



# City of Oakland Meeting Agenda

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

## **\*Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council**

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

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

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**Tuesday, June 16, 2009**

**3:00 PM**

**Oakland City Hall, 3rd Floor**

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**\*\* PLEASE NOTE CHANGE IN TIME \*\***

### ***DEFINITION OF TERMS:***

***Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.***

***Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.***

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

***Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.***

- 1 Pledge of Allegiance
- 2 Roll Call / ORA & Council

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

- 3 Open Forum / Citizens Comments  
(Time Available: 15 minutes)
- 4 Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an item from the Consent Calendar, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.
- 5 Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. (Motion Maker must have voted on prevailing side)

- 6 Requests from Councilmember(s) to schedule an Action Item considered by Committee but not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.
- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on June 2, 2009

**8. PRESENTATION OF CEREMONIAL MATTERS**

**9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

**10. CONSENT CALENDAR (CC) ITEMS:**

- 10.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The AIDS Epidemic  
(09-0504)
- 10.2-CC Subject: Medical Cannabis Health Emergency  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland  
(09-0505)
- 10.3-CC Subject: Municipal Identification Cards  
From: Vice Mayor Ignacio De La Fuente  
Recommendation: Adopt An Ordinance Amending Chapter 2.34, Title 2, Of The Oakland Municipal Code Authorizing A Municipal Identification Card Program To Provide For The Issuance Of Municipal Identification Cards To Residents Of The City Of Oakland For The Purposes Of Improving Public Safety, Increasing Civic Participation, And Supporting Local Commerce  
(09-0321)

**A motion was made by Councilmember De La Fuente, seconded by Councilmember Quan to approve the staff recommendations and approve the introduction of the Ordinance with the friendly amendment proposed by Councilmember Kernighan to amend the second sentence of Section 2.34.060 Fees-to read as follows: Such fees shall not exceed the costs reasonably associated with the production of the Cards and the administration of the program. A substitute motion was then made by Councilmember Nadel, seconded by Councilmember Kernighan to approve the introduction and amend the Ordinance at Section 4 to read as follows: This Ordinance shall become effective upon the Council voting for the implementation plan. The motion also included the friendly amendment proposed by Councilmember Kernighan.**

**Upon call of the roll on the substitute motion, the motion passed with the following vote: Ayes: Councilmembers De La Fuente, Kaplan, Kernighan, Nadel, Quan-6; Noes: Councilmember Brooks-1; Abstentions: Councilmember Reid-1**

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

**Introduction (First Reading) was approved as amended on June 2, 2009; 6 Ayes, 1 Abstention-Reid, 1 No-Brooks**

10.4-CC Subject: Real Property Sale - 4689 And 4683 Benevides Avenue  
From: Community and Economic Development Agency  
Recommendation Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Purchase And Sale Agreement To Sell Approximately Two Thousand (2,000) Square Feet Of City-Owned Surplus Real Property Located Along The Westerly Edge Of Dimond Park Adjacent To 4689 And 4683 Benevides Avenue To Shay And Olivia Harting, The Adjoining Property Owners, For The Total Fair Market Value Of Forty-Five Thousand Dollars (\$45,000.00)  
(09-0358)

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

**Introduction (First Reading) was approved on June 2, 2009; 8 Ayes**

S-10.5-CC Subject: Planning Code Amendments-Chapter 17.10  
From: Community and Economic Development Agency  
Recommendation: Adopt An Ordinance, Recommended By The City Planning Commission, To (A) Amend The Use Classifications In Chapter 17.10 Of The City Of Oakland Planning Code And Make Other Related Changes Throughout The Planning Code; And (B) Revise The Guidelines For Determining Project Conformity With The General Plan And Zoning Regulations To Conform To The Planning Code Amendments  
(09-0390)

**Council amended the Ordinance under Consumer Service Commercial Activities to remove the words "conditionally permitted" from the C-25 Zone and the Commercial Office Zone designations, the Ordinance was also amended to add Taxi And Light Fleet Services under the same regulations as Transport and Warehousing**

**Staff was also directed to create two separate categories for Dry Cleaners, one for dry cleaning businesses and the other for dry cleaning businesses with plants.**

