.

<sup>1</sup> On Tuesday, October 25<sup>th</sup>, the Oakland Police Department removed the *Occupy Oakland* encampment due to public safety concerns surrounding bio hazardous materials, fire safety, and violations associated with unlawful camping in a public place, which resulted in numerous reports of uses of force.

Item: \_\_\_\_\_  
Council/Mayor Summer Recess Agenda  
August 14, 2012

On May 1, 2012, Judge Thelton Henderson in the case of *Allen v. City of Oakland, et al.*, ordered the City to provide a specific plan on how it would address all outstanding internal investigations stemming from Occupy Oakland activities prior to December 31, 2011, including the completion of all investigations within the 3304 deadline. The City's plan, which was adopted by the Court on June 18, 2012 with certain modifications, included the hiring of outside investigators and law firms to complete the most high profile and complex investigations.

Upon review of the originally assigned cases, agreement to add five additional cases to the scope of work, and a Court Order dated June 18, 2012 reducing the time for investigators to complete the investigations, Burke Williams Sorenson, LLP determined that \$100,000 would not be sufficient to complete a thorough investigation within the new timelines ordered by the Court. The cases they were originally assigned and the cases added to their scope of work will require them to interview over 50 OPD personnel, complainants and witnesses. Due to the complexity and enormity of the investigations, the City Administrator seeks Council's authority to increase their contract in the amount of \$175,000, for a total contract amount not to exceed \$275,000.

### OUTCOME

Administrative investigations of misconduct complaints related to Occupy Oakland will be conducted thoroughly, objectively, and within the deadlines required by California Government Code 3304 and the June 18, 2012 Court Order.

### BACKGROUND/LEGISLATIVE HISTORY

On October 25, 2011, the City removed the initial *Occupy Oakland* encampment from Frank Ogawa Plaza which resulted in numerous protests, a general strike, and a port shut down. During the course of these *Occupy* events, numerous misconduct complaints were filed against members of the Department. In order to impose discipline, state law requires internal investigations of misconduct complaints to be completed within 365 days. Per the Court Order dated May 1, 2012, Judge Thelton Henderson required the City to submit a plan for completing the investigations stemming from Occupy Oakland activities, to include provisions for completion of all investigations within the California Government Code 3304 deadline. The City's plan included the use of outside private investigators and law firms to conduct the most high profile and complex investigations. The plan submitted to the Court was subsequently adopted on June 18, 2012, with some modifications including an expedited completion date of the investigations. The Judge ordered all investigations included in the City's plan to be completed and submitted to the Internal Affairs Division no later than 60 days prior to the expiration of the deadline under California Government Code section 3304, or within 120 days of the date of the order for cases in which the 3304 period is tolling.

The City conducted a competitive solicitation process (Request For Proposals) for employee investigative services to conduct investigations of misconduct complaints stemming from Occupy Oakland activities. Five firms were selected:

- Renne Sloan Holtzman Sakai, LLP
- Burke Williams Sorenson, LLP
- DR Associates International
- Belcher Ehle Medina & Associates, Inc.
- Michael Glenn Investigations

Per Oakland Municipal Code Section 2.04.020 "Authority of the City Administrator," states that the City Administrator shall have authority to bind the City by written contract or purchase order without previous specific action of the Council for purchases of supplies and services or a combination up to one hundred thousand dollars in any single transaction or term agreement and/or for the purchase of Professional Services up to one hundred thousand dollars (\$100,000.00) in any single transaction or term agreement. The City Administrator exercised that authority in response to the Court Order and the critical time sensitive and complex needs generated by the actions and events related to *Occupy Oakland*. Each contractor was awarded a contract for a not to exceed amount of \$100,000.

The City executed five contracts to conduct administrative misconduct investigations related to *Occupy Oakland*; each contract was for a not to exceed amount of \$100,000. Each firm was assigned cases prior to a comprehensive analysis of the extent of services that may be required for each case. Burke Williams Sorenson, LLP, has determined that significant work is required on the originally assigned cases given their complexity and the large number of interviews required. In addition, they have agreed to investigate additional cases to increase the efficiency of the investigations. Therefore, to complete their originally assigned cases within the deadlines ordered by the Court, as well as their newly assigned cases, additional funds are needed. The City Administrator seeks Council's authority to increase the contract with Burke Williams Sorenson, LLP in the amount of \$175,000 for a total amount not to exceed \$275,000.

### ANALYSIS

An extraordinary number of misconduct complaints were generated from *Occupy Oakland* protests, marches, and general strikes. The City did not have the capacity to investigate many of the complaints within the NSA required timelines. Per recent Court Orders (dated May 1, 2012 and June 18, 2012), the City must complete them within the California Government Code 3304 deadline. As set out in the City's plan submitted to the Court, outside investigators and law firms were hired to complete the most high profile and complex investigations. The City hired five contractors (three private investigators and two law firms) to increase the capacity needed to complete investigations stemming from Occupy Oakland activities within State mandated deadlines.

Burke Williams Sorenson, LLP, one of the two law firms hired to perform misconduct investigations, determined that additional funds were necessary to complete the investigations assigned to them given the complexity and sensitivity of the cases, and the large number of interviews necessary to ensure a thorough investigation. In addition, the Court Order reducing the time for completion caused their assigned investigations to be due more than three weeks earlier than originally planned.

### PUBLIC OUTREACH/INTEREST

It is in the City's best interest and that of the Oakland residents to comply with the Federal Court Order and to ensure that all citizen complaints are investigated thoroughly and objectively.

### COORDINATION

Other City Agencies affiliated with this request include: The Office of Contracts and Compliance, the City Attorney's Office, the Budget Office, and the Office of the City Administrator.

### COST SUMMARY/IMPLICATIONS

AMOUNT OF RECOMMENDATION/COST OF PROJECT: \$275,000

#### SOURCE OF FUNDING:

Funds for this contract shall be drawn from the General Fund 1010, Organization 101120, Account 54919, Project 0000000 and Program PS02. The approved FY 2012-13 budget appropriated \$750,000 for the investigation of Internal Affairs cases. This increase would come from those previously budgeted funds.

### SUSTAINABLE OPPORTUNITIES

**Economic:** Investigating citizen complaints and holding police personnel accountable for violations of the law and serious misconduct increases public confidence and improves public relations with the community, and reduces liability and risk for the City.

**Environmental:** There are no environmental opportunities.

**Social Equity:** Both citizens and our sworn personnel deserve to have a Police Department that provides highly professional services in ensuring the public safety of the residents of Oakland. Complaints filed against police personnel must be investigated thoroughly and timely to ensure public confidence and good relations with the community.

For questions concerning this report, please contact Deputy Chief Sean Whent at (510) 238-3568.

Respectfully submitted,



for

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Howard A. Jordan  
Chief of Police  
Oakland Police Department

Prepared by:  
Ms. Kristin Burgess  
Policy Program and Performance Auditor  
Office of Inspector General

Item: \_\_\_\_\_  
Council/Mayor Summer Recess Agenda  
August 14, 2012

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

*Rocio V. Quiro*  
\_\_\_\_\_  
City Attorney

2012 JUL 31 PM 1:54 RESOLUTION No. \_\_\_\_\_ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE CONTRACT WITH BURKE WILLIAMS SORENSON, LLP TO COMPLETE ADDITIONAL INVESTIGATIVE WORK AND INCORPORATE ADDITIONAL INVESTIGATIONS OF POLICE MISCONDUCT CLAIMS RESULTING FROM OCCUPY OAKLAND PROTEST INCIDENTS, INCREASING THE BUDGET BY ONE HUNDRED AND SEVENTY FIVE THOUSAND DOLLARS (\$175,000) FOR A TOTAL CONTRACT AMOUNT OF TWO HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$275,000)

WHEREAS, the City has received numerous police misconduct complaints related to Occupy Oakland protest incidents which the City must complete within the timeline provided in California Government Code 3304; and

WHEREAS, the Court in *Allen v. City of Oakland, et al.*, issued an order on June 18, 2012 which mandates that all outstanding internal investigations stemming from Occupy Oakland activities prior to December 31, 2011 be completed 60 days in advance of the 3304 deadline or within 120 days of the date of the order for cases in which the 3304 period is tolling; and

WHEREAS, the City lacks qualified personnel to perform the work and needs additional capacity to conduct the investigations and ensure they are completed thoroughly and within required timelines; and

WHEREAS, the City Council finds and determines that the services authorized hereunder are professional, scientific or technical in nature, are temporary, and shall not result in the loss of employment or salary by any person having permanent status in the competitive services; and

WHEREAS, under the contract authority of the City Administrator pursuant to Oakland Municipal Code Section 2.04.020, and following an RFP competitive process the City contracted with several vendors, and entered into a \$100,000 contract with Burke Williams Sorenson, LLP, to complete administrative investigations related to Occupy Oakland police misconduct complaints in order to meet the legal and court order requirements related to these investigations; and

WHEREAS, under the existing contract Burke Williams Sorenson, LLP is required to conduct the administrative investigation of 10 cases, and after further review of the work involved it is necessary to increase the budget for Contractor to complete the case assignments and incorporate 5 additional investigations into the scope of work; and

WHEREAS, it is in the best interests of the City to amend this contract in order for City to achieve more efficiency in investigating Occupy Oakland police misconduct cases and complete the investigations within the timeline imposed by court order and as required by law; and



**WHEREAS**, sufficient funds have been budgeted for this contract by the Oakland Police Department, Fund 1010, Organization 101120, Account 54919, Project 0000000, Program PS02; now therefore be it

**RESOLVED:** That the City Administrator is authorized to increase the budget for Burke Williams Sorenson, LLP in the amount of \$175,000 for a total contract amount of 275,000.00, to complete the assigned cases and include additional cases involving allegations of police misconduct stemming from Occupy Oakland events; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is authorized to take all actions and carry out any financial actions necessary to fulfill the intent of this Resolution and accompanying Report, including completing all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this contract for services, except for any increase in the contract amount, without returning to the City Council; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee will provide regular updates to the City Council concerning changes or modifications to the contract with Burke Williams Sorenson, LLP; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee shall ensure that copies of fully executed contracts and amendments are placed on file with the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve, for form and legality, any and all contract amendments and modifications.

IN COUNCIL, OAKLAND, CALIFORNIA \_\_\_\_\_, 20\_\_\_\_\_

PASSED BY THE FOLLOWING VOTE: BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, and PRESIDENT REID

AYES-  
NOES-

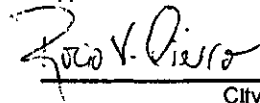
ABSENT-

ABSTENTION-

ATTEST \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the  
Council of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL



City Attorney

2012 JUL 31 PM 1:54 RESOLUTION No. 84019 C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE CONTRACT WITH BURKE WILLIAMS SORENSON, LLP TO COMPLETE ADDITIONAL INVESTIGATIVE WORK AND INCORPORATE ADDITIONAL INVESTIGATIONS OF POLICE MISCONDUCT CLAIMS RESULTING FROM OCCUPY OAKLAND PROTEST INCIDENTS, INCREASING THE BUDGET BY ONE HUNDRED AND SEVENTY FIVE THOUSAND DOLLARS (\$175,000) FOR A TOTAL CONTRACT AMOUNT OF TWO HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$275,000)**

**WHEREAS**, the City has received numerous police misconduct complaints related to Occupy Oakland protest incidents which the City must complete within the timeline provided in California Government Code 3304; and

**WHEREAS**, the Court in *Allen v. City of Oakland, et al.*, issued an order on June 18, 2012 which mandates that all outstanding internal investigations stemming from Occupy Oakland activities prior to December 31, 2011 be completed 60 days in advance of the 3304 deadline or within 120 days of the date of the order for cases in which the 3304 period is tolling; and

**WHEREAS**, the City lacks qualified personnel to perform the work and needs additional capacity to conduct the investigations and ensure they are completed thoroughly and within required timelines; and

**WHEREAS**, the City Council finds and determines that the services authorized hereunder are professional, scientific or technical in nature, are temporary, and shall not result in the loss of employment or salary by any person having permanent status in the competitive services; and

**WHEREAS**, under the contract authority of the City Administrator pursuant to Oakland Municipal Code Section 2.04.020, and following an RFP competitive process the City contracted with several vendors, and entered into a \$100,000 contract with Burke Williams Sorenson, LLP, to complete administrative investigations related to Occupy Oakland police misconduct complaints in order to meet the legal and court order requirements related to these investigations; and

**WHEREAS**, under the existing contract Burke Williams Sorenson, LLP is required to conduct the administrative investigation of 10 cases, and after further review of the work involved it is necessary to increase the budget for Contractor to complete the case assignments and incorporate 5 additional investigations into the scope of work; and

**WHEREAS**, it is in the best interests of the City to amend this contract in order for City to achieve more efficiency in investigating Occupy Oakland police misconduct cases and complete the investigations within the timeline imposed by court order and as required by law; and

**WHEREAS**, sufficient funds have been budgeted for this contract by the Oakland Police Department, Fund 1010, Organization 101120, Account 54919, Project 0000000, Program PS02; now therefore be it

**RESOLVED:** That the City Administrator is authorized to increase the budget for Burke Williams Sorenson, LLP in the amount of \$175,000 for a total contract amount of 275,000.00, to complete the assigned cases and include additional cases involving allegations of police misconduct stemming from Occupy Oakland events; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is authorized to take all actions and carry out any financial actions necessary to fulfill the intent of this Resolution and accompanying Report, including completing all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this contract for services, except for any increase in the contract amount, without returning to the City Council; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee will provide regular updates to the City Council concerning changes or modifications to the contract with Burke Williams Sorenson, LLP; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee shall ensure that copies of fully executed contracts and amendments are placed on file with the Office of the City Clerk; and be it

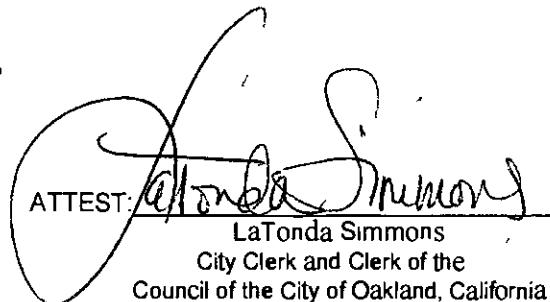
**FURTHER RESOLVED:** That the City Attorney shall review and approve, for form and legality, any and all contract amendments and modifications.

**AUG 14 2012**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

PASSED BY THE FOLLOWING VOTE: BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, and PRESIDENT REID

AYES- APPROVED DURING CITY COUNCIL RECESS  
NOES- PURSUANT TO RESOLUTION NO. 82580CMS  
ABSENT- C.M.S. DATED 03-02-10  
ABSTENTION-

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the  
Council of the City of Oakland, California



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 AUG -2 AM 11:16

## AGENDA REPORT

TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR

FROM: Katano Kasaine

SUBJECT: FISCAL YEAR 2012-2013  
VOTER APPROVED INDEBTEDNESS

DATE: July 30, 2012

City Administrator  
Approval

Date

8/01/12

COUNCIL DISTRICT: City-Wide

### RECOMMENDATION

Staff recommends that the City Council adopt a resolution fixing the rate of property tax and levying a tax on real and personal property in the City of Oakland for Fiscal Year 2012-2013 for voter-approved indebtedness.

### EXECUTIVE SUMMARY

A resolution has been prepared to set the property tax rates for fiscal year (FY) 2012-2013 for voter-approved indebtedness, including the City's general obligation bonds and pension obligation bonds. The proceeds generated from these property tax rates will be used towards paying debt service on the City's voter-approved indebtedness.

The resolution is submitted during summer recess in order to meet the schedule for property tax rate submittal established by the County of Alameda (County). All tax rates must be submitted to the County by August 31, 2012 for inclusion in FY 2012-2013 property tax bill.

In the event of any changes to the County's assessed valuation data, the proposed resolution allows the City Administrator or her designee to approve any necessary adjustments in the rates for the General Obligation Bonds, Series 2005, 2006, 2009B, and 2012 Bonds prior to the County's preparation of the tax bills. Council will be notified of any significant changes to the rates estimated in this report.

### OUTCOME

Approval of the recommendation will result in establishment of the property tax rates for FY 2012-2013 for voter-approved indebtedness, including the City's general obligation and pension

Item: \_\_\_\_\_

Mayor's Summer Recess Agenda  
August 14, 2012

obligation bonds. Revenues generated from property tax collections will be used to pay the required debt service on the City's general obligation and pension obligation bonds.

### **BACKGROUND/LEGISLATIVE HISTORY**

In order to provide for the debt service for the City's general obligation and pension obligation bonds, the City must annually set levy rates based on the assessed valuation subject to taxation, and must inform the County of these rates by August 31<sup>st</sup> for inclusion on that year's property tax bill.

The resolution has been prepared pursuant to California Government Code and Article VIII, Section 802, of the Oakland City Charter, setting the FY 2012-2013 property tax rate for voter-approved indebtedness. Article XIII A of the California Constitution (Proposition 13) precludes the adoption of a City-wide property tax rate. A County-wide one percent (1%) property tax rate is assessed by Alameda County and apportioned to cities and special districts in accordance with state law.

### **ANALYSIS**

For the City's general obligation bonds, the levy rates are calculated each year to yield the necessary debt service amount based on the assessed valuation of property within the City.

The following property tax rates are required to satisfy the City of Oakland's 2012-2013 voter-approved indebtedness for the indicated general obligation bond series, based upon the current assessed valuation as reported by the County of Alameda:

<b>Bond Issue</b>	<b>Property Tax Rate</b>
\$122,476,014 General Obligation Refunding Bonds, Series 2005	0.01982%
\$21,000,000 General Obligation Bonds (Measure G), Series 2006	0.00238%
\$64,545,000 General Obligation Bonds (Measure DD), Series 2009B	0.00862%
\$83,775,000 General Obligation Refunding Bonds, Series 2012	0.01939%

For the City's Police and Fire pension liability, the property tax rate required to satisfy the City's 2012-2013 voter-approved indebtedness for the indicated pension obligation bonds is 0.1575%.

### **PUBLIC OUTREACH/INTEREST**

This item did not require any additional public outreach other than the required posting on the City's website.

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 Mayor's Summer Recess Agenda  
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**COORDINATION**

This report has been prepared by the Treasury Division in coordination with City Attorney's Office, and Budget Office.

**COST SUMMARY/IMPLICATIONS**

Passage of this resolution will permit the City to collect the FY 2012-2013 revenues included in the FY 2011-13 Adopted Policy Budget for the payment of debt service for the outstanding general obligation and pension obligation bonds.

**SUSTAINABLE OPPORTUNITIES**

*Economic:* There are no economic opportunities associated with this report.

*Environmental:* There are no impacts to environmental opportunities associated with this report.

*Social Equity:* There are no impacts to social equity opportunities associated with this report.

**CEQA**

This report is not a project under CEQA.

For questions regarding this report, please contact Katano Kasaine, Treasurer, at (510) 238-2989.