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

**Introduction (First Reading) was approved on June 2, 2009; 8 Ayes**

- 10.6-CC Subject: 2009-2010 Tax And Revenue Anticipation Notes  
From: Finance and Management Agency  
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2009-2010 In An Amount Not To Exceed \$185,000,000 And The Issuance And Sale Of 2009-2010 Tax And Revenue Anticipation Notes, Series A And Series B (Federally Taxable) Therefore And Approving Certain Related Matters (TITLE CHANGE)  
(09-0435-1)

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

**Introduction (First Reading) was approved on June 2, 2009; 8 Ayes**

- 10.7-CC Subject: Proposed Vacation Of Skyline Circle  
From: Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Vacating Skyline Circle To The Abutting Property Owners Without Cost And Reserving Public Easements For Utilities And Emergency Vehicle Access  
(09-0495)

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

**Introduction (First Reading) was approved on June 2, 2009; 7 Ayes, 1  
No-Brunner**

- 10.8-CC Subject: Renaming A Portion Of 105th Avenue  
From: Councilmember Larry Reid  
Recommendation: Adopt A Resolution Renaming A Two-Block Long Section Of 105th Avenue East Of Its Intersection With International Boulevard As Walter Hawkins Way  
(09-0174)

**The June 9, 2009 Public Works Committee approved recommendations  
and directed staff to bring back a separate report at a future date on the  
procedures for Councilmembers to request the renaming of streets; 4 Ayes**

- 10.9-CC Subject: Municipal Code Amendment-Chapter 13.08  
From: Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Amending Chapter 13.08 Of The Oakland Municipal Code To Require The Installation Of Sewage Overflow Devices On Privately Maintained Sewer Laterals  
(09-0275)

**The June 9, 2009 Public Works Committee approved recommendations; 4  
Ayes**

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

**Final Passage (Second Reading) has been scheduled for July 7, 2009**

- 10.10-CC Subject: Civic Bay Friendly Landscaping  
From: Public Works Agency And Councilmember Quan  
Recommendation: Adopt An Ordinance Amending Chapter 15.35 Of The Oakland Municipal Code, "Green Building Requirements For City Building Projects And Traditional Public Works Projects", To Add Civic Bay-Friendly Landscaping Requirements For All City Of Oakland, Redevelopment Agency And Public-Private Partnership Projects That Include Landscaping  
(09-0352)

**The June 9, 2009 Public Works Committee approved recommendations; 4 Ayes**

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

**Final Passage (Second Reading) has been scheduled for July 7, 2009**

- 10.11-CC Subject: Revocable And Conditional Permit - 1940 Union Street  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Granting Union 21 Partners LLC A Revocable And Conditional Permit For A Building At 1940 Union Street To Allow An Existing Foundation To Encroach Under The Public Sidewalk Along 21st Street And Union Street  
(09-0405)

**The June 9, 2009 Public Works Committee approved recommendations; 4 Ayes**

- 10.12-CC Subject: Revocable And Conditional Permit - 100 Grand Avenue  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Granting Essex Portfolio L.P. A Revocable And Conditional Permit For A New Building At 100 Grand Avenue To Allow Concrete Vaults And Electrical Transformers And Vaults To Encroach Under The Public Sidewalk Along 23rd Street And An Entrance Canopy To Encroach Over The Public Sidewalk On Grand Avenue  
(09-0408)

**The June 9, 2009 Public Works Committee approved recommendations; 4 Ayes**

- 10.13-CC Subject: Seized Property Tax Funds  
From: Finance and Management Agency  
Recommendation: Adopt A Resolution Finding Severe Fiscal Hardship Will Exist If Additional City Property Tax Funds Are Seized And Additional Unfunded Mandates Are Adopted By The State Of California  
(09-0460)

**The June 9, 2009 Finance and Management Committee approved  
recommendations; 4 Ayes**

10.14-CC Subject: Project Area Committees One-Year Extension  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing A One-Year Extension Of The Project Area Committee For  
The Broadway/MacArthur/San Pablo Redevelopment Project To July 25, 2010; And  
(09-0437)