Respectfully submitted,



KATANO KASAINÉ  
Treasurer

Prepared by:  
Bernadette de Leon, Treasury Analyst III  
Treasury Division

Item: \_\_\_\_\_  
Mayor's Summer Recess Agenda  
August 14, 2012

**City of Oakland  
General Obligation Bonds**

**Levy Calculations for Fiscal Year 2012-2013**

Bond Description	Series 2005 (Refunding)	Series 2006 (Measure G)	Series 2009B (Measure DD)	Series 2012 (Refunding)	GO TOTAL
Fund Number	6063 (Baby Bonds)	6311	6321	6312	
Cash Available for DS as of 6/30/12					
Cash Held by Treasury	\$ 4,241,345	\$ 706,679	\$ 2,630,288	\$ -	\$ 7,578,312
Cash Held by Trustee	1	36	-	4	41
Total Cash	4,241,346	706,715	2,630,288	4	7,578,353
Debt Service Payments through 12/31/13					
FY 2012-2013 DS Payments	11,156,061	1,320,363	4,609,481	5,043,643	22,129,547
DS Payment in 07/15/13	-	426,181	1,727,941	2,041,988	4,196,109
DS Payment in 12/15/13	1,797,153	-	-	-	1,797,153
Bank & Bonds	6,000	6,000	6,000	11,500	29,500
Total DS Payments through 12/31/13	12,959,214	1,752,544	6,343,422	7,097,130	28,152,310
Total Debt Service Shortfall	8,717,868	1,045,829	3,713,134	7,097,126	20,573,957
Add: Reserve (6% of FY 12/13 DS)	669,364	79,222	276,569	302,619	1,327,773
Add: Projected Delinquencies (Unsecured Roll: 12.34%)	122,311	14,740	50,577	-	187,629
Less: Projected Unitary Tax Collected FY 12-13	1,945,322	233,123	748,758	-	2,927,203
Balance to be levied on Tax Roll	\$ 7,564,220	\$ 906,668	\$ 3,291,522	\$ 7,399,745	\$ 19,162,155
Secured Tax Rate <sup>(1)</sup>	0.01982%	0.00238%	0.00862%	0.01939%	0.05021%
Assessed Valuation <sup>(2)</sup>	38,165,424,970	38,165,424,970	38,165,424,970	38,165,424,970	38,165,424,970
Last Year's Secured Tax Rate	0.02847%	0.00343%	0.01177%	0.00000%	0.06166%
DIFFERENCE	-0.00865%	-0.00106%	-0.00315%	0.01939%	-0.01145%

Note: Totals may not add up due to rounding

(1) Expected Unitary Tax Revenue for FY 2012-2013 not factored into the secured tax rate given the uncertainty of the value of receipt; it will be taken into account for FY 2013-2014 tax roll once the monies from County are received.

(2) AV is net of 4.75% in secured roll delinquencies

*M. Morrison*

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 AUG - **OAKLAND CITY COUNCIL**

RESOLUTION NO. \_\_\_\_\_ C.M.S.

**RESOLUTION FIXING THE RATE OF PROPERTY TAX AND  
LEVYING A TAX ON REAL AND PERSONAL PROPERTY IN THE  
CITY OF OAKLAND FOR FISCAL YEAR 2012-2013 FOR VOTER-  
APPROVED INDEBTEDNESS**

**WHEREAS**, the City of Oakland must annually set property tax levy rates, based on the assessed valuation subject to taxation, and must inform the County of Alameda of these rates by August 31st for inclusion on that year's property tax bill; and

**WHEREAS**, passage of this resolution will permit the City of Oakland to collect the Fiscal Year 2012-2013 revenues for the payment of debt service for the outstanding voter approved general obligation and pension obligation bonds; and now therefore be it

**RESOLVED**: that a tax of 0.1575% is hereby fixed and levied for Fiscal Year 2012-2013 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for payments to the Police and Fire retirement systems as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED**: that an estimated tax of 0.01982% is hereby fixed and levied for Fiscal Year 2012-2013 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Refunding Bonds, Series 2005, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED**: that an estimated tax of 0.00238% is hereby fixed and levied for Fiscal Year 2012-2013 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2006, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED**: that an estimated tax of 0.00862% is hereby fixed and levied for Fiscal Year 2012-2013 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2009B, as approved by the voters of the City of Oakland; and be it



**FURTHER RESOLVED:** that an estimated tax of 0.01939% is hereby fixed and levied for Fiscal Year 2012-2013 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Refunding Bonds, Series 2012, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED:** that if the estimated General Obligation Bond rates of 0.01982%, 0.00238%, 0.00862%, and 0.01939% for Series 2005, 2006, 2009B, and 2012 respectively, need to be adjusted to reflect the actual figures for the assessed valuations, the City Administrator or her designee is hereby authorized to make the necessary adjustments; and be it

**FURTHER RESOLVED:** that this Resolution shall take effect immediately upon its passage.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2012

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIHGAN, NADEL, SCHAAF, and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

*M. Morrison*

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 AUG - 8 AM 11:48  
**OAKLAND CITY COUNCIL**

RESOLUTION NO. 84020 C.M.S.

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**RESOLUTION FIXING THE RATE OF PROPERTY TAX AND  
LEVYING A TAX ON REAL AND PERSONAL PROPERTY IN THE  
CITY OF OAKLAND FOR FISCAL YEAR 2012-2013 FOR VOTER-  
APPROVED INDEBTEDNESS**

**WHEREAS**, the City of Oakland must annually set property tax levy rates, based on the assessed valuation subject to taxation, and must inform the County of Alameda of these rates by August 31st for inclusion on that year's property tax bill; and

**WHEREAS**, passage of this resolution will permit the City of Oakland to collect the Fiscal Year 2012-2013 revenues for the payment of debt service for the outstanding voter approved general obligation and pension obligation bonds; and now therefore be it

**RESOLVED:** that a tax of 0.1575% is hereby fixed and levied for Fiscal Year 2012-2013 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for payments to the Police and Fire retirement systems as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED:** that an estimated tax of 0.01982% is hereby fixed and levied for Fiscal Year 2012-2013 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Refunding Bonds, Series 2005, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED:** that an estimated tax of 0.00238% is hereby fixed and levied for Fiscal Year 2012-2013 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2006, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED:** that an estimated tax of 0.00862% is hereby fixed and levied for Fiscal Year 2012-2013 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2009B, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED:** that an estimated tax of 0.01939% is hereby fixed and levied for Fiscal Year 2012-2013 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Refunding Bonds, Series 2012, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED:** that if the estimated General Obligation Bond rates of 0.01982%, 0.00238%, 0.00862%, and 0.01939% for Series 2005, 2006, 2009B, and 2012 respectively, need to be adjusted to reflect the actual figures for the assessed valuations, the City Administrator or her designee is hereby authorized to make the necessary adjustments; and be it

**FURTHER RESOLVED:** that this Resolution shall take effect immediately upon its passage.

IN COUNCIL, OAKLAND, CALIFORNIA, AUG 14 2012, 2012

PASSED BY THE FOLLOWING VOTE:

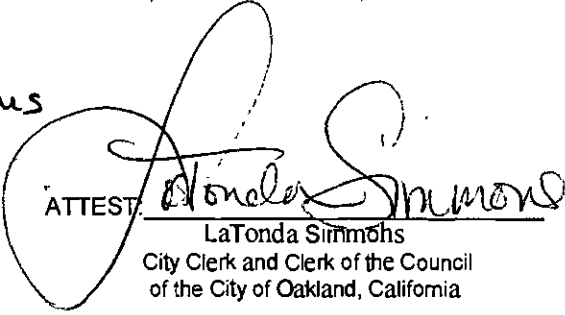
AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIHGAN, NADEL, SCHAAF, and PRESIDENT REID

NOES - APPROVED DURING CITY COUNCIL RECESS

ABSENT - PURSUANT TO RESOLUTION NO. 82580 CMS

ABSTENTION - C.M.S., DATED 03-02-10

ATTEST

  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2012 JUL 31 PM 1:53

## AGENDA REPORT

TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR

FROM: Howard A. Jordan  
Chief of Police

SUBJECT: Key Tracer Systems Inc. Contract

DATE: July 16, 2012

City Administrator  
Approval

Date

7/31/12

COUNCIL DISTRICT: City-Wide

### RECOMMENDATION

Staff recommends that the City Council approve the resolution authorizing the City Administrator or her designee, 1) to enter into a contract with Key Tracer Systems Inc, in an amount not to exceed forty seven thousand, three hundred and eighty seven dollars (\$47,387.00) for the purchase of an electronic key management system for tracking and distributing police vehicles for the Oakland Police Department; and 2) waive City of Oakland's Local and Small Business Enterprise Program provisions.

### REASON FOR URGENCY

Given the need for the Oakland Police Department to respond to emergency calls for service, a guaranteed and more consistent process needs to be set into place for patrol car key distribution. The current configuration requires an employee to assign car keys to other employees and officers. The process is disrupted when the key distributor is on vacation, sick or on leave. These disruptions bring a delay in police service to our community. Due to employee vacancies and to improve efficiency, staff is requesting immediate approval of this project. The 2009 Justice Assistance Grant (JAG) Local, which will fund this project is due to expire September, 2012, and all expenditures have to be made as soon as possible.

### OUTCOME

Police need reliable access to their patrol cars in order to enhance their response time accountability. The accessibility to officer car keys is hampered by the absence of 2 Police Services Technicians who staff and operate the key distribution office. Unforeseen staffing voids occur when employees take sick leave, vacation and MBS days. The problem with staffing absences will be eliminated with this new technology. The electronic lock-box which stores keys requires no manual or human interaction, therefore allowing police transportation to be self-sustained. With technology governing keys and software integration within OPD's network,

Item: \_\_\_\_\_  
Council/Mayor Summer Recess Agenda  
August 14, 2012

officers will have readily available vehicles and information relating to the users of those vehicles.

### **BACKGROUND/LEGISLATIVE HISTORY**

Law enforcement agencies, including Placer County Sheriff's Department and Alameda County Sheriff's Office, have cited that this particular technology was a major enhancement with handling and distributing their assets. Both of these agencies are looking to expand Key Tracer systems within their facilities. Also, due to the life time warranty Key Tracer Systems Inc. offers on their Key TAG™ device, no other company they have researched can compare and meet the level of demands from their agency. In addition to the Key Tag's indestructible nature, the device uses RFID (radio frequency technology) to communicate with the lock-box the Key Tag sits in. Therefore, if officers drop the Key Tag device in water, saturate it with chemicals, the device will still function – unlike competitors who use metal contacts.

### ***ANALYSIS: Preferred Vendor***

Several law enforcement agencies are now utilizing a premier key management distribution system as a solution for their transportation needs. One company in particular, Key Tracer Systems Inc., has captured the market with their RFID technology, and life time Key Tag warranty. Some of these agencies, such as Placer County Sheriff's Department, Alameda County Sheriff's Office, Washoe County Sheriff's Office (Reno), and Correctional Corp of America are utilizing Key Tracer Systems Inc. In addition, Key Tracer Systems Inc. reported sales with various casinos and other small businesses.

### ***The advantages of this technology are the following:***

- Real time tracking of patrol car keys
- Registers the length of time patrol car keys have been checked out
- A real time alert is provided when the keys are leaving the building
- OPD can use the current City network with no additional software purchase
- Current HID access cards will operate the lock-boxes at no additional purchase or cost
- IAD will have the ability to run reports when they need to know the time and who checked out a particular car.
- There is a Lifetime warranty on the key fobs or key tags, which is the device that is inserted into the lock-box and holds the car key

Since these other large professional agencies are utilizing Key Tracer Systems Inc., and the company offers a life time warranty on their Key Tag device, staff recommends Key Tracer Systems Inc. as a preferred vendor for the City of Oakland.

The Program Manager conducted an informal bidding process with 3 vendors, including Key Tracer Systems Inc. One of the quotes received from Morse Watchman's Inc. was lower for \$32,162, but it does not utilize the latest technology, RFID, which is the updated industry standard. The other bid from Desiter Corporate was \$40,281 and higher than the selected vendor.

### PUBLIC OUTREACH/INTEREST

This item did not require any additional public outreach other than the required posting on the City's website.

### COORDINATION

This project will be a combined effort between the vendor, Project Resource Management of the Oakland Police Department, Public Works and the Department of Information Technology. Staff has worked with the Budget and City Attorney's Offices in the preparation of this report.

### COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:	
Project Delivery	\$39,890.00
OPD/DIT Training Costs	\$4,997.00
Electrical Lock-box Wiring Construction	<u>\$2,500.00</u>
Total Project Costs:	\$47,387.00

### 2. SOURCE OF FUNDING

Funding in the amount of \$47,387.00 for said services is available in the Department's 2009 Justice Assistance Grant (JAG) Local (grant award number 2009-DJ-BX-0128 ) Fund 2112, Organization 106510, Account 57711, Project G393010, and Program PS01; these expenditures have to be made as soon as possible, because the grant is expiring September, 2012 .

### 3. FISCAL IMPACT:

There is a one-time upfront cost in the amount of \$47,387.00; this cost includes a 2-year warranty. The vendor offers an extended warranty in the 3<sup>rd</sup> year in the amount of \$4,000.00.

### SUSTAINABLE OPPORTUNITIES


Economic: Staff costs will be reduced by two PST positions that will not have to staff the police transportation office which distributes the keys.

**Environmental:** There are no known environmental issues associated with this report.

**Social Equity:** There are no social equity opportunities affiliated with this report.

For questions regarding this report, please contact Officer Kris Botelho, at (510) 238-3066.

Respectfully submitted,

  
*Pen* Howard A. Jordan  
Chief of Police  
Oakland Police Department

Prepared by:  
Officer Kris Botelho  
Fiscal Services Division

Item: \_\_\_\_\_  
Council/Mayor Summer Recess Agenda  
August 14, 2012

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

*Armadis Sotol*  
City Attorney

2012 JUL 31 **RESOLUTION No.** \_\_\_\_\_ **C.M.S.**  
PH 1:33

**RESOLUTION:**

**AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO 1) ENTER INTO A CONTRACT WITH KEY TRACER SYSTEMS INC. IN AN AMOUNT NOT TO EXCEED FORTY SEVEN THOUSAND THREE HUNDRED AND EIGHTY SEVEN DOLLARS (\$47,387) FOR THE PURCHASE OF AN ELECTRONIC KEY MANAGEMENT SYSTEM FOR TRACKING AND DISTRIBUTING POLICE VEHICLES FOR THE OAKLAND POLICE DEPARTMENT; AND 2) WAIVE THE CITY OF OAKLAND'S LOCAL AND SMALL LOCAL BUSINESS ENTERPRISE PROGRAM PROVISIONS**

**WHEREAS**, an electronic key management system reliably removes personnel from distributing automobiles for the Oakland Police Department; and

**WHEREAS**, this technology implementation will save the City an estimated net savings of \$90,175.00 within the first year of operation; and

**WHEREAS**, the net saving figures are based on the immediate reduction in overhead equal to the annual salary of (2) Police Service Technicians (PST), and Sergeant back-fill on (12) PST MBS days; and.

**WHEREAS**, Key Tracer Systems Inc. is providing a lifetime warranty on their key tag's ability to control the software within the City's network and is the only vendor who uses RFID technology; and

**WHEREAS**, the Police Department has funding in the amount of \$47,387.00 available from the 2009 Justice Assistance Grant (JAG) Local (grant award number 2009-DJ-BX-0128) Fund 2112, Organization 106510, Account 57711, Project G393010; and Program PS01 whose expenditures have to be made immediately due to the grant expiring September, 2012; and

**WHEREAS**, the Police Department's Project Resource Management Unit desires to contract with Key Tracer Systems Inc. to deliver electronic boxes, software and devices relating to the entire key management mechanism; and

**WHEREAS**, staff recommends that the City to waive the the Local and Small Local Business Enterprise Program process and provisions so that the Oakland Police Department can enter into a contract with Key Tracer Systems Inc.; Now, therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator, or her designee, to enter into a Professional Services Agreement with Key Tracer Systems Inc. for a one-time fee not to exceed \$47,387.00 for an electronic key distribution system; and be it



**FURTHER RESOLVED:** that the City Council hereby waives the Local and Small Local Business Enterprise Program (L/SLB) Provisions for this proposed contract; and be it

**FURTHER RESOLVED:** That funding in the amount of \$47, 387.00 for said services is available in the Department’s 2009 Justice Assistance Grant (JAG) Local (grant award number 2009-DJ-BX-0128 Project G39301); and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend the proposed agreement with Key Tracer Systems Inc.; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve the proposed contract with Key Tracer Systems Inc., as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

**OAKLAND CITY COUNCIL**

*Armando Soto*  
City Attorney

2012 JUL 31 11:53 AM  
**RESOLUTION No. 84021 C.M.S.**

**RESOLUTION:**

**AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO 1) ENTER INTO A CONTRACT WITH KEY TRACER SYSTEMS INC. IN AN AMOUNT NOT TO EXCEED FORTY SEVEN THOUSAND THREE HUNDRED AND EIGHTY SEVEN DOLLARS (\$47,387) FOR THE PURCHASE OF AN ELECTRONIC KEY MANAGEMENT SYSTEM FOR TRACKING AND DISTRIBUTING POLICE VEHICLES FOR THE OAKLAND POLICE DEPARTMENT; AND 2) WAIVE THE CITY OF OAKLAND'S LOCAL AND SMALL LOCAL BUSINESS ENTERPRISE PROGRAM PROVISIONS**

**WHEREAS**, an electronic key management system reliably removes personnel from distributing automobiles for the **Oakland Police Department**; and

**WHEREAS**, this technology implementation will save the City an estimated net savings of \$90,175.00 within the first year of operation; and

**WHEREAS**, the net saving figures are based on the immediate reduction in overhead equal to the annual salary of (2) Police Service Technicians (PST), and Sergeant back-fill on (12) PST MBS days; and.

**WHEREAS**, Key Tracer Systems Inc. is providing a lifetime warranty on their key tag's ability to control the software within the City's network and is the only vendor who uses **RFID** technology; and

**WHEREAS**, the Police Department has funding in the amount of \$47,387.00 available from the 2009 Justice Assistance Grant (JAG) Local (grant award number 2009-DJ-BX-0128) Fund 2112, Organization 106510, Account 57711, Project G393010; and Program PS01 whose expenditures have to be made immediately due to the grant expiring September, 2012; and

**WHEREAS**, the Police Department's Project Resource Management Unit desires to contract with Key Tracer Systems Inc. to deliver electronic boxes, software and devices relating to the entire key management mechanism; and

**WHEREAS**, staff recommends that the City to waive the the Local and Small Local Business Enterprise Program process and provisions so that the **Oakland Police Department** can enter into a contract with Key Tracer Systems inc.; Now, therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator, or her designee, to enter into a Professional Services Agreement with Key Tracer Systems Inc. for a one-time fee not to exceed \$47,387.00 for an electronic key distribution system; and be it

**FURTHER RESOLVED:** that the City Council hereby waives the Local and Small Local Business Enterprise Program (L/SLB) Provisions for this proposed contract; and be it

**FURTHER RESOLVED:** That finding in the amount of \$47, 387.00 for said services is available in the Department’s 2009 Justice Assistance Grant (JAG) Local (grant award number 2009-DJ-BX-0128 Project G39301); and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend the proposed agreement with Key Tracer Systems Inc.; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve the proposed contract with Key Tracer Systems Inc., as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

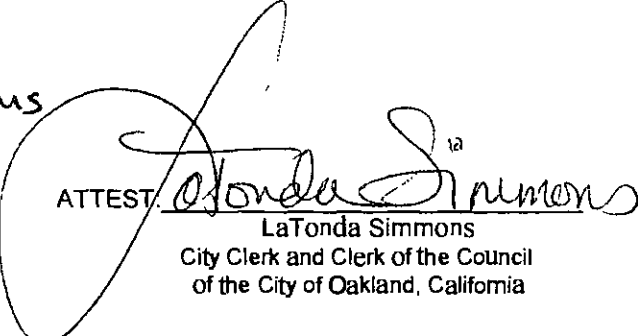
IN COUNCIL, OAKLAND, CALIFORNIA,           AUG 14 2012          

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

NOES -  
ABSENT -  
ABSTENTION -

APPROVED DURING CITY COUNCIL RECESS  
PURSUANT TO RESOLUTION NO. 82580 CMS  
C.M.S. DATED 03 - 02 - 10

ATTEST   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California



# 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

## Office of the Mayor Annual Recess Agenda

August 1, 2012 - August 31, 2012

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

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

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Tuesday, August 28, 2012

8:30 AM

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**THIS IS NOT AN ACTUAL MEETING OF THE OAKLAND CITY COUNCIL THIS AGENDA SERVES AS NOTICE OF ACTIONS TAKEN WITHIN THE CITY ADMINISTRATOR'S AUTHORITY DURING THE AUGUST RECESS PERIOD.**

*\*Pursuant to the Council's Rules of Procedures Resolution No. 82580 C.M.S., Rule 21, Actions During Council Recess, the Mayor is authorized to take such action as would normally be taken by the City Council during the period of the Annual Recess, including to convene emergency meeting(s) of the Council to take such emergency actions, as may be necessary, for the immediate preservation of the public peace, health or safety. The Mayor's actions must conform with and be limited to the requirements of the City's purchasing requirements as set forth in Chapter 2 of the Oakland Municipal Code.*

1 Subject: Renne Sloan Holtzman Sakai, LLP Contract Amendment  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Contract With Renne Sloan Holtzman Sakai, LLP To Complete Additional Investigative Work Of Police Misconduct Claims Resulting From Occupy Oakland Protest Incidents, Increasing The Contract By Twenty Thousand Dollars (\$20,000) For A Total Contract Amount Of One Hundred Twenty Thousand Dollars (\$120,000)  
(AR12-004)

**IF MEMBERS OF THE PUBLIC WOULD LIKE TO COMMENT ON THE LISTED AGENDA ITEMS, PLEASE SUBMIT COMMENTS IN WRITING PRIOR TO THE TIME AND DATE ABOVE TO:**

**OFFICE OF THE CITY CLERK - AGENDA MANAGEMENT UNIT**  
**1 FRANK H. OGAWA PLAZA, SUITE 201**  
**OAKLAND, CA 94612**

**EMAIL: [AGENDATEAM@OAKLANDNET.COM](mailto:AGENDATEAM@OAKLANDNET.COM)**  
**PHONE: 510-238-6406**

**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**  
**City Clerk and**  
**Clerk of the Council**



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 AUG 16 PM 14:49

## AGENDA REPORT

TO: DEANNA J. SANTANA

FROM: Howard A. Jordan

SUBJECT: Renne Sloan Holtzman Sakai, LLP  
Contract Amendment

DATE: August 14, 2012

City Administrator  
Approval

*Deanna J. Santana*

Date

8/16/12

COUNCIL DISTRICT: City-Wide

### RECOMMENDATION

Staff recommends that the Council approve a resolution authorizing the City Administrator to amend the contract with Renne Sloan Holtzman Sakai, LLP for administrative investigations of police misconduct complaints resulting from *Occupy Oakland* events in the City of Oakland, to increase the contract from one hundred thousand dollars (\$100,000) to one hundred twenty thousand dollars (\$120,000) for significant additional work required to complete the original scope of investigations.