2) A Resolution Authorizing A One-Year Extension Of The Project Area Committee  
For The Central City East Redevelopment Project To July 29, 2010  
(09-0437-1)

**The June 9, 2009 Community and Economic Development Committee  
approved recommendations; 4 Ayes**

10.15-CC Subject: Linked Banking Services  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Certifying Banks That Have Met Their 2008 Fair  
Share Goals Pursuant To The City's Linked Banking Services Ordinance  
(09-0438)

**The June 9, 2009 Community and Economic Development Committee  
approved recommendations and directed staff to check with the  
Community Bank of the Bay and determine if the City has funds on  
deposit with the bank, and if so, staff should ask them to participate in the  
survey; 4 Ayes**

10.16-CC Subject: Property Sale - 453 Ashton Avenue & 2656 And 2660 98th Avenue  
From: Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Authorizing 1) The Sale At No Cost Of One  
City-Owned Single Family Dwelling At 453 Ashton Avenue And Two City-Owned  
Parcels At 2656 And 2660 98th Avenue To The Rotary Club Of Oakland, Inc., For The  
Development Of Affordable Housing By The Peralta Community College District Under  
The City/Peralta/Rotary House Project, And 2) The Allocation Of \$10,000 From The  
Proceeds Of Each Sale To The Laney College Tool Fund  
(09-0334)

**The June 9, 2009 Community and Economic Development Committee  
approved recommendations; 4 Ayes**

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

**Final Passage (Second Reading) has been scheduled for July 7, 2009**

10.17-CC Subject: Oakland Fund For Children & Youth - Evaluation Services Agreement  
From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute An Agreement With See Change, Inc. In An Amount Not To Exceed \$250,000 For Fifteen Months, And To Negotiate And Execute An Agreement With Public Profit, LLC In An Amount Not To Exceed \$75,000 For Fifteen Months, Both For Professional Services To Evaluate The Oakland Fund For Children And Youth For The Period Of July 1, 2009 Through September 30, 2010, With An Option To Renew Each Agreement For Two Additional One-Year Terms In The Same Amounts For A Total Contract Amount Not To Exceed \$750,000 For See Change, Inc, And A Total Contract Amount Not To Exceed \$225,000 For Public Profit, LLC  
(09-0222)

**The June 9, 2009 Life Enrichment Committee approved recommendations and directed staff to comeback with a draft midyear evaluation report in February 2010 and a final report in May 2010 ; 4 Ayes**

10.18-CC Subject: Managed Health Network Contract Extension  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Exercise The Option To Extend For An Additional Term, The Period Of July 1, 2009 Through December 31, 2010, The Contract With Managed Health Network (MHN) To Continue Providing Psychological Counseling Services For Sworn Members Of The Police Department And Their Dependents, In The Amount Of One Hundred Five Thousand (\$105,000), And Increasing The Total Contract Amount From One Hundred Five Thousand (\$105,000) To Two Hundred Ten Thousand (\$210,000)  
(09-0404)

**The June 9, 2009 Public Safety Committee approved recommendations; 3 Ayes, 1 Excused-Reid**

10.19-CC Subject: Support Of Senate Bill 415  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution To Support Senate Bill 415 Legislation Expanding Possibility For Local Officials To Request Extension Of Review Period For Liquor License Applications (For Transfers Or New Licenses) At State Department Of Alcohol Beverage Control (ABC)  
(09-0458)

**The June 11, 2009 Rules and Legislation Committee approved recommendations; 3 Ayes, 1 Excused-Brunner**

10.20-CC Subject: Support Of Assembly Bill 1364  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Declaring Council Support For Assembly Bill No. 1364, Which, With Consent Of Grant Recipients, Would Permit State Agencies Disbursing State Bond Funds To Renegotiate Grant Deadlines And Timetables, Or To Invalidate Such Grants, When Grant Deadlines And Timetables Are Affected By The Suspension Of Programs By The Pooled Money Investment Board  
(09-0469)

**The June 11, 2009 Rules and Legislation Committee approved**

**recommendations; 4 Ayes**

- 10.21-CC Subject: Support Of Assembly Bill 1498  
From: Oakland Police Department  
Recommendation: Adopt A Resolution In Support Of California State Assembly Bill # 1498 (Deleon), Which Expands The List Of Misdemeanor Offenses For Which A Person May Not Possess A Firearm For Ten (10) Years, Including Misdemeanors Committed In The Furtherance Of Criminal Street Gang Activity, In The State Of California  
(09-0479)

**The June 11, 2009 Rules and Legislation Committee approved  
recommendations; 4 Ayes**

- 11 An oral report from the Agency Counsel / City Attorney of final decisions made during Closed Session
- 12 A disclosure of non-confidential Closed Session Discussion pursuant to Section 2.20.130 of the Sunshine Ordinance
- 13 Reconsideration of Ordinances pursuant to Charter Section 216

**14. Consideration of items with statutory Public Hearing Requirements (DUE TO NOTICING REQUIREMENTS PUBLIC HEARINGS WILL BE HEARD NO EARLIER THAN 7 PM.):**

- 14.1 Subject: Public Hearing - Transient Occupancy Taxes  
From: Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:
- 1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
(09-0076)
- 2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
(09-0076-1)
- 3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Transient Occupancy Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code



(09-0076-2)

- 14.2 Subject: Delinquent Mandatory Garbage Fees - Public Hearing  
From: Finance and Management Agency  
Recommendations: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For October/ November/December 2008, Monthly Accounts And January/February/March 2009, Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

(09-0077)

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

(09-0077-1)

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code

(09-0077-2)

- 14.3 Subject: Delinquent Business Taxes - Public Hearing  
From: Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or

(09-0078)

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of

The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
(09-0078-1)

3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code  
(09-0078-2)

14.4 From: Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
(09-0079)

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
(09-0079-1)

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code  
(09-0079-2)

14.5 Subject: 2009-2010 Emergency Medical Services Tax  
From: Budget Office  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2009-2010 Increase To A Special Tax Imposed For Emergency Medical Services In Accordance With The Emergency Medical Services Retention Act Of 1997 (Measure M)  
(09-0328)

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

**Introduction (First Reading) was approved on June 1, 2009; 7 Ayes, 1**

**Excused Reid**

- 14.6 Subject: 2009-2010 Paramedic Emergency Services Tax  
From: Budget Office  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2009-2010 Increase To A Special Tax Imposed For Paramedic Emergency Services In Accordance With The Paramedic Services Act Of 1997 (Measure N)  
[\(09-0329\)](#)

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

**Introduction (First Reading) was approved on June 1, 2009; 7 Ayes, 1  
Excused Reid**

- 14.7 Subject: 2009-2010 Library Services Tax  
From: Budget Office  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2009-2010 Increase To A Special Tax Imposed For Library Services In Accordance With The Library Services Retention And Enhancement Act Of 2004 (Measure Q)  
[\(09-0330\)](#)

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

**Introduction (First Reading) was approved on June 1, 2009; 7 Ayes, 1  
Excused Reid**

- 14.8 Subject: 2009-2010 Preliminary Report For The Wildfire Prevention District  
From: Budget Office  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Information In The Annual Report For The City Of Oakland Wildfire Prevention Assessment District For Fiscal Year 2009-2010 And Levying Of The Assessments  
[\(09-0345-1\)](#)

- 14.9 Subject: 2009-2010 Preliminary Report - Landscaping & Lighting District  
From: Budget Office  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Ordering Improvement to The City Of Oakland Landscape And Lighting Assessment District And Confirming The Levying Of The Assessments And Directing The Fiscal Year 2009-2010 Assessment To Be Turned Over To The County Auditor For Billing And Collection  
[\(09-0346-1\)](#)

- 14.10 Subject: 2009-2010 Violence Prevention And Public Safety Tax  
From: Budget Office  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An

Ordinance Authorizing A Fiscal Year 2009-2010 Increase To A Special Tax Imposed For Violence Prevention And Public Safety Services In Accordance With The Violence Prevention And Public Safety Act of 2004 (Measure Y)  
(09-0347)