### REASON FOR URGENCY

This resolution is being submitted due to the urgency and time-sensitivity of *Occupy Oakland* high profile and complex investigations, and this action cannot wait until the City Council reconvenes in September, 2012. The cases assigned to Renne Sloan Holtzman Sakai, LLP are due by September 15, 2012. Reassigning these cases and starting with a new investigator would not only jeopardize the City's ability to comply with legal and court mandated deadlines, but could cost the City far more as Renne Sloan Holtzman Sakai, LLP has already completed most of the investigative work and new investigators would have to spend additional time familiarizing themselves with the evidence.

Item: \_\_\_\_\_  
Council/Mayor Summer Recess Agenda  
August 28, 2012

Since October 25, 2011<sup>1</sup>, the Oakland Police Department Internal Affairs Division has received numerous misconduct complaints against members of the Oakland Police Department (OPD) as a result of *Occupy Oakland* protests and events. Due to the volume, sensitivity, and complexity of these complaints, the need existed to increase the Department's investigative capacity to ensure compliance with California Government Code 3304 deadlines for imposing discipline.

On May 1, 2012, Judge Thelton Henderson in the case of *Allen v. City of Oakland, et al.*, ordered the City to provide a specific plan on how it would address all outstanding internal investigations stemming from *Occupy Oakland* activities prior to December 31, 2011, including the completion of all investigations within the 3304 deadline. The City's plan, which was adopted by the Court on June 18, 2012 with certain modifications, included the hiring of outside investigators and law firms to complete the most high profile and complex investigations.

Due to the complexity, sensitivity, and enormity of the investigations assigned to Renne Sloan Holtzman Sakai, LLP, and after completing most of the investigative work, they have determined that the cost to complete thorough investigations will be \$20,000 more than the contract amount of \$100,000. Their investigations required the review of numerous hours of video and contact with numerous outside agencies whose officers were potential witnesses to the incident. It was not feasible for the contractor to ascertain the significant effort that would be required to complete the work until they commenced the investigations. Therefore, the City Administrator seeks Council's authority to increase their contract in the amount of \$20,000, for a total contract amount not to exceed \$120,000.

### OUTCOME

Administrative investigations of misconduct complaints related to *Occupy Oakland* will be conducted thoroughly, objectively, and within the deadlines required by California Government Code 3304 and the June 18, 2012 Court Order.

### BACKGROUND/LEGISLATIVE HISTORY

On October 25, 2011, the City removed the initial *Occupy Oakland* encampment from Frank Ogawa Plaza which resulted in numerous protests, a general strike, and a port shut down. During the course of these *Occupy* events, numerous misconduct complaints were filed against members of the Department. In order to impose discipline, state law requires internal investigations of misconduct complaints to be completed within 365 days. Per the Court Order dated May 1, 2012, Judge Thelton Henderson required the City to submit a plan for completing the investigations

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<sup>1</sup> On Tuesday, October 25<sup>th</sup>, the Oakland Police Department removed the *Occupy Oakland* encampment due to public safety concerns surrounding bio hazardous materials, fire safety, and violations associated with unlawful camping in a public place, which resulted in numerous reports of uses of force.

stemming from Occupy Oakland activities, to include provisions for completion of all investigations within the California Government Code 3304 deadline. The City's plan included the use of outside private investigators and law firms to conduct the most high profile and complex investigations. The plan submitted to the Court was subsequently adopted on June 18, 2012, with some modifications including an expedited completion date of the investigations. The Judge ordered all investigations included in the City's plan to be completed and submitted to the Internal Affairs Division no later than 60 days prior to the expiration of the deadline under California Government Code section 3304, or within 120 days of the date of the order for cases in which the 3304 period is tolling.

The City conducted a competitive solicitation process (Request For Proposals) for employee investigative services to conduct investigations of misconduct complaints stemming from Occupy Oakland activities. Five firms were selected:

- Renne Sloan Holtzman Sakai, LLP
- Burke Williams Sorenson, LLP
- DR Associates International
- Belcher Ehle Medina & Associates, Inc.
- Michael Glenn Investigations

Per Oakland Municipal Code Section 2.04.020 "Authority of the City Administrator," states that the City Administrator shall have authority to bind the City by written contract or purchase order without previous specific action of the Council for purchases of supplies and services or a combination up to one hundred thousand dollars in any single transaction or term agreement and/or for the purchase of Professional Services up to one hundred thousand dollars (\$100,000.00) in any single transaction or term agreement. The City Administrator exercised that authority in response to the Court Order and the critical time sensitive and complex needs generated by the actions and events related to *Occupy Oakland*. Each contractor was awarded a contract for a not to exceed amount of \$100,000.

The City executed five contracts to conduct administrative misconduct investigations related to *Occupy Oakland*; each contract was for a not to exceed amount of \$100,000. Each firm was assigned cases prior to a comprehensive analysis of the extent of services that may be required for each case. Renne Sloan Holtzman Sakai, LLP was assigned two very complex cases requiring a significant number of interviews and fact gathering effort. It was not feasible for them to ascertain the full amount of work and time required for the investigations until they began work. Renne Sloan Holtzman Sakai, LLP, has determined that additional work is required to complete their assigned cases given the complexity of the case. Therefore, the City Administrator seeks Council's authority to increase the contract with Renne Sloan Holtzman Sakai, LLP in the amount of \$20,000 for a total amount not to exceed \$120,000.



### ANALYSIS

An extraordinary number of misconduct complaints were generated from *Occupy Oakland* protests, marches, and general strikes. The City did not have the capacity to investigate many of the complaints within the NSA required timelines. Per recent Court Orders (dated May 1, 2012 and June 18, 2012), the City must complete them within the California Government Code 3304 deadline. As set out in the City's plan submitted to the Court, outside investigators and law firms were hired to complete the most high profile and complex investigations. The City hired five contractors (three private investigators and two law firms) to increase the capacity needed to complete investigations stemming from Occupy Oakland activities within State mandated deadlines.

Renne Sloan Holtzman Sakai, LLP, one of the two law firms hired to perform misconduct investigations, determined that additional funds were necessary to complete the investigations assigned to them given the complexity and sensitivity of the cases.

### PUBLIC OUTREACH/INTEREST

It is in the City's best interest and that of the Oakland residents to comply with the Federal Court Order and to ensure that all citizen complaints are investigated thoroughly and objectively.

### COORDINATION

Other City Agencies affiliated with this request include: The Office of Contracts and Compliance, the City Attorney's Office, the Budget Office, and the Office of the City Administrator.

### COST SUMMARY/IMPLICATIONS

AMOUNT OF RECOMMENDATION/COST OF PROJECT: \$120,000

#### SOURCE OF FUNDING:

Funds for this contract shall be drawn from the General Fund 1010, Organization 101120, Account 54919, Project 0000000 and Program PS02. The approved FY 2012-13 budget appropriated \$750,000 for the investigation of Internal Affairs cases. This increase would come from those previously budgeted funds.

**SUSTAINABLE OPPORTUNITIES**

**Economic:** Investigating citizen complaints and holding police personnel accountable for violations of the law and serious misconduct increases public confidence and improves public relations with the community, and reduces liability and risk for the City.

**Environmental:** There are no environmental opportunities.

**Social Equity:** Both citizens and our sworn personnel deserve to have a Police Department that provides highly professional services in ensuring the public safety of the residents of Oakland. Complaints filed against police personnel must be investigated thoroughly and timely to ensure public confidence and good relations with the community.

For questions concerning this report, please contact Deputy Chief Sean Whent at (510) 238-3568.

Respectfully submitted,



Howard A. Jordan  
Chief of Police  
Oakland Police Department

Prepared by:  
Ms. Kristin Burgess  
Policy Program and Performance Auditor  
Office of Inspector General

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

2012 AUG 16 PM 4:49

RESOLUTION No. \_\_\_\_\_ C.M.S.

  
City Attorney

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE CONTRACT WITH RENNE SLOAN HOLTZMAN SAKAI, LLP TO COMPLETE ADDITIONAL INVESTIGATIVE WORK OF POLICE MISCONDUCT CLAIMS RESULTING FROM OCCUPY OAKLAND PROTEST INCIDENTS, INCREASING THE CONTRACT BY TWENTY THOUSAND DOLLARS (\$20,000) FOR A TOTAL CONTRACT AMOUNT OF ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000)**

**WHEREAS**, the City has received numerous police misconduct complaints related to Occupy Oakland protest incidents which the City must complete within the timeline provided in California Government Code 3304; and

**WHEREAS**, the Court in *Allen v. City of Oakland, et al.*, issued an order on June 18, 2012 which mandates that all outstanding internal investigations stemming from Occupy Oakland activities prior to December 31, 2011 be completed 60 days in advance of the 3304 deadline or within 120 days of the date of the order for cases in which the 3304 period is tolling; and

**WHEREAS**, the City lacks qualified personnel to perform the work and needs additional capacity to conduct the investigations and ensure they are completed thoroughly and within required timelines; and

**WHEREAS**, the City Council finds and determines that the services authorized hereunder are professional, scientific or technical in nature, are temporary, and shall not result in the loss of employment or salary by any person having permanent status in the competitive services; and

**WHEREAS**, under the contract authority of the City Administrator pursuant to Oakland Municipal Code Section 2.04.020, and following an RFP competitive process the City contracted with several vendors, and entered into a \$100,000 contract with Renne Sloan Holtzman Sakai, LLP, to complete administrative investigations related to Occupy Oakland police misconduct complaints in order to meet the legal and court order requirements related to these investigations; and

**WHEREAS**, under the existing contract Renne Sloan Holtzman Sakai, LLP is required to conduct the administrative investigation of two complex and high profile cases, and due to the complexity, sensitivity, and enormity of these investigations and after completing most of the investigative work, they have determined that additional funds are necessary to complete the case assignments; and

**WHEREAS**, it was not feasible to ascertain the significant effort that would be required to complete the work until the investigations were commenced; and

**WHEREAS**, it is in the best interests of the City to amend this contract in order for City to achieve more efficiency in investigating Occupy Oakland police misconduct cases and complete the investigations within the timeline imposed by court order and as required by law; and

**WHEREAS**, sufficient funds have been budgeted for this contract by the Oakland Police Department, Fund 1010, Organization 101120, Account 54919, Project 0000000, Program PS02; now, therefore, be it

**RESOLVED**: That the City Administrator is authorized to increase the contract with Rennie Sloan Holtzman Sakai, LLP for administrative investigations related to Occupy Oakland police misconduct complaints by \$20,000 increasing the total contract amount to \$120,000; and be it

**FURTHER RESOLVED**: That the City Administrator or her designee is authorized to take all actions and carry out any financial actions necessary to fulfill the intent of this Resolution and accompanying Report, including completing all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this contract for services, except for any increase in the contract amount, without returning to the City Council; and be it

**FURTHER RESOLVED**: That the City Administrator or her designee will provide regular updates to the City Council concerning changes or modifications to the contract with Rennie Sloan Holtzman Sakai, LLP; and be it

**FURTHER RESOLVED**: That the City Administrator or her designee shall ensure that copies of fully executed contracts and amendments are placed on file with the Office of the City Clerk; and be it

**FURTHER RESOLVED**: That the City Attorney shall review and approve, for form and legality, any and all contract amendments and modifications.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

PASSED BY THE FOLLOWING VOTE: BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, and PRESIDENT REID

AYES-  
NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
La1  
City Clk  
Council of the

OFFICE OF  
OAKLAND**OAKLAND CITY COUNCIL**

RESOLUTION No. 84022 C.M.S.  
12 OCT 15 11:12

  
City Attorney

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE CONTRACT WITH RENNE SLOAN HOLTZMAN SAKAI, LLP TO COMPLETE ADDITIONAL INVESTIGATIVE WORK OF POLICE MISCONDUCT CLAIMS RESULTING FROM OCCUPY OAKLAND PROTEST INCIDENTS, INCREASING THE CONTRACT BY TWENTY THOUSAND DOLLARS (\$20,000) FOR A TOTAL CONTRACT AMOUNT OF ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000)**

**WHEREAS**, the City has received numerous police misconduct complaints related to Occupy Oakland protest incidents which the City must complete within the timeline provided in California Government Code 3304; and

**WHEREAS**, the Court in *Allen v. City of Oakland, et al.*, issued an order on June 18, 2012 which mandates that all outstanding internal investigations stemming from Occupy Oakland activities prior to December 31, 2011 be completed 60 days in advance of the 3304 deadline or within 120 days of the date of the order for cases in which the 3304 period is tolling; and

**WHEREAS**, the City lacks qualified personnel to perform the work and needs additional capacity to conduct the investigations and ensure they are completed thoroughly and within required timelines; and

**WHEREAS**, the City Council finds and determines that the services authorized hereunder are professional, scientific or technical in nature, are temporary, and shall not result in the loss of employment or salary by any person having permanent status in the competitive services; and

**WHEREAS**, under the contract authority of the City Administrator pursuant to Oakland Municipal Code Section 2.04.020, and following an RFP competitive process the City contracted with several vendors, and entered into a \$100,000 contract with Renne Sloan Holtzman Sakai, LLP, to complete administrative investigations related to Occupy Oakland police misconduct complaints in order to meet the legal and court order requirements related to these investigations; and

**WHEREAS**, under the existing contract Renne Sloan Holtzman Sakai, LLP is required to conduct the administrative investigation of two complex and high profile cases, and due to the complexity, sensitivity, and enormity of these investigations and after completing most of the investigative work, they have determined that additional funds are necessary to complete the case assignments; and

**WHEREAS**, it was not feasible to ascertain the significant effort that would be required to complete the work until the investigations were commenced; and

**WHEREAS**, it is in the best interests of the City to amend this contract in order for City to achieve more efficiency in investigating Occupy Oakland police misconduct cases and complete the investigations within the timeline imposed by court order and as required by law; and

**WHEREAS**, sufficient funds have been budgeted for this contract by the Oakland Police Department, Fund 1010, Organization 101120, Account 54919, Project 0000000, Program PS02; now, therefore, be it

**RESOLVED**: That the City Administrator is authorized to increase the contract with Renne Sloan Holtzman Sakai, LLP for administrative investigations related to Occupy Oakland police misconduct complaints by \$20,000 increasing the total contract amount to \$120,000; and be it

**FURTHER RESOLVED**: That the City Administrator or her designee is authorized to take all actions and carry out any financial actions necessary to fulfill the intent of this Resolution and accompanying Report, including completing all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this contract for services, except for any increase in the contract amount, without returning to the City Council; and be it

**FURTHER RESOLVED**: That the City Administrator or her designee will provide regular updates to the City Council concerning changes or modifications to the contract with Renne Sloan Holtzman Sakai, LLP; and be it

**FURTHER RESOLVED**: That the City Administrator or her designee shall ensure that copies of fully executed contracts and amendments are placed on file with the Office of the City Clerk; and be it

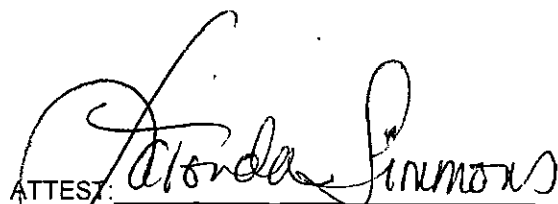
**FURTHER RESOLVED**: That the City Attorney shall review and approve, for form and legality, any and all contract amendments and modifications.

IN COUNCIL, OAKLAND, CALIFORNIA,                     AUG 8 8 2012<sup>0</sup>                    

PASSED BY THE FOLLOWING VOTE: BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, and PRESIDENT REID

AYES-  
NOES-  
ABSENT-  
ABSTENTION-

**APPROVED DURING CITY COUNCIL RECESS  
PURSUANT TO RESOLUTION NO. 82580 Cms  
C.M.S., DATED 03-02-2010**

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the  
Council of the City of Oakland, California



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

Office of the Mayor Annual Recess Agenda

August 5, 2013 - August 31, 2013

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

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

Tuesday, August 13, 2013

8:30 AM

Oakland City Hall - 3rd Floor

**THIS IS NOT AN ACTUAL MEETING OF THE OAKLAND CITY COUNCIL. THIS AGENDA SERVES AS NOTICE OF ACTIONS TAKEN WITHIN THE CITY ADMINISTRATOR'S AUTHORITY DURING THE AUGUST RECESS PERIOD.**

*\*Pursuant to the Council's Rules of Procedures Resolution No. 82580 C.M.S., Rule 21, Actions During Council Recess, the Mayor is authorized to take such action as would normally be taken by the City Council during the period of the Annual Recess, including to convene emergency meeting(s) of the Council to take such emergency actions, as may be necessary, for the immediate preservation of the public peace, health or safety. The Mayor's actions must conform with and be limited to the requirements of the City's purchasing requirements as set forth in Chapter 2 of the Oakland Municipal Code.*

1 Subject: Extending Agreement With Kimley-Horn For On-Call Engineering Services  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Seventh Amendment To The Professional Services Agreement With Kimley-Horn & Associates For On-Call Engineering Services Extending The Term Of The Contract For An Additional Year To September 30, 2014, With No Change To The Original Contract Amount Of \$2,960,000  
(AR12-0728)

2 Subject: Contract With Martin & Chapman To Conduct Special Election  
From: Office Of The City Clerk  
Recommendation: Adopt A Resolution Waiving Local And Small Business Participation Requirements And Authorizing The Award Of A Professional Services Contract In An Amount Not To Exceed One Hundred Eighty Thousand Dollars (\$180,000.00) To Martin & Chapman And Company For Conduct Of A Special Election To Be Held Wednesday, November 13, 2013 For The Newly Formed Community Facilities District (CFD) No. 2013-1 (Wildfire Prevention District)  
(AR12-0729)

**IF MEMBERS OF THE PUBLIC WOULD LIKE TO COMMENT ON THE LISTED AGENDA ITEMS, PLEASE SUBMIT COMMENTS IN WRITING PRIOR TO THE TIME AND DATE ABOVE TO:**

**OFFICE OF THE CITY CLERK - AGENDA MANAGEMENT UNIT**

1 FRANK H. OGAWA PLAZA, SUITE 201  
OAKLAND, CA 94612

EMAIL: [AGENDATEAM@OAKLANDNET.COM](mailto:AGENDATEAM@OAKLANDNET.COM)

PHONE: (510) 238-6406

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 8:30 A.M. TO 5:00 P.M.

LaTonda Simmons  
City Clerk and  
Clerk of the Council





# 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

## Office of the Mayor Annual Recess Agenda

August 5, 2013 - August 31, 2013

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

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

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Tuesday, August 20, 2013

8:30 AM

Oakland City Hall - 3rd Floor

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**THIS IS NOT AN ACTUAL MEETING OF THE OAKLAND CITY COUNCIL. THIS AGENDA SERVES AS NOTICE OF ACTIONS TAKEN WITHIN THE MAYOR'S AUTHORITY DURING THE AUGUST RECESS PERIOD.**

*\*Pursuant to the Council's Rules of Procedures Resolution No. 82580 C.M.S., Rule 21, Actions During Council Recess, the Mayor is authorized to take such action as would normally be taken by the City Council during the period of the Annual Recess, including to convene emergency meeting(s) of the Council to take such emergency actions, as may be necessary, for the immediate preservation of the public peace, health or safety. The Mayor's actions must conform with and be limited to the requirements of the City's purchasing requirements as set forth in Chapter 2 of the Oakland Municipal Code.*

- 1        Subject:    Fixing Tax Rates For FY 2013-2014 For Voter-Approved Indebtedness  
              From:        Office Of The City Administrator  
              Recommendation: Adopt A Resolution Fixing The Rate Of Property Tax And Levying A  
                          Tax On Real And Personal Property In The City Of Oakland For Fiscal Year 2013-2014  
                          For Voter-Approved Indebtedness  
                          (AR13-0001)
  
- 2        Subject:    Correction To Name Of Recipient Of OFCY Grant Award  
              From:        Office Of The City Administrator  
              Recommendation: Adopt A Resolution Amending Resolution No. 84465 C.M.S. To  
                          Change The Recipient Of Grant #115 From The Incorrect Name "Community Initiative"  
                          To The Correct Name "Center For Media Change"  
                          (AR13-0002)

**IF MEMBERS OF THE PUBLIC WOULD LIKE TO COMMENT ON  
THE LISTED AGENDA ITEMS, PLEASE SUBMIT COMMENTS IN  
WRITING PRIOR TO THE TIME AND DATE ABOVE TO:**

**OFFICE OF THE CITY CLERK - AGENDA MANAGEMENT UNIT  
1 FRANK H. OGAWA PLAZA, SUITE 201  
OAKLAND, CA 94612**

**EMAIL: [AGENDATEAM@OAKLANDNET.COM](mailto:AGENDATEAM@OAKLANDNET.COM)  
PHONE: (510) 238-6406**

**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 8:30 A.M. TO 5:00 P.M.**

**LaTonda Simmons  
City Clerk and  
Clerk of the Council**



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2013 AUG -1 AM 9:52 **AGENDA REPORT**

TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR

FROM: Fred Blackwell

SUBJECT: Kimley-Horn Contract Extension

DATE: July 30, 2013

City Administrator  
Approval

*Deanna J. Santana / fw*

Date

*7/30/13*

COUNCIL DISTRICT: #3

**RECOMMENDATION**

Resolution Authorizing the City Administrator to Execute a Seventh Amendment to the Professional Services Agreement with Kimley-Horn & Associates for On-Call Engineering Services Extending the Term of the Contract for an Additional Year to September 30, 2014, with no Change to the Original Contract Amount of \$2,960,000

**EXECUTIVE SUMMARY**

Timely, quality technical assistance on a dedicated basis is required to meet the Trade Corridor Improvement Fund (TCIF) deadline to begin infrastructure construction at the Oakland Army Base (OAB) by the end of 2013. Staff has been relying on Kimley-Horn for this assistance. Kimley-Horn's contract, however, is expiring September 30, 2013, shortly after the City expects to enter into the design-build phase of the project. The City is relying on the design-build process to meet the funding deadline because this process moves the project toward construction more quickly than the traditional design/bid/build method of project delivery. Design-build, however, is a more challenging approach due to the overlap of the design and construction phases. Adding to the complexity of the process is the need to meet local hiring goals for the OAB. Construction is expected to involve more than 30 different subcontractors. Extension of Kimley-Horn's contract ensures that staff has access to technical support to address the issues as they arise.

**OUTCOME**

Adopting this resolution will allow staff will have available the necessary technical support for the OAB project.

Item: \_\_\_\_\_  
Mayor's Summer Recess Agenda  
August 13, 2013

## BACKGROUND/LEGISLATIVE HISTORY

The Oakland Base Reuse Authority ("OBRA") and Kimley-Horn entered into a Professional Services Agreement ("Agreement") on June 30, 2005 for the provision of on-call infrastructure engineering services related to pre-development planning for the Army Base. OBRA executed a First Amendment to the Agreement on May 29, 2006 to broaden the scope of services and increase the contract amount by \$500,000 for a total of \$1,500,000.

By way of Agency Resolution No. 2006-49 C.M.S., approved on June 27, 2006, the Redevelopment Agency of the City of Oakland ("Agency") assumed OBRA's rights and obligations under the Agreement upon OBRA's dissolution, including the provisions of the First Amendment.

In 2007, the Agency required engineering analysis for the planning and management of infrastructure for the OAB and called upon Kimley-Horn for the work. By way of Agency Resolution No. C.M.S. 2007-14, approved March 20, 2007, the Agency executed a Second Amendment to the Agreement with Kimley-Horn to further broaden the scope of services and increase the contract amount to \$2,000,000. As potential development projects presented themselves, the Agency looked to Kimley-Horn for technical advice for these projects. By way of Resolution No. 2008-49 C.M.S., approved on June 17, 2008, the Agency executed a Third Amendment to broaden the scope of services, extend the term and increase the contract amount by \$960,000 for a total of \$2,960,000. By way of Agency Resolution No. 2010-0103 C.M.S., approved on August 24, 2010, the Agency entered into a Fourth Amendment, which extended the term of Kimley-Horn's contract one year and provided the Agency with the option for two additional one-year extensions, with no change to the existing contract amount. On October 1, 2011, the Agency entered into a Fifth Amendment and exercised its option to extend the Agreement one year.

On March 3, 2011, the Agency and the City entered into a Funding Agreement approved by City Council Resolution No. 83256 C.M.S. and Agency Resolution No. 2011-0027 C.M.S., whereby the Agency assigned to the City, and the City accepted, all responsibilities in relation to the administration of any programs funded under the Funding Agreement, and all contracts entered into by the Agency, including the Kimley-Horn contract. On January 31, 2012, pursuant to the Funding Agreement, the Agency transferred its assets and obligations, including the Kimley-Horn contract, to the City. On November 13, 2012, the City executed a Sixth Amendment to the Agreement to extend the Agreement a second time. This extension provided staff with necessary technical support for the OAB project while staff arranged with the Public Works Agency (PWA) for the long-term oversight for the OAB project.

### ANALYSIS

Due to limited resources, PWA is unable to dedicate staff solely to the OAB project. Therefore Kimley-Horn's assistance is required to supplement PWA's services. Kimley-Horn's contract, however, is expiring in September and all of the extensions allowed under the Fourth Amendment have been used. The proposed resolution provides for another one-year extension of the Agreement and ensures that there is no interruption in technical support for the OAB project, especially when the design-build approach is used. Engineering issues must be addressed when they arise. A delay in resolving issues could add substantially to the cost of construction. On-call consultants such as Kimley-Horn are necessary to provide assistance on demand.

The City is now at a critical juncture regarding development of the OAB. The deadline for the start of construction and accessing TCIF funding is the end of 2013. Successfully meeting that deadline relies on completing a series of actions, including the incorporation of comments into the 65% construction drawings for OAB project, issuing addendums to the bid packages based on the comments, determining the scopes of services for the subcontractors, and completing the construction drawings. The actions are highly technical and engineering expertise is necessary to make informed decisions.

The City currently has a contract with Kimley-Horn for on-call services, which have been invaluable in accessing a wide range of expertise. In 2008, the contract was capped at \$2,960,000. Approximately \$300,000 of that contract amount remains. No new funds are required for the contract extension.

### PUBLIC OUTREACH/INTEREST

Kimley-Horn went through a competitive process to win the original contract with the City. Extension of the contract does not require additional public outreach.

### COORDINATION

Staff has coordinated with the Public Works Agency, the City Attorney's Office, and the Contracts and Compliance Division of the City Administrator's Office.

### COST SUMMARY/IMPLICATIONS

1. TOTAL CONTRACT COST:  
The total amount remaining in the contract is \$300,000

2. **SOURCE OF FUNDING:**  
The funding has been encumbered in OBRA Leasing and Utility Fund (5671), Oakland Army Base Organization (02444), OBRA Leasing and Utility Project (P294110).
3. **FISCAL IMPACT:**  
There is no impact on the General Purpose Fund.

### PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Kimley-Horn has been providing infrastructure engineering services for the OAB since 2005, first through a contract with the Oakland Base Reuse Authority and later with the Oakland Redevelopment Agency. Kimley-Horn's personnel have always responded quickly and efficiently to requests for service, and Kimley-Horn's performance was rated "Outstanding" in the contractor evaluation following each extension of the contract.

### SUSTAINABLE OPPORTUNITIES


**Economic:** Development of the Army Base will provide jobs during construction and create thousands of new jobs after construction.

**Environmental:** Kimley-Horn will assist in determining environmentally sustainable methods of construction.

**Social Equity:** Kimley-Horn is a Local Business Enterprise.

For questions regarding this report, please contact Hui Wang, Urban Economic Analyst, at 510 (238) 7683.

Respectfully submitted,



FRED BLACKWELL  
Assistant City Administrator

Reviewed by: Doug Cole  
Project Manager III

Prepared by:  
Hui Wang, UEA  
Office Neighborhood Investment

Item: \_\_\_\_\_  
Mayor's Summer Recess Agenda  
August 13, 2013

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

*D. McManis*  
City Attorney

2013 AUG -1 AM 9:53 RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A SEVENTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN & ASSOCIATES FOR ON-CALL ENGINEERING SERVICES EXTENDING THE TERM OF THE CONTRACT FOR AN ADDITIONAL YEAR TO SEPTEMBER 30, 2014, WITH NO CHANGE TO THE ORIGINAL CONTRACT AMOUNT OF \$2,960,000**

**WHEREAS**, the Economic Development Conveyance (EDC) Memorandum of Agreement between the United State Army and the Oakland Base Reuse Authority (OBRA) and the Oakland Redevelopment Agency ("Agency") requires OBRA to use proceeds generated from the sale or lease of the former Oakland Army Base (OAB) to support the economic redevelopment of the OAB; and

**WHEREAS**, infrastructure improvements must be made before development can occur on the OAB; and

**WHEREAS**, the City requires engineering services to support the City's review of construction drawings and construction management plans for the OAB; and

**WHEREAS**, Kimley-Horn & Associates was selected through a comprehensive and competitive process to assemble a group of highly qualified professions to provide civil engineering services for the complex infrastructure planning and engineering required to develop the Gateway Development Area at the OAB and have developed core knowledge that constitutes a valuable resource for the City; and

**WHEREAS**, the term of the existing civil engineering contract with Kimley-Horn & Associates must be extended immediately prior to the return of the City Council from hs 2013 annual recess to ensure the City has continuous technical support for the infrastructure design underway for the OAB; and

**WHEREAS**, waiting until expiration of the Council 2013 annual recess to obtain approval of the contract extension could unnecessarily jeopardize staff s carefully orchestrated schedule for facilitating approval processes and the overall OAB development process; and

**WHEREAS**, Kimley-Horn & Associates was retained by the City's predecessor owner of the OAB, OBRA, on June 30, 2005 under a contract for \$500,000 as the project engineer for the infrastructure design and engineering at the OAB (the "Agreement"); and

**WHEREAS**, by way of ORA Resolution 2006-49, approved June 27, 2006, the parties entered into the First Amendment to the Agreement to acknowledge that the Agency had assumed OBRA's rights and obligations under the Agreement, and to broaden the scope of services and increase the compensation to be paid to Kimley-Horn to a total amount not to

exceed \$1,500,000; and

**WHEREAS**, by way of Agency Resolution 2007-14, approved March 20, 2007, the parties entered into the Second Amendment to the Agreement to further broaden the scope of services and increase the compensation to be paid to Kimley-Horn to a total amount not to exceed \$2,000,000; and

**WHEREAS**, by way of Agency Resolution 2008-49, approved on June 17, 2008, the parties entered into the Third Amendment to broaden the scope of services, extend the term, and increase the compensation to be paid to Kimley-Horn by \$960,000 for a total amount not to exceed \$2,960,000; and

**WHEREAS**, by way of Agency Resolution 2010-0103 approved August 24, 2010, the parties entered into the Fourth Amendment to extend the term and provide the Agency with the option of two one-year extensions of the Agreement with no change to the existing contract amount; and

**WHEREAS**, on October 1, 2011, the parties entered into the Fifth Amendment to extend the term one year, and

**WHEREAS**, on March 3, 2011, the Agency and the City entered into a Funding Agreement approved by City Council Resolution No. 83256 C.M.S. and Agency Resolution No. 2011-0027 C.M.S., whereby the Agency assigned to the City, and the City accepted, all responsibilities in relation to the administration of any programs funded under the Funding Agreement, and all contracts entered into by the Agency, including the Kimley-Horn Agreement. On January 31, 2012, pursuant to the Funding Agreement, the Agency transferred its assets and obligations, including the Kimley-Horn Agreement, to the City; and

**WHEREAS**, on November 13, 2012, the City, as successor in interest to the Agency, and Kimley-Horn entered the Sixth Amendment to Agreement to acknowledge that the City had assumed the Agency's rights and obligations under the Agreement, and to extend the term of performance ; and

**WHEREAS**, the infrastructure development at the OAB is a multi-year project that requires the knowledge and expertise of the Kimley-Horn & Associates project team; and

**WHEREAS**, the parties desire to amend the Kimley-Horn & Associates Agreement solely to extend the contract term for one year with no change to the existing contract amount; and

**WHEREAS**, approximately \$300,000 of the capped contract amount of \$2,960,000 remains in the existing the contract, and the extension will not increase the amount of the contract; and

**WHEREAS**, funds for the contract are available in OBRA Leasing and Utility Fund (5671), OBRA Leasing & Utility Project (P294110); now, therefore be it

**RESOLVED:** That City Council authorizes the City Administrator or her designee to execute a Seventh Amendment to the Professional Services Agreement with Kimley-Horn & Associates for on-call civil engineering services for the former Oakland Army Base to extend the term of the contract for an additional year with no change to the existing contract amount; and be it



**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to extend, amend (except as to increase the contract amount), and take whatever action is necessary with respect to the amendments consistent with this Resolutions and its basic puposc; and be it

**FURTHER RESOLVED:** That the amendment to the Agreement shall be reviewed and approved by the City Attorney for form and legality prior to execution, and a copy shall be placed on file with the City Cierk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

**OAKLAND CITY COUNCIL**

*W. McManis*  
City Attorney

2013 AUG -1 AM 9:53 RESOLUTION No. 84598 C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A SEVENTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN & ASSOCIATES FOR ON-CALL ENGINEERING SERVICES EXTENDING THE TERM OF THE CONTRACT FOR AN ADDITIONAL YEAR TO SEPTEMBER 30, 2014, WITH NO CHANGE TO THE ORIGINAL CONTRACT AMOUNT OF \$2,960,000**

**WHEREAS**, the Economic Development Conveyance (EDC) Memorandum of Agreement between the United State Army and the Oakland Base Reuse Authority (OBRA) and the Oakland Redevelopment Agency ("Agency") requires OBRA to use proceeds generated from the sale or lease of the former Oakland Army Base (OAB) to support the economic redevelopment of the OAB; and

**WHEREAS**, infrastructure improvements must be made before development can occur on the OAB; and

**WHEREAS**, the City requires engineering services to support the City's review of construction drawings and construction management plans for the OAB; and

**WHEREAS**, Kimley-Horn & Associates was selected through a comprehensive and competitive process to assemble a group of highly qualified professions to provide civil engineering services for the complex infrastructure planning and engineering required to develop the Gateway Development Area at the OAB and have developed core knowledge that constitutes a valuable resource for the City; and

**WHEREAS**, the term of the existing civil engineering contract with Kimley-Horn & Associates must be extended immediately prior to the return of the City Council from its 2013 annual recess to ensure the City has continuous technical support for the infrastructure design underway for the OAB; and

**WHEREAS**, waiting until expiration of the Council 2013 annual recess to obtain approval of the contract extension could unnecessarily jeopardize staff's carefully orchestrated schedule for facilitating approval processes and the overall OAB development process; and

**WHEREAS**, Kimley-Horn & Associates was retained by the City's predecessor owner of the OAB, OBRA, on June 30, 2005 under a contract for \$500,000 as the project engineer for the infrastructure design and engineering at the OAB (the "Agreement"); and

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**WHEREAS**, on November 13, 2012, the City, as successor in interest to the Agency, and Kimley-Horn entered the Sixth Amendment to Agreement to acknowledge that the City had assumed the Agency's rights and obligations under the Agreement, and to extend the term of performance ; and

**WHEREAS**, the infrastructure development at the OAB is a multi-year project that requires the knowledge and expertise of the Kimley-Horn & Associates project team; and

**WHEREAS**, the parties desire to amend the Kimley-Horn & Associates Agreement solely to extend the contract term for one year with no change to the existing contract amount; and

**WHEREAS**, approximately \$300,000 of the capped contract amount of \$2,960,000 remains in the existing the contract, and the extension will not increase the amount of the contract; and

**WHEREAS**, funds for the contract are available in OBRA Leasing and Utility Fund (5671), OBRA Leasing & Utility Project (P294110); now, therefore be it

**RESOLVED:** That City Council authorizes the City Administrator or her designee to execute a Seventh Amendment to the Professional Services Agreement with Kimley-Horn & Associates for on-call civil engineering services for the former Oakland Army Base to extend the term of the contract for an additional year with no change to the existing contract amount; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to extend, amend (except as to increase the contract amount), and take whatever action is necessary with respect to the amendments consistent with this Resolutions and its basic pupose; and be it

**FURTHER RESOLVED:** That the amendment to the Agreement shall be reviewed and approved by the City Attorney for form and legality prior to execution, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, AUG 13 2013

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

APPROVED DURING CITY COUNCIL RECESS


ABSENT -

PURSUANT TO RESOLUTION NO. 82580 CMS

ABSTENTION -

C.M.S., DATED 03-02-10

ATTEST:

  
\_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2013 AUG -2 AM 11:37

# AGENDA REPORT

TO: Deanna Santana,  
CITY ADMINISTRATOR,

FROM: LaTonda Simmons  
CITY CLERK

SUBJECT: November 13, 2013 CFD Wildfire Special Election Professional Services Contract      DATE: July 31, 2013

City Administrator  
Approval

Date

8/02/13

COUNCIL DISTRICT: Districts 1, 4, 6, & 7

## RECOMMENDATION

Adopt a resolution waiving local and small business participation requirements and authorizing the award of a professional services contract in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00) to Martin & Chapman company for conduct of a special election to be held Wednesday, November 13, 2013 for the newly formed Community Facilities District (CFD) No. 2013-1 (Wildfire Prevention District)

## REASON FOR URGENCY

Government code section 53326 requires parties calling for newly formed CFD elections to receive authorization from partner entities who will perform the election services duties in cases where a CFD election would occur less than 125 days from the official call of the election. The call of the CFD 2013-1 Special Election is scheduled to occur at the August 2, 2013 special meeting of the City Council. August 2, 2013 is the 103<sup>rd</sup> day prior to the proposed November 13, 2013 special mail ballot election. Alameda County Registrar of Voters has provided no authorization to conduct the election as an agent of the City. To meet statutory requirements to both obtain authorization and proceed with conduct of the election, the City must engage third party services to commence not later than the legal deadline of August 15, 2013.

## EXECUTIVE SUMMARY

At the July 2, 2013 City Council meeting, Resolution 84496 C.M.S. was adopted to initiate formation of Community Facilities District (CFD) No. 2013-1 (Wildfire Prevention District). At the August 2, 2013 special council meeting, the Council will hear two pieces of legislation: 1) A

Item: \_\_\_\_\_  
Mayor's Recess Agenda  
August 13, 2013

Resolution to proceed with formation of the Community Facilities District (CFD) No. 2013-1, and 2) a Resolution to call for a Special Mail-ballot Election on November 13, 2013 for the CFD No. 2013-1 for an assessment to provide wildfire prevention services within the district's boundaries. This report and resolution authorizes award of a professional services contract to Martin and Chapman Company to perform services necessary to conduct the special CFD mail ballot election proposed for November 13, 2013.

### OUTCOME

Adoption of the resolution will ensure the City's ability to conduct a Special Mail-Ballot Election for the CFD 2013-1 proposed for Wednesday, November 13, 2013.

### BACKGROUND/LEGISLATIVE HISTORY

At the July 2, 2013 City Council meeting, the City initiated establishment of "City of Oakland Community Facilities District No. 2013-1 (Wildfire Prevention District)" ("CFD" or "Wildfire District") pursuant to the Mello-Roos Community Facilities Act of 1982.

At a special meeting of the City Council scheduled for August 2, 2013, the Council will hear two matters to proceed with formation of Community Facilities District (CFD) No. 2013-1 and call of a Special Mail-ballot Election for the special district to allow residents to vote for wildfire prevention services within the district's boundaries.

The formation, call and conduct of elections for community facilities districts are governed by the Mello-Roos Community Facilities Act of 1982, as amended (Government Code Sections 53311-53327.5), the California State elections code, and, in relevant part, the Oakland Municipal Code. City of Oakland regular and special elections routinely are conducted by the Alameda County Registrar of Voters (ROV). For the proposed November 13, 2013 special election, statutory requirements limit the City's ability to utilize the County without 125 day advance authorization to perform services such as: registered voter validation within the new boundaries, preparation and printing of sample ballot materials and ballots, mailing and tallying of ballots, and certification of elections results. To facilitate conduct of the proposed special election on November 13, 2013, the City must engage alternate service providers in lieu of the ability to use the Alameda County ROV.

## ANALYSIS

In anticipation of a call for the special election, the Office of the City Clerk issued a request for proposals (RFP) July 16, 2013 to solicit bids from qualified vendors for conduct of the proposed November 13, 2013 special election in compliance with state and local requirements. The July 16, 2013 RFP proposed a 15% L/SBE participation requirement. The City received 2 proposals for the identified scope of elections services, which could not achieve the proposed participation levels based on the unique service elements that align with document and data controls for election administration processes.

Staff recommends waiver of the L/SBE participation requirement and authorization to proceed with award of a contract to Martin and Chapman Company to perform necessary services to conduct a special election for the newly formed CFD 2013-1 on November 13, 2013. The Martin and Chapman Company have 58 years experience performing elections services and consultation exclusively within the State of California and are certified by the Secretary of State to print ballots for elections in the State of California.

## PUBLIC INTEREST

It is the duty of the City to ensure elections are conducted in accordance with all statutory requirements and timelines.

## COORDINATION

Coordination of elections services for the newly formed Community Facilities District (CFD) No. 2013-1 has been coordinated with the Office of the City Administrator, Office of the City Attorney, and the Office of the City Clerk.

## COST SUMMARY/IMPLICATIONS

The proposed resolution authorizes a professional services contract in the amount of \$180,000. Estimates for conduct of the proposed November 13, 2013 special CFD election, ranged from \$353,000 to \$400,000. The \$180,000 contract would provide for approximately 50% reduction in the anticipated expenses to conduct the election. Funds are available in IP15, Elections Project Fund A343410.

**SUSTAINABLE OPPORTUNITIES**

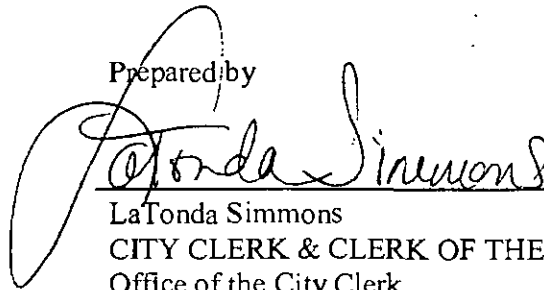
*Economic:* No sustainable economic opportunities are available

*Environmental:* There are no environmental opportunities.

*Social Equity:* Elections are administered in accordance with state and local laws to ensure maximum participation of all residents in the electoral process.

For questions regarding this report, please contact LaTonda Simmons, City Clerk, at (510) 238-3122

Prepared by

A handwritten signature in black ink that reads "LaTonda Simmons". The signature is written in a cursive style with a large, looping initial "L".

LaTonda Simmons  
CITY CLERK & CLERK OF THE COUNCIL  
Office of the City Clerk



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

*Gregory S. Boyd*  
City Attorney

13 AUG -2 AM 11:34 RESOLUTION NO. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**ADOPT A RESOLUTION WAIVING LOCAL AND SMALL BUSINESS PARTICIPATION REQUIREMENTS AND AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000.00) TO MARTIN & CHAPMAN AND COMPANY FOR CONDUCT OF A SPECIAL ELECTION TO BE HELD WEDNESDAY, NOVEMBER 13, 2013 FOR THE NEWLY FORMED COMMUNITY FACILITIES DISTRICT (CFD) NO. 2013-1 (WILDFIRE PREVENTION DISTRICT)**

**WHEREAS**, the Special Mail-Ballot Election for Community Facilities District 2013-1 (Wildfire Prevention District) is to be held in Oakland, California, on November 13, 2013; and

**WHEREAS**, the statutory requirements under Government Code Sections 53311-53327.5, the California State elections code, and, in relevant part, the Oakland Municipal Code, limit the City's ability to utilize Alameda County Registrar of Voters (ROV) to conduct the election; and

**WHEREAS**, the City Clerk's office is minimally staffed, thus, there is a need to contract for the short-term assistance of an experienced, knowledgeable and professional firm to provide elections coordination, materials, supplies and services to assure that the election is conducted in accordance with local, state, and federal laws; and

**WHEREAS**, the City of Oakland conducted a Request for Proposals (RFP) to solicit proposals from qualified firms for the conduct of the proposed Special Mail-Ballot Election for Community Facilities District (CFD) No. 2013-1 on November 13, 2013 and received two responses from qualified elections services vendors; and

**WHEREAS**, the bids received could not achieve the proposed 15% small and local business participation levels based on the unique service elements that align with the controls for election administration processes; and

**WHEREAS**, the project team reviewed proposals and recommended that the City Administrator waive the 15% small and local business participation requirement and enter into an agreement with Martin and Chapman Company to provide election materials, supplies and services to the City Clerk's office for the conduct of the Special Mail-Ballot Election for Community Facilities District (CFD) 2013-1 to occur on November 13, 2013; and

**WHEREAS**, it is anticipated that the costs of these services shall not exceed \$180,000.00 and funds are available in IP15, Elections Project Fund A343410;

**WHEREAS**; the City Council finds the service is professional, scientific or technical, is temporary in nature, and shall not result in the loss of salary or employment by any person having permanent status in the competitive service; now, therefore be it

**RESOLVED**, The City Administrator is hereby authorized to enter into an agreement with Martin and Chapman Company in an amount not to exceed \$180,000 to provide election materials, supplies and services to the City Clerk's office for the conduct of the Special Mail-Ballot Election for Community Facilities District (CFD) 2013-1 proposed to occur on November 13, 2013, and be it

**FURTHER RESOLVED:** The funding of the agreement in the amount of One Hundred Eighty Thousand Dollars \$180,000.000 is approved and appropriated from General Purpose Fund (1010) Org. (03121) Account (53719), Project (A343410), Program (1P15); and be it

**FURTHER RESOLVED:** That the City Administrator and Office of the City Clerk are authorized to take all actions to carry out the financial actions necessary to fulfill the intent of this Resolution and accompanying Report, including completing all required negotiations, certifications, assurances, and documentation required to execute this contract; and be it

**FURTHER RESOLVED:** That the City Attorney will review and approve, for form and legality, the contract;

**FURTHER RESOLVED:** That the City Administrator or her designee shall ensure that copies of fully executed contracts and amendments are place on file with the Office of the City Clerk; and be it

IN COUNCIL OAKLAND, CALIFORNIA, \_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

*Erin Helen Boyd*  
City Attorney

13 AUG -2 AM 11:34 RESOLUTION No. 84599 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**ADOPT A RESOLUTION WAIVING LOCAL AND SMALL BUSINESS PARTICIPATION REQUIREMENTS AND AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000.00) TO MARTIN & CHAPMAN AND COMPANY FOR CONDUCT OF A SPECIAL ELECTION TO BE HELD WEDNESDAY, NOVEMBER 13, 2013 FOR THE NEWLY FORMED COMMUNITY FACILITIES DISTRICT (CFD) NO. 2013-1 (WILDFIRE PREVENTION DISTRICT)**

**WHEREAS**, the Special Mail-Ballot Election for Community Facilities District 2013-1 (Wildfire Prevention District) is to be held in Oakland, California, on November 13, 2013; and

**WHEREAS**, the statutory requirements under Government Code Sections 53311-53327.5, the California State elections code, and, in relevant part, the Oakland Municipal Code, limit the City's ability to utilize Alameda County Registrar of Voters (ROV) to conduct the election; and

**WHEREAS**, the City Clerk's office is minimally staffed, thus, there is a need to contract for the short-term assistance of an experienced, knowledgeable and professional firm to provide elections coordination, materials, supplies and services to assure that the election is conducted in accordance with local, state, and federal laws; and

**WHEREAS**, the City of Oakland conducted a Request for Proposals (RFP) to solicit proposals from qualified firms for the conduct of the proposed Special Mail-Ballot Election for Community Facilities District (CFD) No. 2013-1 on November 13, 2013 and received two responses from qualified elections services vendors; and

**WHEREAS**, the bids received could not achieve the proposed 15% small and local business participation levels based on the unique service elements that align with the controls for election administration processes; and

**WHEREAS**, the project team reviewed proposals and recommended that the City Administrator waive the 15% small and local business participation requirement and enter into an agreement with Martin and Chapman Company to provide election materials, supplies and services to the City Clerk's office for the conduct of the Special Mail-Ballot Election for Community Facilities District (CFD) 2013-1 to occur on November 13, 2013; and

**WHEREAS**, it is anticipated that the costs of these services shall not exceed \$180,000.00 and funds are available in IP15, Elections Project Fund A343410;

**WHEREAS**; the City Council finds the service is professional, scientific or technical, is temporary in nature, and shall not result in the loss of salary or employment by any person having permanent status in the competitive service; now, therefore be it

**RESOLVED**, The City Administrator is hereby authorized to enter into an agreement with Martin and Chapman Company in an amount not to exceed \$180,000 to provide election materials, supplies and services to the City Clerk's office for the conduct of the Special Mail-Ballot Election for Community Facilities District (CFD) 2013-1 proposed to occur on November 13, 2013, and be it

**FURTHER RESOLVED:** The funding of the agreement in the amount of One Hundred Eighty Thousand Dollars \$180,000.000 is approved and appropriated from General Purpose Fund (1010) Org. (03121) Account (53719), Project (A343410), Program (IP15); and be it

**FURTHER RESOLVED:** That the City Administrator and Office of the City Clerk are authorized to take all actions to carry out the financial actions necessary to fulfill the intent of this Resolution and accompanying Report, including completing all required negotiations, certifications, assurances, and documentation required to execute this contract; and be it

**FURTHER RESOLVED:** That the City Attorney will review and approve, for form and legality, the contract;

**FURTHER RESOLVED:** That the City Administrator or her designee shall ensure that copies of fully executed contracts and amendments are place on file with the Office of the City Clerk; and be it

IN COUNCIL, OAKLAND, CALIFORNIA, AUG 13 2013


PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES - APPROVED DURING CITY COUNCIL RECESS

ABSENT - PURSUANT TO RESOLUTION NO. 82580 CMS

ABSTENTION - C.M.S., DATED 03-02-10

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2013 AUG -6 AM 9:25

## AGENDA REPORT

TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR

FROM: Katano Kasaine

SUBJECT: FISCAL YEAR 2013-2014  
VOTER APPROVED INDEBTEDNESS

DATE: August 1, 2013

City Administrator  
Approval

Date

8/02/13

COUNCIL DISTRICT: City-Wide

### RECOMMENDATION

Staff recommends that the City Council adopt a resolution fixing the rate of property tax and levying a tax on real and personal property in the City of Oakland for Fiscal Year 2013-2014 for voter-approved indebtedness.

### EXECUTIVE SUMMARY

A resolution has been prepared to set the property tax rates for fiscal year (FY) 2013-2014 for voter-approved indebtedness, including the City's general obligation bonds and pension obligation bonds. The proceeds generated from these property tax rates will be used towards paying debt service on the City's voter-approved indebtedness.

The resolution is submitted during summer recess in order to meet the schedule for property tax rate submittal established by the County of Alameda (the "County"). All tax rates must be submitted to the County by August 31, 2013 for inclusion in FY 2013-2014 property tax bill.

In the event of any changes to the County's assessed valuation data, the proposed resolution allows the City Administrator or her designee to approve any necessary adjustments in the rates for the General Obligation Bonds, Series 2005, 2006, 2009B, and 2012 Bonds prior to the County's preparation of the tax bills. Council will be notified of any significant changes to the rates estimated in this report.

### OUTCOME

Approval of the recommendation will result in establishment of the property tax rates for FY 2013-2014 for voter-approved indebtedness, including the City's general obligation and pension

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obligation bonds. Revenues generated from property tax collections will be used to pay the required debt service on the City's general obligation and pension obligation bonds.

### BACKGROUND/LEGISLATIVE HISTORY

In order to provide for the debt service for the City's general obligation and pension obligation bonds, the City must annually set levy rates based on the assessed valuation subject to taxation, and must inform the County of these rates by August 31<sup>st</sup> for inclusion on that year's property tax bill.

The resolution has been prepared pursuant to California Government Code and Article VIII, Section 802, of the Oakland City Charter, setting the FY 2013-2014 property tax rate for voter-approved indebtedness. Article XIII A of the California Constitution (Proposition 13) precludes the adoption of a City-wide property tax rate. A County-wide one percent (1%) property tax rate is assessed by Alameda County and apportioned to cities and special districts in accordance with state law.

### ANALYSIS

For the City's general obligation bonds, the levy rates are calculated each year to yield the necessary debt service amount based on the assessed valuation of property within the City.

The following property tax rates are required to satisfy the City of Oakland's 2013-2014 voter-approved indebtedness for the indicated general obligation bond series, based upon the current assessed valuation as reported by the County of Alameda:

Bond Issue	Property Tax Rate
\$122,476,014 General Obligation Refunding Bonds, Series 2005	0.02025%
\$21,000,000 General Obligation Bonds (Measure G), Series 2006	0.00240%
\$64,545,000 General Obligation Bonds (Measure DD), Series 2009B	0.00835%
\$83,775,000 General Obligation Refunding Bonds, Series 2012	0.00994%

For the City's Police and Fire pension liability, the property tax rate required to satisfy the City's 2013-2014 voter-approved indebtedness for the indicated pension obligation bonds is 0.1575%.

### PUBLIC OUTREACH/INTEREST

This item did not require any additional public outreach other than the required posting on the City's website.

**COORDINATION**

This report has been prepared by the Treasury Division in coordination with City Attorney's Office, and Budget Office.

**COST SUMMARY/IMPLICATIONS**

Passage of this resolution will permit the City to collect the FY 2013-2014 revenues included in the FY 2013-15 Adopted Policy Budget for the payment of debt service for the outstanding general obligation and pension obligation bonds.

**SUSTAINABLE OPPORTUNITIES**

*Economic:* There are no economic opportunities associated with this report.

*Environmental:* There are no impacts to environmental opportunities associated with this report.

*Social Equity:* There are no impacts to social equity opportunities associated with this report.

**CEQA**

This report is not a project under CEQA.

For questions regarding this report, please contact Katano Kasaine, Treasurer, at (510) 238-2989.

Respectfully submitted,



KATANO KASAINÉ  
Treasurer

Prepared by:  
Dawn Hort, Financial Analyst  
Treasury Division

**City of Oakland  
General Obligation Bonds**

**Levy Calculations for Fiscal Year 2013-14**

Bond Description	Series 2005 (Refunding)	Series 2006 (Measure G)	Series 2009B (Measure DD)	Series 2012 (Refunding)	GO TOTAL
Fund Number	6063 (Baby Bonds)	6311	6321	6312	
Cash Available for D5 as of 6/30/13					
Cash Held by Treasury	\$ 3,437,410	\$ 629,222	\$ 2,451,678	\$ 3,821,755	\$ 10,340,066
Cash Held by Trustee	-	31	-	13,580	13,610
<b>Total Cash</b>	<b>3,437,410</b>	<b>629,253</b>	<b>2,451,678</b>	<b>3,835,335</b>	<b>10,353,676</b>
Debt Service Payments through 12/31/14					
FY 2013-14 DS Payments	11,197,664	1,322,363	4,610,881	6,648,975	23,779,883
DS Payment in 07/15/14	-	416,781	1,699,066	1,977,863	4,093,709
DS Payment in 12/15/14	1,612,391	-	-	-	1,612,391
Bank & Bonds	6,000	6,000	9,000	6,500	27,500
<b>Total DS Payments through 12/31/14</b>	<b>12,816,056</b>	<b>1,745,144</b>	<b>6,318,947</b>	<b>8,633,338</b>	<b>29,513,484</b>
<b>Total Debt Service Shortfall</b>	<b>9,378,646</b>	<b>1,115,891</b>	<b>3,867,269</b>	<b>4,798,003</b>	<b>19,159,808</b>
Add: Reserve (6% of FY 13/14 DS)	671,860	79,342	276,653	398,939	1,426,793
Add: Projected Delinquencies (Unsecured Roll: 7.28%)	50,908	6,102	22,152	49,801	128,964
Less: Unitary Tax Collected FY 12-13	2,029,518	244,512	839,039	1,282,439	4,395,507
<b>Balance to be levied on Tax Roll</b>	<b>\$ 8,071,896</b>	<b>\$ 956,823</b>	<b>\$ 3,327,036</b>	<b>\$ 3,964,304</b>	<b>\$ 16,320,058</b>
<b>Secured Tax Rate <sup>(1)</sup></b>	<b>0.02025%</b>	<b>0.00240%</b>	<b>0.00835%</b>	<b>0.00994%</b>	<b>0.04094%</b>
<b>Assessed Valuation <sup>(2)</sup></b>	<b>39,868,093,004</b>	<b>39,868,093,004</b>	<b>39,868,093,004</b>	<b>39,868,093,004</b>	<b>39,868,093,004</b>
<b>Last Year's Secured Tax Rate</b>	<b>0.01982%</b>	<b>0.00238%</b>	<b>0.00862%</b>	<b>0.01939%</b>	<b>0.05021%</b>
<b>DIFFERENCE</b>	<b>0.00043%</b>	<b>0.00002%</b>	<b>-0.00028%</b>	<b>-0.00945%</b>	<b>-0.00927%</b>

Note: Totals may not add up due to rounding

<sup>(1)</sup> Expected Unitary Tax Revenue for FY 2013-14 not factored into the secured tax rate given the uncertainty of the value of receipt; it will be taken into account for FY 2014-15 tax roll once the monies from County are received.

<sup>(2)</sup> AV is net of 3.47% in secured roll delinquencies



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2013 AUG -6 AM 9:25

Approved as to Form and Legality

  
City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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### RESOLUTION FIXING THE RATE OF PROPERTY TAX AND LEVYING A TAX ON REAL AND PERSONAL PROPERTY IN THE CITY OF OAKLAND FOR FISCAL YEAR 2013-2014 FOR VOTER- APPROVED INDEBTEDNESS

**WHEREAS**, the City of Oakland must annually set property tax levy rates, based on the assessed valuation subject to taxation, and must inform the County of Alameda of these rates by August 31st for inclusion on that year's property tax bill; and

**WHEREAS**, passage of this resolution will permit the City of Oakland to collect the Fiscal Year 2013-2014 revenues for the payment of debt service for the outstanding voter approved general obligation and pension obligation bonds; and now therefore be it

**RESOLVED**: that a tax of 0.1575% is hereby fixed and levied for Fiscal Year 2013-2014 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for payments to the Police and Fire retirement systems as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED**: that an estimated tax of 0.02025% is hereby fixed and levied for Fiscal Year 2013-2014 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Refunding Bonds, Series 2005, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED**: that an estimated tax of 0.00240% is hereby fixed and levied for Fiscal Year 2013-2014 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2006, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED**: that an estimated tax of 0.00835% is hereby fixed and levied for Fiscal Year 2013-2014 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2009B, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED:** that an estimated tax of 0.00994% is hereby fixed and levied for Fiscal Year 2013-2014 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Refunding Bonds, Series 2012, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED:** that if the estimated General Obligation Bond rates of 0.02025%, 0.00240%, 0.00835%, and 0.00994% for Series 2005, 2006, 2009B, and 2012 respectively, need to be adjusted to reflect the actual figures for the assessed valuations, the City Administrator or her designee is hereby authorized to make the necessary adjustments; and be it

**FURTHER RESOLVED:** that this Resolution shall take effect immediately upon its passage.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2013

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST. \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2013 AUG -6 AM 9:25

Approved as to Form and Legality

  
City Attorney

# OAKLAND CITY COUNCIL

RESOLUTION NO. 84600 C.M.S.

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## RESOLUTION FIXING THE RATE OF PROPERTY TAX AND LEVYING A TAX ON REAL AND PERSONAL PROPERTY IN THE CITY OF OAKLAND FOR FISCAL YEAR 2013-2014 FOR VOTER- APPROVED INDEBTEDNESS

**WHEREAS**, the City of Oakland must annually set property tax levy rates, based on the assessed valuation subject to taxation, and must inform the County of Alameda of these rates by August 31st for inclusion on that year's property tax bill; and

**WHEREAS**, passage of this resolution will permit the City of Oakland to collect the Fiscal Year 2013-2014 revenues for the payment of debt service for the outstanding voter approved general obligation and pension obligation bonds; and now therefore be it

**RESOLVED**: that a tax of 0.1575% is hereby fixed and levied for Fiscal Year 2013-2014 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for payments to the Police and Fire retirement systems as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED**: that an estimated tax of 0.02025% is hereby fixed and levied for Fiscal Year 2013-2014 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Refunding Bonds, Series 2005, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED**: that an estimated tax of 0.00240% is hereby fixed and levied for Fiscal Year 2013-2014 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2006, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED**: that an estimated tax of 0.00835% is hereby fixed and levied for Fiscal Year 2013-2014 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2009B, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED:** that an estimated tax of 0.00994% is hereby fixed and levied for Fiscal Year 2013-2014 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Refunding Bonds, Series 2012, as approved by the voters of the City of Oakland; and be it

**FURTHER RESOLVED:** that if the estimated General Obligation Bond rates of 0.02025%, 0.00240%, 0.00835%, and 0.00994% for Series 2005, 2006, 2009B, and 2012 respectively, need to be adjusted to reflect the actual figures for the assessed valuations, the City Administrator or her designee is hereby authorized to make the necessary adjustments; and be it

**FURTHER RESOLVED:** that this Resolution shall take effect immediately upon its passage.

IN COUNCIL, OAKLAND, CALIFORNIA, AUG 20 2013, 2013

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT KERNIGHAN

NOES -

APPROVED DURING CITY COUNCIL RECESS

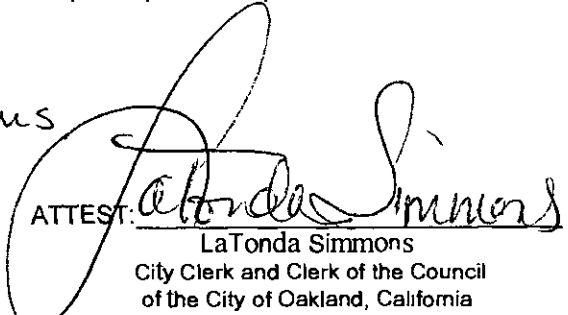
ABSENT -

PURSUANT TO RESOLUTION NO. 82580 C.M.S

ABSTENTION -

C.M.S., DATED 03-02-10

ATTEST:

  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2013 AUG -9 AM 10:10

## AGENDA REPORT

TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR

FROM: Sara Bedford

SUBJECT: Correcting a Clerical Error in the Name of OFCY Grant Recipient #115 for FY2013-2014  
DATE: August 8, 2013

City Administrator *Morgan* Date  
Approval *[Signature]*

COUNCIL DISTRICT: Citywide

### RECOMMENDATION

The Department of Human Services (DHS) and the Oakland Fund for Children and Youth (OFCY) recommend adoption of a resolution to amend Resolution No. 84465 C.M.S. to change the recipient of OFCY grant #115 from the erroneous name "Community Initiative" to the correct agency name "Center for Media Change." This correction will allow the City Administrator to negotiate and execute a grant agreement between the City of Oakland and Center for Media Change in support of the Hack the Hood Summer Boot camp program in an amount not to exceed \$50,000 for fiscal year 2013-2014, with the program renewable with City Council approval in fiscal years 2014-2015 and 2015-2016.

### REASON FOR SUPPLEMENTAL

The Center for Media Change's Hack the Hood Summer Boot camp program was recommended by the OFCY Planning and Oversight Committee (POC) and approved for funding by the Oakland City Council on June 18, 2013, for programming in FY2013-2014, with a starting date of July 1, 2013. Due to a clerical error in Resolution No. 84465 C.M.S. approved by Council, the grant recipient was erroneously named "Community Initiative" instead of "Center for Media Change," and the program name was erroneously listed as "Center for Media Change - Hack the Hood," instead of the correct name "Hack the Hood." Adoption of this proposed resolution will correct the clerical error in Resolution No. 84465 C.M.S., and allow the City Administrator to execute a grant contract with the agency. Adoption during the summer recess will allow OFCY to enter into contract with Center for Media Change in an expeditious manner so the agency can receive payments for services that have been delivered starting July 1, 2013 and prevent any further delay in reimbursement to the agency.

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Mayor's Summer Recess  
August 20, 2013

For questions regarding this report, please contact Sandra Taylor, at (510) 238-7163.

Respectfully submitted,



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Sara Bedford, Interim Director  
Department of Human Services

Children and Youth Services Division

*Reviewed by:* Sandra Taylor, CYS Manager

*Prepared by:* Mike Wetzel, Program Planner

**ATTACHMENTS:**

**A - OFCY June 11, 2013 City Council Agenda Report and**

**B - Resolution No. 84465 C.M.S.**

Item: \_\_\_\_\_

Mayor's Summer Recess

August 8, 2013



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2013 MAY 30 PM 4: 19

## AGENDA REPORT

TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR

FROM: Sara Bedford

SUBJECT: Oakland Fund for Children and Youth  
Grant Awards 2013-2014

DATE: May 22, 2013

City Administrator  
Approval

*Deanna Santana*

Date

5/30/13

COUNCIL DISTRICT: City-Wide

### RECOMMENDATION

The Department of Human Services (DHS) and the Oakland Fund For Children and Youth (OFCY) Planning and Oversight Committee (POC) recommend adoption of a resolution authorizing the City Administrator to negotiate and execute grant agreements between the City Of Oakland and various non-profit and public agencies to provide direct services for children and youth in an amount not to exceed \$10,762,224 for fiscal year 2013-2014. The POC recommends that these grant programs be renewable with City Council approval in fiscal years 2014-2015 and 2015-2016.

### EXECUTIVE SUMMARY

The Oakland Fund for Children and Youth Planning and Oversight Committee requests that City Council approve a resolution to authorize grant agreements for 126 OFCY programs recommended for funding through the Kids First! Children's Fund in the amount of \$10,762,224 for fiscal year 2013-2014. The grants are recommended to implement the OFCY 2013-16 Strategic Investment Plan and the first year of OFCY's three-year grant cycle.

OFCY's three-year Strategic Investment Plan (2013-2016) was approved by the City Council in December 2012 (Resolution No. 84130 C.M.S.) to address the well-being of Oakland children and youth from birth through age 21. The Strategic Plan presents strategies with emphasis on parent education and early learning opportunities; safe, supportive and engaging programs to foster youth development and success in school; older youth leadership in schools and community, and expanded access to career pathways and workforce opportunities.

The POC's competitive proposal review process began with the release of a Request for Proposals in December 2012 to solicit proposals for the three-year grant cycle (2013-2016). OFCY received 248 applications in January 2013, which were reviewed by the POC and staff through a series of public meetings in March and April 2013. The POC finalized its recommendations for the award of these grants in May 2013.

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Life Enrichment Committee  
June 11, 2013

The 126 selected programs propose to serve approximately 22,000 children and youth at program sites throughout Oakland. This report includes the following attachments:

- Attachment A:** List of recommended grant awards by strategy.  
**Attachment B:** List of programs with summary of proposed services.  
**Attachment C:** Maps and charts for program site locations by Council District.

### OUTCOME

Adoption of the resolution will result in the execution of grant agreements with non-profit and public agencies for 126 grant programs funded through the Kids First Children's Fund and will allow approximately 22,000 children and youth to receive direct services from contracted agencies for the period of July 1, 2013 through June 30, 2014. The grants are renewable with Council approval for FY2014-2015 and FY2015-2016 contingent upon the evaluation of services and satisfactory performance.

### BACKGROUND/LEGISLATIVE HISTORY

Oakland voters passed Measure D in July, 2009, to revise the Kids First! Children's Fund Amendment in the Oakland City Charter (originally passed as Measure K in November 1996), and continue the set aside of general purpose funds through Kids First! for a second 12-year life cycle. The four goals outlined in Measure D are: 1) Support the healthy development of young children, 2) Help children and youth succeed in school and graduate high school, 3) Prevent violence and reduce youth involvement in crime and gangs, and 4) Help youth transition to productive adulthood. OFCY is overseen by a 17 member Planning and Oversight Committee (POC) composed of eight (8) youth and nine (9) adult members.

Under Measure D, 3% of the City's unrestricted general purpose fund revenues are set aside in a "Children's Fund" for direct services for children and youth. The POC is responsible for the completion of a three-year Strategic Investment Plan, the solicitation of proposals for funding to implement the Plan through an open and fair application process, and the selection of a grants package for Council approval in entirety. The POC must also oversee annual evaluations of grantees' programs, and receive reports from the City Auditor on the baseline spending requirement for children and youth.

### ANALYSIS

OFCY released a Request for Proposals (RFP) in December 2012 following Council approval of the OFCY Strategic Investment Plan. In January 2013, the POC received 248 proposal applications for grants totaling over \$23.0 million. Over a three-month period, all complete and qualifying proposals (225) were scored by outside readers, considered by the review subcommittee of the POC and selected on the basis of the quality of the proposal relative to others received in each strategy area and additional selection criteria.

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Life Enrichment Committee  
June 11, 2013



### ***Criteria for Selection***

The FY2013-2016 OFCY funding recommendation results from the POC's effort to balance a variety of complex issues. The criteria considered in the selection of proposals included the average score and ranking for each proposal as an indicator of the quality of each application. Additional criteria used by the POC in the selection process include past performance as documented by the grant monitoring and evaluation processes; geographic distribution of services relative to where youth in poverty live in Oakland; cost-effectiveness of services; demonstrated capacity to deliver proposed services; services to hard to reach or specific populations of children and youth; and leveraging of local city assets or initiatives.

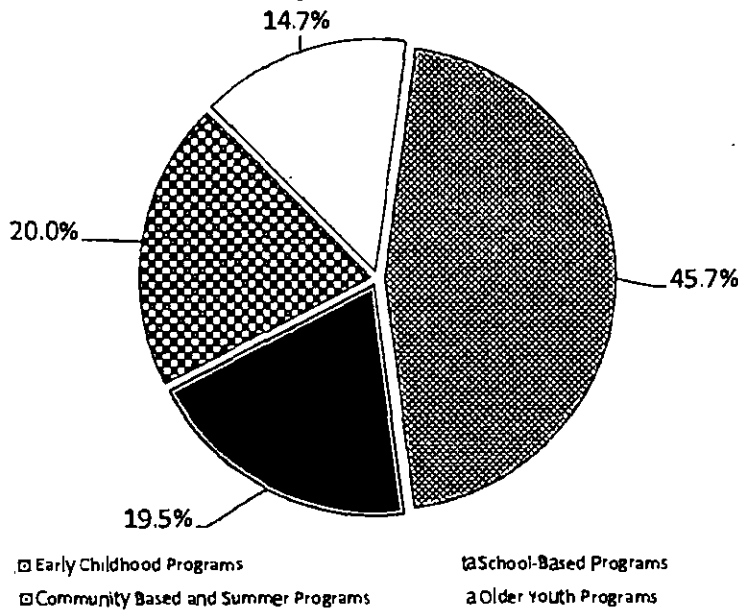
### ***OFCY Strategic Priorities and FY2013-2016 Funding Recommendation***

The OFCY 2013-2016 Strategic Investment Plan addresses the four goals outlined in the Kids First! Amendment (Measure D), targets services to children and youth in areas of high need in Oakland, and promotes strategic leveraging of resources to maximize collective impact on outcomes for Oakland's children and youth. The Plan emphasizes prevention through parent education and early learning opportunities, support for student success and youth development programming in safe and supportive environments in out of school time (both school and community or neighborhood based sites), youth leadership in schools and the community, and expanded access to career pathways and workforce opportunities for older youth. The Planning and Oversight Committee recommends 126 programs which will engage over 22,000 children and youth and their families in Oakland.

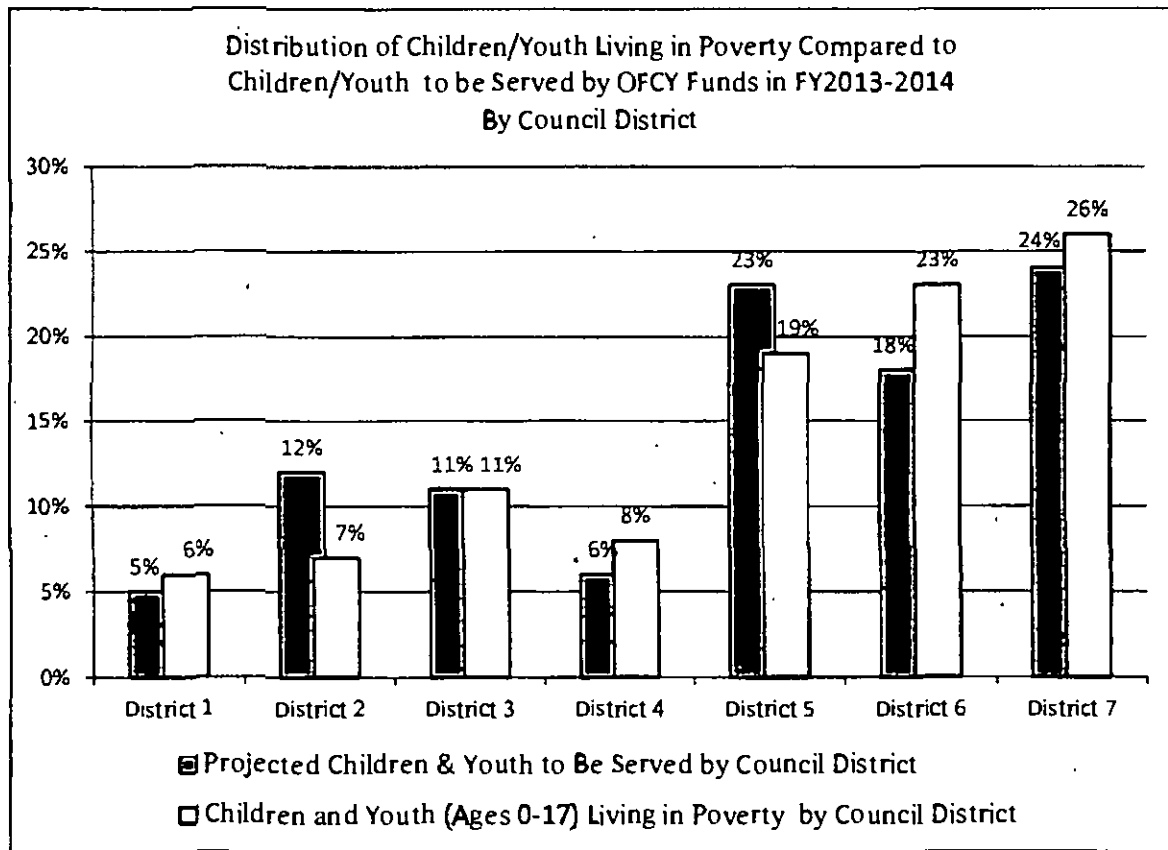
The table on the following page illustrates recommended funding amounts for each OFCY strategy area. Funding requested far exceeded funding available, across all strategy areas except school based after school programs. The POC received 248 proposal applications in January 2013 for requests totaling over \$23.0 million. The total amount of funds requested exceeded the funds available for the several strategy areas by a margin of 3:1. OFCY received 24 applications requesting a total of \$3,536,516 in funding for youth career and workforce programming, and recommends funding totaling \$1,076,412 to support 11 programs. OFCY received 35 requests for funding in Community Based Out of School Time Strategy totaling \$3,076,227, and recommends funding 11 programs with funds totaling \$868,701. A total of 126 programs are recommended for funding in the amount of \$10,762,224 in FY2013-2014.

Table 1: Goal Area & Funding Strategy	# Programs Funded	OFCY Grant Award Amount FY2013-2014
<b>Healthy Development of Young Children</b>		<b>\$1,586,288</b>
Mental Health & Developmental Consultations in Early Care & Education (Head Start and OUSD CDC centers)	4	\$687,700
Parent and Child Engagement in Early Learning and Development	8	\$898,588
Pre-Kindergarten Summer Camp	0	\$0
<b>Student Success in School</b>		<b>\$5,381,470</b>
School-based after school for elementary & middle school	54	\$4,443,700
Transition programs for youth into middle and high school	4	\$476,100
Youth Leadership in Community Schools	3	\$461,670
<b>Youth Leadership and Community Safety</b>		<b>\$2,232,459</b>
Community-based Out-of-School Time Programs	11	\$868,701
Summer Program	10	\$770,450
Youth Leadership and Community Safety	7	\$593,308
<b>Transitions to Adulthood</b>		<b>\$1,562,007</b>
Youth Career and Workforce Development	11	\$1,076,412
Academic Support for Older Youth	4	\$485,595
<b>TOTALS:</b>	<b>126</b>	<b>\$10,762,224</b>

OFCY Funding Allocation By Program Type



See *Attachment B* for program descriptions and *Attachment C* for site locations and maps. In addition to the location of service sites, the POC considered proposal information on the residence location of children and youth to be served. The chart below provides data on where children and youth from birth to age 17 in Oakland live based on an approximation using census data, and where children and youth to be served reside by Council district as proposed. An effort was made to ensure that on the whole the programs selected approach a more equitable distribution of services in consideration of council districts with larger proportions of Oakland's children living in poverty.



**Goal Area 1: Healthy Development of Young Children**

Twelve agencies will support the healthy development of young children through services to improve the quality of preschool classrooms and programs to reach families of young children in Oakland neighborhoods.

Providers of mental health and developmental consultations support early childhood education teachers at Head Start sites and Oakland Unified School District (OUSD) Child Development

Centers. Programs address classroom competency in support of the social and emotional well-being of young children and school readiness. The strategy will fund four lead agency providers and their subcontractors to deliver services to 42 sites and reach an estimated 2,577 children.

OFCY supports community playgroup programs that engage parents of young children in early learning activities, connect them with education and resources, and provide developmental coaching to ensure the healthy development of young children. Funding for eight lead agencies will support programming at 19 different service sites, such as parent cafes and baby learning centers in community sites, including city recreation centers, and family resource centers and public housing, to reach a projected 971 parents and over 1,000 young children.

Pre-Kindergarten Summer Camp programs for children with no prior pre-school experience are not recommended for funding in 2013-2014, but will be reconsidered for funding in 2014 if funds are available.

### **Goal Area 2: Student Success in School**

The Oakland After School Initiative is continued through OFCY's partnership with the Oakland Unified School District. The City's OFCY investment of \$4 million leverages over \$7 million that OUSD receives through state After School Education and Safety (ASES) funding and federal 21st Century Community Learning Center funding. In support of the full service community schools plan, lead agencies provide safe and engaging learning environments after school and directly contribute to a positive school climate in 46 elementary sites and 18 middle school sites. The sixty-four programs are jointly funded and evaluated, and will engage approximately 7,824 students.

Transitions programs support high school graduation and target students at risk of disengaging from school through academic, case management, leadership development and peer support for the transition to high school. Additionally, youth leadership programs support the creation of positive culture through peer leadership in schools. OFCY funding will support four lead agencies providing services that will reach a projected 2,678 students. Youth are engaged as peer leaders to support a range of positive behaviors, including promoting healthy choices; preventing violence and resolving conflict; addressing equity and inclusiveness issues; and helping students to succeed and graduate. Three lead agencies will be funded to reach approximately 4,773 students.

### **Goal Area 3: Youth Leadership and Community Safety**

OFCY continues to fund community based organizations which provide safe and engaging programming for children in neighborhood sites during the summer and the school year. Program activities include arts, fitness, field trips, community service, leadership development, academic and peer support activities. Eleven programs will be funded by OFCY to reach approximately 1,985 children and youth in community based after school and drop in programs.

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Summer programs provide enrichment activities and academics to combat summer learning loss. OFCY will support 10 agencies to serve 1,514 children and youth during the summer.

Older youth leadership programs will engage over 2,000 youth in building community and safety in Oakland neighborhoods. Seven programs are funded to work with older youth to engage peers, families, and the broader neighborhood in youth led efforts that directly benefit neighborhood initiatives and improve community safety. Seven lead agencies will be funded by OFCY to serve approximately 2,290 youth.

**Goal Area 4: Successful Transitions to Adulthood**

OFCY will expand youth workforce engagement opportunities for young people. To assist young people in the transition to a positive and productive adulthood, OFCY is expanding its funding for programs that demonstrate links to employers in the region, provide viable pathways for young people into jobs and careers, and provide paid summer jobs and direct work experience. OFCY will support 11 agencies to reach 1,085 youth through the strategy and engage them in meaningful employment opportunities. Four programs provide academic support services and will reach approximately 1,865 youth next year, specifically addressing academic needs to keep youth engaged in school, support them to graduate, and transition to productive adulthood.

**PUBLIC OUTREACH/INTEREST**

The POC's funding recommendation was discussed publicly during review subcommittee meetings held between February and April 2013. The Planning and Oversight Committee held a public meeting on April 17 to receive its review subcommittee's recommendation and hosted public meetings in May 2013 to affirm the funding package and approve the recommendations for forwarding to Oakland City Council. The POC and ad-hoc review subcommittee meetings were all hosted at Oakland City Hall.

**COORDINATION**

The City Attorney's Office and the Budget Office have been consulted in the preparation of this report and resolution. The OFCY Strategic Plan, which forms the basis for this recommendation, was developed with input from key stakeholder departments in the City, including the Office of the Mayor, the Office of the City Administrator, the Office of Parks and Recreation, the Oakland Public Library, and the staff of the Workforce Investment Board.

**COST SUMMARY/IMPLICATIONS**

The Oakland Kids First Children's legislation mandates that 90% of funds be used for direct support for children and youth service organizations. The remaining 10% of funds support fund administration, including staffing, evaluation, and data management services. The City of Oakland Proposed Policy Budget FY2013-2015 identifies \$11,763,186 in fiscal year 2013-2014 for the Kids First Children's fund, of which 90% or \$10,586,867 is available for grants in

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FY2013-14. Funds totaling \$10,762,224 will be available for the OFCY grants from the FY2013-2014 Kids First! budget appropriation upon adoption of the proposed policy budget, the appropriation of interest earned to the Fund 1780 Project P420831, and use of the unspent project balances located in Kids First! Oakland Children's Fund (1780) in Project P364030 and Project P157731. The table below summarizes the sources of funds available for OFCY grant contracts for FY2013-2014.

<b>OFCY Revenue and Funds Available for Grants FY2013-2014</b>	
Projected Kids First! revenues	\$11,763,186
Allocation to grants	\$10,586,867
Interest appropriation (P420831)	\$9,526
Prior Year balance (P364030)	\$160,018
Prior Year balance (P157731)	\$5,813
<b>Total Grant Funding Available</b>	<b>\$10,762,224</b>

The proposed budget appropriation for Kids First for FY2014-2015 is \$12,125,533, of which 90% or \$10.91 million will be available for grants.

#### FISCAL/POLICY ALIGNMENT

The recommendation forwarded by the Planning and Oversight Committee is in accordance with the requirement to set aside 3% of the unrestricted general fund revenues annually to the Kids First Children's Fund. OFCY funding strategies are in alignment with city policy supporting positive outcomes for children and youth, notably Oakland UNITE! for violence prevention and reduction; the Oakland WIB for youth employment; the OUSD's Full Service Community Schools Strategic Plan; and the Oakland Educational Cabinet's goals to increase access to quality early childhood education and increase the high school graduation rate of Oakland students.

#### PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

OFCY grant programs are evaluated annually by an independent consultant. Program targets for youth enrollment, hours and duration of service, types of activities are captured in the CitySpan grants management database and assessed in the annual evaluation process. In FY2013-14, all contracted programs will be evaluated by the firm Public Profit, Inc.

During the review process, the POC received and considered performance data on current OFCY grantees related to the quality of programs, based on site visits conducted by the independent evaluator. Program performance targets for youth participation and hours of service were also

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considered through review of the OFCY FY2011-2012 year-end evaluation reports and the FY2012-2013 mid-term evaluation report.

### **SUSTAINABLE OPPORTUNITIES**


**Economic:** OFCY funding generates employment opportunities through 60 lead agencies funded to operate 126 grant programs. These agencies are predominately Oakland-based, employ local staff and have a positive economic impact. In addition, OFCY funds are used to leverage and match additional local, state, federal and foundation funding sources, and thereby bring additional resources into Oakland. Numerous projects will provide direct economic benefit to youth through stipended leadership opportunities, internships, and subsidized employment.

**Environmental:** Programs include projects that work to improve the neighborhood and local environmental conditions, and also promote ecological and environmental education and conservation.

**Social Equity:** OFCY prioritizes funding for services that reach youth with the greatest needs. OFCY funding increases services to immigrant children and youth, children living in high stress neighborhoods, and youth exposed to violence, regardless of ability to pay. Over 6,000 youth projected to be served are limited or non-English speaking; while over 2,000 of the youth projected to be served will have cognitive/ learning / developmental disabilities.

For questions regarding this report, please contact Sandra Taylor, Human Services Manager.

Respectfully submitted,

  
SARA BEDFORD, Interim Director  
Department of Human Services

*Reviewed by:* Sandra Taylor, Manager  
Children and Youth Services Division

*Prepared by:* Mike Wetzel, Planner  
Oakland Fund for Children & Youth

### **ATTACHMENTS:**

- Attachment A:** List of recommended grant awards by strategy.  
**Attachment B:** List of programs with summary of proposed services.  
**Attachment C:** Maps and charts for program site locations by Council District.

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**OFCY 2013-2015 Grant Awards  
Attachment A: List of Recommended Grant Awards by Strategy**

Grant ID#	Agency Name	Project Title	Recommended Amount
<b>Strategy #1: Mental Health and Developmental Consultations in Early Care and Education</b>			
1	Family Paths, Inc.	The Oakland Early Childhood Mental Health Collaborative	\$243,310
2	Jewish Family & Children's Services of the East Bay	Integrated Early Childhood Consultation Program	\$230,000
3	Lincoln Child Center, Inc.	Early Childhood Mental Health Consultation	\$109,330
4	The Link to Children	Early Childhood Mental Health Consultation and Emotional Literacy	\$105,000
<b>Subtotal:</b>			<b>\$687,700</b>
<b>Strategy #2: Parent and Child Engagement in Early Learning and Development</b>			
5	Children's Hospital & Research Center Oakland	Integrated Developmental Playgroups Program	\$160,000
6	City of Oakland Office of Parks and Recreation	Sandboxes to Community Empowerment + Inclusion Center Playgrounds	\$180,000
7	East Bay Agency for Children	Parent Child Education and Support Program (PCESP)	\$91,059
8	Lotus Bloom	Multicultural Playgroups	\$124,436
9	Oakland Parents Together	Listening to Children Parent Cafes	\$49,938
10	Our Family Coalition	Building Strong Children in LGBTQ Families	\$48,187
11	Safe Passages	Safe Passages Baby Learning Communities Collaborative	\$200,000
12	Through the Looking Glass	Chatterbox	\$44,908
<b>Subtotal:</b>			<b>\$898,588</b>
<b>Strategy #4: School-Based After School Programming for Elementary &amp; Middle School</b>			
13	Bay Area Community Resources	Alliance Academy	\$82,000
14	Bay Area Community Resources	Bridges Academy	\$67,000
15	Bay Area Community Resources	Claremont After School Program	\$82,000
16	Bay Area Community Resources	Elmhurst Community Prep	\$82,000
17	Bay Area Community Resources	Emerson Elementary	\$67,000
18	Bay Area Community Resources	Esperanza Elementary	\$67,000
19	Bay Area Community Resources	Fred T. Korematsu Discovery Academy	\$67,000
20	Bay Area Community Resources	Global Family	\$67,000
21	Bay Area Community Resources	Grass Valley Elementary	\$67,000
22	Bay Area Community Resources	Greenleaf Elementary	\$67,000
23	Bay Area Community Resources	Hoover Elementary	\$67,000
24	Bay Area Community Resources	Horace Mann Elementary	\$67,000
25	Bay Area Community Resources	LaFayette Elementary	\$67,000
26	Bay Area Community Resources	Madison Middle	\$82,000



OFCY 2013-2016 Grant Awards  
Attachment A: List of Recommended Grant Awards by Strategy

Grant ID#	Agency Name	Project Title	Recommended Amount
27	Bay Area Community Resources	Markham Elementary	\$67,000
28	Bay Area Community Resources	Martin Luther King, Jr. Elementary	\$67,000
29	Bay Area Community Resources	Melrose's Community Bridges Program	\$82,000
30	Bay Area Community Resources	Preparatory Literary Academy Of Cultural Excellence	\$67,000
31	Bay Area Community Resources	Reach Academy	\$67,000
32	Bay Area Community Resources	Sankofa Academy	\$67,000
33	Bay Area Community Resources	Urban Promise Academy	\$82,000
34	Citizen Schools, Inc.	Aspire Lionel Wilson College Preparatory Academy	\$82,000
35	Eagle Village Community Center Youth and Family Services, Inc.	Westlake Middle	\$82,000
36	East Bay Agency for Children	Achieve Academy	\$26,800
37	East Bay Agency for Children	East Oakland Pnde Elementary	\$67,000
38	East Bay Agency for Children	World Academy	\$46,900
39	East Bay Asian Youth Center (EBAYC)	Bella Vista Elementary	\$67,000
40	East Bay Asian Youth Center (EBAYC)	Cleveland Elementary	\$67,000
41	East Bay Asian Youth Center (EBAYC)	Franklin Elementary	\$67,000
42	East Bay Asian Youth Center (EBAYC)	Garfield Elementary	\$67,000
43	East Bay Asian Youth Center (EBAYC)	La Escuelita Elementary	\$67,000
44	East Bay Asian Youth Center (EBAYC)	Lincoln Elementary	\$67,000
45	East Bay Asian Youth Center (EBAYC)	Manzanita Community	\$67,000
46	East Bay Asian Youth Center (EBAYC)	Roosevelt Middle	\$82,000
47	East Oakland Youth Development Center	Futures Elementary	\$67,000
48	East Oakland Youth Development Center	Roots International Academy	\$82,000
49	Girls Incorporated of Alameda County	Acorn Woodland Elementary	\$67,000
50	Higher Ground Neighborhood Development Corp	Allendale Elementary	\$67,000
51	Higher Ground Neighborhood Development Corp	Brookfield Elementary	\$49,000
52	Higher Ground Neighborhood Development Corp	New Highland Academy	\$67,000
53	Higher Ground Neighborhood Development Corp	Rise Community	\$67,000
54	Higher Ground Neighborhood Development Corp	Sobrante Park Elementary	\$67,000
55	Lighthouse Community Charter School	Lighthouse Community Charter	\$82,000
56	Oakland Leaf Foundation	Ascend	\$82,000
57	Oakland Leaf Foundation	Bret Harte Middle	\$82,000
58	Oakland Leaf Foundation	EnCompass Academy	\$67,000
59	Oakland Leaf Foundation	International Community	\$67,000

**OFCY 2013-2016 Grant Awards**  
**Attachment A: List of Recommended Grant Awards by Strategy**

Grant ID#	Agency Name	Project Title	Recommended Amount
60	Oakland Leaf Foundation	Learning Without Limits	\$57,000
51	Oakland Leaf Foundation	Think College Now	\$57,000
62	Safe Passages	Coliseum College Prep Academy	\$82,000
63	Safe Passages	Community United Elementary	\$67,000
64	Safe Passages	Edna Brewer Middle	\$82,000
65	Safe Passages	Frick Middle	\$82,000
66	Safe Passages	United For Success Academy	\$82,000
67	SFBAC, Learning for Life	Carl B. Munck Elementary	\$67,000
68	SFBAC, Learning for Life	Fruitvale Elementary	\$67,000
69	SFBAC, Learning for Life	Laurel Elementary	\$57,000
70	SFBAC, Learning for Life	Manzanita Seed	\$57,000
71	The East Bay Spanish Speaking Citizen's Foundation	Lazear Charter Academy	\$49,000
72	Ujima Foundation	Surckhalter Elementary	\$67,000
73	Ujima Foundation	Howard Elementary	\$67,000
74	Ujima Foundation	Parker Elementary	\$67,000
75	YMCA of the East Bay	Piedmont Avenue Elementary	\$49,000
76	YMCA of the East Bay	West Oakland Middle	\$82,000
<b>Subtotal:</b>			<b>\$4,443,700</b>

**Strategy #5: Transition Programs for Youth into Middle and High School**

77	Alternatives in Action	Fremont Initiative for Reaching Success Together (FIRST) Transition Program	\$65,000
78	East Bay Asian Youth Center (EBAYC)	Break The Cycle	\$133,200
79	Oakland Kids First	PASS-2	\$124,999
50	Safe Passages	Safe Passages Transitions Program	\$151,901
<b>Subtotal:</b>			<b>\$476,100</b>

**Strategy #6: Youth Leadership in Community Schools**

81	Alternatives in Action	Youth Development Leadership Program at McClymonds & Life Academy Community Schools	\$162,000
82	Oakland Unified School District	OUSD Peer Restorative Justice Program	\$149,670
63	The East Bay Spanish Speaking Citizen's Foundation	LIBRE United	\$150,000
<b>Subtotal:</b>			<b>\$461,670</b>

**Strategy #7: Community-based Out-of-School Time Programs**

84	American Indian Child Resource Center	Culture Keepers	\$73,728
85	Bay Area Outreach & Recreation Program	Sports & Recreation for Youth with Disabilities	\$43,200

**OFCY 2013-2016 Grant Awards  
Attachment A: List of Recommended Grant Awards by Strategy**

Grant ID#	Agency Name	Project Title	Recommended Amount
86	San Francisco Study Center	Brothers, UNITE!	\$49,891
87	City of Oakland - Office of Parks and Recreation	Oakland Discovery Centers	\$150,000
88	Community Initiatives	Media After School (MAS)	\$50,000
89	Dimensions Dance Theater, Inc.	Rites of Passage	\$50,000
90	East Bay Asian Local Development Corporation	Lion's Pride Afterschool and Summer Youth Program	\$67,500
91	East Oakland Boxing Association	SmartMoves Education & Enrichment Program	\$91,720
92	Girls Incorporated of Alameda County	Girls in Oakland Achieve and Lead	\$97,673
93	Native American Health Center, Inc.	Indigenous Voices II	\$127,500
94	Refugee Transitions	Newcomer Community Engagement Program	\$67,485
<b>Subtotal:</b>			<b>\$868,701</b>

**Strategy #8: Summer Programs**

95	Alm High for High School	Alm High/Oakland	\$150,000
96	City of Oakland Office of Parks & Recreation	Summer Camp Explosion	\$100,000
97	College Track	Academic Summer Advancement Program	\$35,000
98	Destiny Arts Center	Camp Destiny	\$32,525
99	East Bay Asian Youth Center (EBAYC)	Summer Matters	\$99,407
100	East Oakland Youth Development Center	Summer Cultural Enrichment Program	\$60,950
101	Family Support Services of the Bay Area	Kinship Summer Youth Program	\$80,000
102	Girls Incorporated of Alameda County	Concordia Park Summer Program	\$57,558
103	Lincoln Child Center, Inc.	Oakland Freedom Schools	\$125,000
104	Prescott Circus Theatre	Prescott Circus Theatre Summer Program	\$30,000
<b>Subtotal:</b>			<b>\$770,450</b>

**Strategy #9: Youth Leadership and Community Safety**

105	Peace Development Fund	BAY-Peace: Better Alternatives for Youth	\$50,000
106	Department of Human Services	Friday Night In the Park Program Support	\$70,000
107	La Clinica de La Raza, Inc.	Youth Brigade	\$119,990
108	Movement Strategy Center	API Youth Promoting Advocacy and Leadership	\$125,000
109	Project Re-Connect	Project Re-Connect	\$50,000
110	Safe Passages	Get Active Urban Arts Program	\$115,000
111	Youth UpRising	YU Queer & Allies Initiative	\$63,318
<b>Subtotal:</b>			<b>\$593,308</b>

OFCy 2013-2016 Grant Awards  
Attachment A: List of Recommended Grant Awards by Strategy

Grant ID#	Agency Name	Project Title	Recommended Amount
<b>Strategy #10: Youth Career and Workforce Development</b>			
112	Alameda County Medical Center (ACMC)	Madel Neighborhood Collaborative	\$200,000
113	Alta Bates Summit Foundation	Youth Bridge Career and Workforce Development Program	\$73,568
114	Beyond Emancipation	Gaining Resources and Opportunities for Work (GROW): a Culinary Training Program	\$75,000
115	Community Initiative	Center for Media Change - Hack the Hood Summer Bootcamp	\$50,000
116	East Side Arts Alliance	ArtWorks at ESAA	\$82,500
117	Juma Ventures	Pathways to Advancement	\$100,000
118	OUSD College & Career Readiness Office	Exploring College & Career Options in Oakland (ECCOI)	\$70,000
119	Spanish Speaking Unity Council of Alameda County, Inc.	Oakland Youth Engaged (OYE)	\$100,000
120	The Youth Employment Partnership, Inc	Career Try-Out	\$150,000
121	Youth Radio	Pathways to Digital	\$100,344
122	Youth UpRising	YU Excel	\$75,000
<b>*Subtotal:</b>			<b>\$1,076,412</b>
<b>Strategy #11: Academic Support for Older Youth</b>			
123	Centra Legal de la Raza, Inc.	Youth Law Academy	\$125,000
124	College Track	College Track After School Program	\$128,880
125	Youth Radio	Pathways to Higher Education	\$81,720
126	Youth Together, Inc.	Youth Together's Academic Support For Older Youth	\$149,995
<b>*Subtotal:</b>			<b>\$485,595</b>
<b>TOTAL:</b>			<b>\$10,762,224</b>

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality

Oakland City Attorney's Office

2013 MAY 30 PM 4:20

OAKLAND CITY COUNCIL

Resolution No. 84465 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE GRANT AGREEMENTS BETWEEN THE CITY OF OAKLAND AND VARIOUS NON-PROFIT AND PUBLIC AGENCIES TO PROVIDE DIRECT SERVICES FOR CHILDREN AND YOUTH FOR A TOTAL AMOUNT NOT TO EXCEED \$10,762,224 FOR FISCAL YEAR 2013-2014 RENEWABLE FOR TWO ONE-YEAR PERIODS WITH COUNCIL APPROVAL**

**WHEREAS**, Measure K/Kids First! Initiative established the Oakland Fund for Children and Youth ("OFCY") in 1996 to help young people grow to become healthy, productive, and honorable adults; and

**WHEREAS**, the passage of Measure D in 1998 revised the Kids First Charter Amendment and established a second 12-year life cycle for the Kids First! Children's Fund administered through the Oakland Fund for Children and Youth;

**WHEREAS**, the Planning and Oversight Committee ("POC") provides oversight and direction for the OFCY planning and funding review process; and

**WHEREAS**, the revenue appropriation for FY2013-2014 to the Kids First! Oakland Children's Fund (Fund 1780) is to be approved in the FY2013-2015 Adopted Policy Budget and 90% of the appropriation in the amount of \$10,586,867 will be available for grants and is located in Kids First! Oakland Children's Fund (P46530); and

**WHEREAS**, any interest earned and amounts unspent or uncommitted by the fund at the end of any fiscal year are to be made available for future grants as specified in the Kids First! Charter Amendment; and

**WHEREAS**, interest income earned from March 1, 2010 to February 28, 2013 in the amount of \$9,526 is available for these grants; and

**WHEREAS**, the City Council wishes to appropriate the interest income earned in the amount of \$9,526 to Kids First! the Oakland Children's Fund (1780) in project OFCY FY1011 FY112 Interest Earned (P420831), and to allocate said funds to the selected grant awards resulting from the December 2012 Request for Proposals for direct services for children and youth in FY13-14 in accordance with the Kids First! Charter Amendment; and

**WHEREAS**, prior interest and revenue appropriations for services that are now completed has resulted in an unspent project balance of \$160,018 in Kids First! Oakland Children's Fund (1780) from project OFCY FY09-10 Contracts (P364030), and \$5,813 from project OFCY FY02-03 Interest Eamed (PI57731), and these funds are available for allocation to grants; and

**WHEREAS**, in December 2012, the City Council approved the OFCY Strategic Investment Plan with priority areas: 1) **Healthy Development of Young Children**, 2) **Student Success in School**, 3) **Youth Leadership and Community Safety**, and 4) **Transitions to Adulthood**; and

**WHEREAS**, in December 2012, the POC published a Requests for Proposals based on the adopted OFCY Strategic Investment Plan 2013-2016 and conducted an "open and fair" competitive review process for the selection of grants for the OFCY 2013-16 grant cycle; and

**WHEREAS**, in January 2013, OFCY received 248 proposals and responses from private non-profit and public entities to provide services for the OFCY grant cycle 2013-16; and

**WHEREAS**, the OFCY staff and trained reviewers have evaluated 248 proposals for the Oakland Fund for Children and Youth in accordance with the criteria in the Request for Proposals; and

**WHEREAS**, the POC has complied with the goals, objectives and service priorities in the Strategic Investment Plan; and

**WHEREAS**, the POC recommends the following 126 grant funding awards in the amounts specified below for FY2013-14, and as renewable with City Council approval for FY2014-15 and FY2015-16:

Grant ID#	Agency Name	Project Title	Recommended Amount
<b>Strategy #1: Mental Health and Developmental Consultations in Early Care and Education</b>			
1	Family Paths, Inc.	The Oakland Early Childhood Mental Health Collaborative	<b>\$243,310</b>
2	Jewish Family & Children's Services of the East Bay	Integrated Early Childhood Consultation Program	<b>\$230,000</b>
3	Lincoln Child Center, Inc.	Early Childhood Mental Health Consultation	<b>\$109,390</b>
4	The Link to Children	Early Childhood Mental Health Consultation and Emotional Literacy	<b>\$105,000</b>
<b>Subtotal:</b>			<b>\$687,700</b>

<b>Strategy #2: Parent and Child Engagement in Early Learning and Development</b>			
5	Children's Hospital & Research Center Oakland	Integrated Developmental Playgroups Program	\$160,000
6	City of Oakland Office of Parks and Recreation	Sandboxes to Community Empowerment + Inclusion Center Playgrounds	\$180,000
7	East Bay Agency for Children	Parent Child Education and Support Program (PCESP)	\$91,059
8	Lotus Bloom	Multicultural Playgroups	\$124,436
9	Oakland Parents Together	Listening to Children Parent Cafes	\$49,998
10	Our Family Coalition	Building Strong Children in LGBTQ Families	\$48,187
11	Safe Passages	Safe Passages Baby Learning Communities Collaborative	\$200,000
12	Through the Looking Glass	Chatterbox	\$44,908
<b>Subtotal:</b>			<b>\$898,588</b>

<b>Strategy #4: School-Based After School Programming for Elementary &amp; Middle School</b>			
13	Bay Area Community Resources	Alliance Academy	\$82,000
14	Bay Area Community Resources	Bridges Academy	\$67,000
15	Bay Area Community Resources	Claremont After School Program	\$82,000
16	Bay Area Community Resources	Elmhurst Community Prep	\$82,000
17	Bay Area Community Resources	Emerson Elementary	\$67,000
18	Bay Area Community Resources	Esperanza Elementary	\$67,000
19	Bay Area Community Resources	Fred T. Korematsu Discovery Academy	\$67,000
20	Bay Area Community Resources	Global Family	\$67,000
21	Bay Area Community Resources	Grass Valley Elementary	\$67,000
22	Bay Area Community Resources	Greenleaf Elementary	\$67,000
23	Bay Area Community Resources	Hoover Elementary	\$67,000
24	Bay Area Community Resources	Horace Mann Elementary	\$67,000
25	Bay Area Community Resources	Lafayette Elementary	\$67,000
26	Bay Area Community Resources	Madison Middle	\$82,000
27	Bay Area Community Resources	Markham Elementary	\$67,000
28	Bay Area Community Resources	Martin Luther King, Jr. Elementary	\$67,000
29	Bay Area Community Resources	Melrose's Community Bridges Program	\$82,000

**(CONT) Strategy #4: School-Based After School Programming for Elementary & Middle School**

30	Bay Area Community Resources	Preparatory Literary Academy Of Cultural Excellence	\$67,000
31	Bay Area Community Resources	Reach Academy	\$67,000
32	Bay Area Community Resources	Sankofa Academy	\$67,000
33	Bay Area Community Resources	Urban Promise Academy	\$82,000
34	Citizen Schools, Inc.	Aspire Lionel Wilson College Preparatory Academy	\$82,000
35	Eagle Village Community Center Youth and Family Services, Inc.	Westlake Middle	\$82,000
36	East Bay Agency for Children	Achieve Academy	\$26,800
37	East Bay Agency for Children	East Oakland Pride Elementary	\$67,000
38	East Bay Agency for Children	World Academy	\$46,900
39	East Bay Asian Youth Center (EBAYC)	Bella Vista Elementary	\$67,000
40	East Bay Asian Youth Center (EBAYC)	Cleveland Elementary	\$67,000
41	East Bay Asian Youth Center (EBAYC)	Franklin Elementary	\$67,000
42	East Bay Asian Youth Center (EBAYC)	Garfield Elementary	\$67,000
43	East Bay Asian Youth Center (EBAYC)	La Escuelita Elementary	\$67,000
44	East Bay Asian Youth Center (EBAYC)	Lincoln Elementary	\$67,000
45	East Bay Asian Youth Center (EBAYC)	Manzanita Community	\$67,000
46	East Bay Asian Youth Center (EBAYC)	Rooseyit Middle	\$82,000
47	East Oakland Youth Development Center	Futures Elementary	\$67,000
48	East Oakland Youth Development Center	Roots International Academy	\$82,000
49	Girls Incorporated of Alameda County	Acorn Woodland Elementary	\$67,000
50	Higher Ground Neighborhood Development Corp	Allendale Elementary	\$67,000
51	Higher Ground Neighborhood Development Corp	Brookfield Elementary	\$49,000
52	Higher Ground Neighborhood Development Corp	New Highland Academy	\$67,000
53	Higher Ground Neighborhood Development Corp	Rise Community	\$67,000
54	Higher Ground Neighborhood Development Corp	Sobrante Park Elementary	\$67,000
55	Lighthouse Community Charter School	Lighthouse Community Charter	\$82,000
56	Oakland Leaf Foundation	Ascend	\$82,000
57	Oakland Leaf Foundation	Bret Harte Middle	\$82,000



<b>(CONT) Strategy #4: School-Based After School Programming for Elementary &amp; Middle School</b>			
58	Oakland Leaf Foundation	EnCompass Academy	\$67,000
59	Oakland Leaf Foundation	International Community	\$67,000
60	Oakland Leaf Foundation	Learning Without Limits	\$67,000
61	Oakland Leaf Foundation	Think College Now	\$67,000
62	Safe Passages	Coliseum College Prep Academy	\$82,000
63	Safe Passages	Community United Elementary	\$67,000
64	Safe Passages	Edna Brewer Middle	\$82,000
65	Safe Passages	Frick Middle	\$82,000
66	Safe Passages	United For Success Academy	\$82,000
67	SFBAC, Learning for Life	Carl B. Munck Elementary	\$67,000
68	SFBAC, Learning for Life	Fruitvale Elementary	\$67,000
69	SFBAC, Learning for Life	Laurel Elementary	\$67,000
70	SFBAC, Learning for Life	Manzanita Seed	\$67,000
71	The East Bay Spanish Speaking Citizen's Foundation	Lazear Charter Academy	\$49,000
72	Ujima Foundation	Burckhalter Elementary	\$67,000
73	Ujima Foundation	Howard Elementary	\$67,000
74	Ujima Foundation	Parker Elementary	\$67,000
75	YMCA of the East Bay	Piedmont Avenue Elementary	\$49,000
76	YMCA of the East Bay	West Oakland Middle	\$82,000
<b>Subtotal:</b>			<b>\$4,443,700</b>

<b>Strategy #5: Transition Programs for Youth into Middle and High School</b>			
77	Alternatives in Action	Fremont Initiative for Reaching Success Together (FIRST) Transitions Program	\$65,000
78	East Bay Asian Youth Center (EBAYC)	Break The Cycle	\$133,200
79	Oakland Kids First	PASS-2	\$124,999
80	Safe Passages	Safe Passages Transitions Program	\$152,901
<b>Subtotal:</b>			<b>\$476,100</b>

<b>Strategy #6: Youth Leadership in Community Schools</b>			
81	Alternatives in Action	Youth Development Leadership Program at McClymonds & Life Academy Community Schools	\$162,000
82	Oakland Unified School District	OUSD Peer Restorative Justice Program	\$149,670
83	The East Bay Spanish Speaking Citizen's Foundation	LIBRE United	\$150,000
<b>Subtotal:</b>			<b>\$461,670</b>

<b>Strategy #7: Community-based Out-of-School Time Programs</b>			
84	American Indian Child Resource Center	Culture Keepers	\$73,728
85	Bay Area Outreach & Recreation Program	Sports & Recreation for Youth with Disabilities	\$43,200
86	San Francisco Study Center	Brothers, UNITE!	\$49,891
87	City of Oakland - Office of Parks and Recreation	Oakland Discovery Centers	\$150,000
88	Community Initiatives	Media After School (MAS)	\$50,000
89	Dimensions Dance Theater, inc.	Rites of Passage	\$50,000
90	East Bay Asian Local Development Corporation	Lion's Pride Afterschool and Summer Youth Program	\$67,500
91	East Oakland Boxing Association	SmartMoves Education & Enrichment Program	\$91,720
92	Girls Incorporated of Alameda County	Girls in Oakland Achieve and Lead	\$97,673
93	Native American Health Center, Inc.	Indigenous Voices II	\$127,500
94	Refugee Transitions	Newcomer Community Engagement Program	\$67,489
<b>Subtotal:</b>			<b>\$868,701</b>

<b>Strategy #8: Summer Programs</b>			
95	Aim High for High School	Aim High/Oakland	\$150,000
96	City of Oakland Office of Parks & Recreation	Summer Camp Explosion	\$100,000
97	College Track	Academic Summer Advancement Program	\$35,000
98	Destiny Arts Center	Camp Destiny	\$32,525
99	East Bay Asian Youth Center (EBAYC)	Summer Matters	\$99,407
100	East Oakland Youth Development Center	Summer Cultural Enrichment Program	\$60,950

<b>(CONT) Strategy #8: Summer Programs</b>			
101	Family Support Services of the Bay Area	Kinship Summer Youth Program	\$80,000
102	Girls Incorporated of Alameda County	Concordia Park Summer Program	\$57,568
103	Lincoln Child Center, Inc.	Oakland Freedom Schools	\$125,000
104	Prescott Circus Theatre	Prescott Circus Theatre Summer Program	\$30,000
<b>Subtotal:</b>			<b>\$770,450</b>

<b>Strategy #9: Youth Leadership and Community Safety</b>			
105	Peace Development Fund	BAY-Peace: Better Alternatives for Youth	\$50,000
106	Department of Human Services	Friday Night in the Park Program Support	\$70,000
107	La Clinica de La Raza, inc.	Youth Brigade	\$119,990
108	Movement Strategy Center	API Youth Promoting Advocacy and Leadership	\$125,000
109	Project Re-Connect	Project Re-Connect	\$50,000
110	Safe Passages	Get Active Urban Arts Program	\$115,000
111	Youth UpRising	YU Queer & Allies Initiative	\$63,318
<b>Subtotal:</b>			<b>\$593,308</b>

<b>Strategy #10: Youth Career and Workforce Development</b>			
112	Alameda County Medical Center (ACMC)	Model Neighborhood Collaborative	\$200,000
113	Alta Bates Summit Foundation	Youth Bridge Career and Workforce Development Program	\$73,568
114	Beyond Emancipation	Gaining Resources and Opportunities for Work (GROW): a Culinary Training Program	\$75,000
115	Community Initiative	Center for Media Change - Hack the Hood Summer Boot camp	\$50,000
116	East Side Arts Alliance	ArtWorks at ESAA	\$82,500
117	Juma Ventures	Pathways to Advancement	\$100,000
118	OUSD College & Career Readiness Office	Exploring College & Career Options in Oakland (ECCOI)	\$70,000
119	Spanish Speaking Unity Council of Alameda County, Inc.	Oakland Youth Engaged (OYE)	\$100,000
120	The Youth Employment Partnership, Inc	Career Try-Out	\$150,000
121	Youth Radio	Pathways to Digital	\$100,344
122	Youth Uprising	YU Excel	\$75,000
<b>Subtotal:</b>			<b>\$1,076,412</b>

Strategy #11: Academic Support for Older Youth			
123	Centre Legal de la Raza, Inc.	Youth Law Academy	\$125,000
124	College Track	College Track After School Program	\$128,880
125	Youth Radio	Pathways to Higher Education	\$81,720
126	Youth Together, Inc.	Youth Together's Academic Support For Older Youth	\$149,995
Subtotal:			\$485,595
Total OFCY Funding For FY2013-2014			\$10,762,224

Now, therefore, be it

**RESOLVED:** That the City Council hereby appropriates \$9,526 in interest earned and allocates \$9,526 in interest income to Kids First! Oakland Children's Fund 1780, Org. 78251 OFCY FY1011 FY1112 Interest Eamed (P420831) for grants for direct services to children and youth; and, be it

**FURTHER RESOLVED:** That the City Council approves the allocation of unspent monies from prior years in the amount of \$160,018 from Kids First! Oakland Children's Fund 1780, from projects OFCY FY11-12 Contracts (P364030) and \$5,813 from project OFCY FY2002-2003 interest Eamed (P157731), for OFCY grants for FY2013-2014; and, be it

**FURTHER RESOLVED:** That the City Administrator is authorized to execute agreements with the aforementioned service providers in the amounts specified above for a total amount not to exceed \$10,762,224 for FY2013-2014, and is authorized to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments, modifications, payment requests, and related actions which may be necessary in accordance with the basic purpose of this resolution without returning to City Council; and, be it

**FURTHER RESOLVED:** That said agreement(s) shall be approved as to form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 18 2013

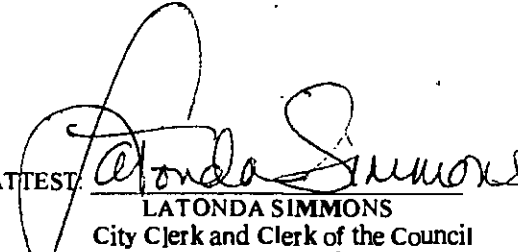
PASSED BY THE FOLLOWING VOTE:

AYES- ~~Brooks~~, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, SCHAAF, REID and PRESIDENT KERNIGHAN - 7

NOES- Brooks - 1

ABSENT- 0

ABSTENTION- 0

ATTEST:   
 LATONDA SIMMONS  
 City Clerk and Clerk of the Council  
 of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2013 AUG -9 AM 10:10

Approved as to Form and Legality

  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

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**RESOLUTION AMENDING RESOLUTION NO. 84465 C.M.S. TO CHANGE THE RECIPIENT OF GRANT #115 FROM THE INCORRECT NAME "COMMUNITY INITIATIVE" TO THE CORRECT NAME "CENTER FOR MEDIA CHANGE"**

WHEREAS, Resolution No. 84465 C.M.S. was passed on June 18, 2013, whereby 126 Measure K/Kids First! Initiative grants were authorized to be made in specified amounts to specified recipients; and

WHEREAS, Resolution No. 84465 C.M.S. showed grant #115 to be awarded to Agency "Community Initiative" for the Project title "Center for Media Change – Hack the Hood Summer Boot camp"; and

WHEREAS, the description of grant #115 in Resolution No. 84465 C.M.S. was incorrect, due to a clerical error, and needs to be corrected to reflect the intended description as follows: #115 to "Center for Media Change" for project "Hack the Hood Summer Boot camp," so that a grant agreement can be executed; now, therefore, be it

**RESOLVED:** That the City Council hereby authorizes amendment of Resolution No. 84465 to correct the clerical errors described above; and be it

**FURTHER RESOLVED:** That grant award #115 in Resolution No. 84465 C.M.S. is hereby modified as follows:

Former wording is stricken as indicated by ~~strikethrough~~-typeface:

Grant ID#	Agency Name	Project Title	Recommended Amount
115	Community-Initiative	<del>Center-for-Media-Change--</del> Hack the Hood Summer Boot camp	\$50,000

Corrected wording is indicated immediately below:

115	Center for Media Change	Hack the Hood Summer Boot camp	\$50,000
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IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, SCHAAF, REID and  
PRESIDENT KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2013 AUG -9 AM 10:10

Approved as to Form and Legality

  
Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 84601 C.M.S.

Introduced by Councilmember \_\_\_\_\_

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**RESOLUTION AMENDING RESOLUTION NO. 84465 C.M.S. TO CHANGE THE RECIPIENT OF GRANT #115 FROM THE INCORRECT NAME "COMMUNITY INITIATIVE" TO THE CORRECT NAME "CENTER FOR MEDIA CHANGE"**

**WHEREAS**, Resolution No. 84465 C.M.S. was passed on June 18, 2013, whereby 126 Measure K/Kids First! Initiative grants were authorized to be made in specified amounts to specified recipients; and

**WHEREAS**, Resolution No. 84465 C.M.S. showed grant #115 to be awarded to Agency "Community Initiative" for the Project title "Center for Media Change – Hack the Hood Summer Boot camp"; and

**WHEREAS**, the description of grant #115 in Resolution No. 84465 C.M.S. was incorrect, due to a clerical error, and needs to be corrected to reflect the intended description as follows: #115 to "Center for Media Change" for project "Hack the Hood Summer Boot camp," so that a grant agreement can be executed; now, therefore, be it

**RESOLVED:** That the City Council hereby authorizes amendment of Resolution No. 84465 to correct the clerical errors described above; and be it

**FURTHER RESOLVED:** That grant award #115 in Resolution No. 84465 C.M.S. is hereby modified as follows:

Former wording is stricken as indicated by-strikethrough-typeface:

Grant ID#	Agency Name	Project Title	Recommended Amount
115	Community-Initiative	<del>Center-for-Media-Change-</del> Hack the Hood Summer Boot camp	550,000

Corrected wording is indicated immediately below:

115	Center for Media Change	Hack the Hood Summer Boot camp	\$50,000
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IN COUNCIL, OAKLAND, CALIFORNIA, AUG 20 2013

PASSED BY THE FOLLOWING VOTE:

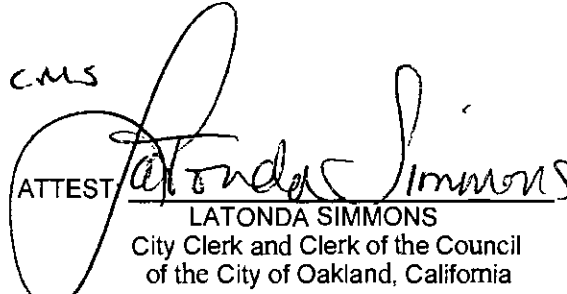
AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, SCHAAF, REID and  
PRESIDENT KERNIGHAN

NOES- APPROVED DURING CITY COUNCIL RECESS

ABSENT- PURSUANT TO RESOLUTION NO. 82580 C.M.S

ABSTENTION- C.M.S., DATED 03-02-10

ATTEST

  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California