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

**Introduction (First Reading) was approved on June 1, 2009; 7 Ayes, 1  
Excused Reid**

**ACTION ON NON-CONSENT ITEMS:**

- 15        Subject: 2009-2011 Budget Discussion  
            From: Budget Office  
            Recommendation: Continuation Of Discussion And Action On The Fiscal Year  
            2009-2011 Proposed Policy Budget For The City Of Oakland (Including The 2009-2011  
            Capital Improvement Program) And Fiscal Year 2009-2011 Proposed Budget For The  
            Oakland Redevelopment Agency  
            (09-0449)  
  
            A Resolution Authorizing The Fiscal Year 2009-2011 Biennial Budget As the Financial  
            Plan For Conducting The Affairs Of The City Of Oakland And Appropriating Certain  
            Funds To Provide For The Expenditures Proposed By Said Budget  
            (09-0449-1)  
  
            A Resolution Establishing An Appropriations Limit For Fiscal Year 2009-2010 Pursuant  
            To Article XIII B Of The California Constitution  
            (09-0449-2)  
  
            An Agency Resolution Authorizing The Fiscal Years 2009-2011 Biennial Budget As The  
            Financial Plan For Conducting The Affairs Of The Redevelopment Agency Of The City  
            Of Oakland And Appropriating Certain Funds To Provide For The Expenditures  
            Proposed By Said Budget  
            (09-0449-3)
- 16        Subject: General Purpose Fund Clarification  
            From: The Budget Office  
            Recommendation: Adopt An Ordinance Amending Ordinance No. 12502 C.M.S. To  
            Clarify General Purpose Fund (GPF) Reserve Requirements; Require A Mayoral  
            Declaration Of Fiscal Emergency And Approval By Council Before The GPF Reserve  
            Can Be Drawn Down; Require That Excess Real Property Transfer Tax Revenues Be  
            Used To Build Up The GPF Reserve, Pay Back Negative Internal Service Fund Balances,  
            Establish Set-Asides For Other Post-Employment Benefits (OPEB) And Police And Fire  
            Retirement System (PFRS) Liabilities, And Fund Capital Improvements Projects;  
            Require That One-Time Revenues Be Used To Repay Negative Fund Balances In  
            Internal Service And Other Funds; And Provide Criteria For Project Carryforwards And  
            Encumbrances In The GPF  
            (09-0499)

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

**Final Passage (Second Reading) has been scheduled for June 30, 2009**

**The June 9, 2009 Finance and Management Committee approved  
recommendations and directed the City Attorney to provide alternative  
language that allows either the Mayor and/or the Council to Declare Fiscal  
Emergency; 4 Ayes**

- 17 Subject: Organizational Structure Revision  
From: The Budget Office  
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code, Entitled, "City Agencies, Departments And Offices", To Revise The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of City Charter Section 600, By Transferring The Office Of Personnel Resource Management From The Finance And Management Agency To Become The Department Of Human Resources Management; And Moving The Marketing Division To The Community And Economic Development Agency To Closely Coordinate Its Activities With Other Marketing And Special Events Functions  
(09-0500)

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

**Final Passage (Second Reading) has been scheduled for June 30, 2009**

- 18 Subject: Master Fee Schedule Amendment  
From: The Budget Office  
Recommendation: Adopt An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees Assessed By The Office Of The City Administrator, Office Of The City Attorney, Department Of Contracting And Purchasing, Fire Services Agency, Oakland Police Department, Oakland Public Library, Office Of Parks And Recreation, Public Works Agency, Department Of Human Services, Community And Economic Development Agency, And The Parking Operations Division Of The Finance And Management Agency  
(09-0501)

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

**Final Passage (Second Reading) has been scheduled for June 30, 2009**

- 19 Subject: Oakland Municipal Code Amendment - Parking Fines  
From: The Budget Office  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Section 10.48.010 "Schedule Of Parking Fines" To Increase Parking Fines  
(09-0502)

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

**Final Passage (Second Reading) has been scheduled for June 30, 2009**

- 20 Subject: Retirement Incentive Program  
From: Finance and Management Agency  
Recommendation: Receive An Informational Report Presenting The Proposed Local Miscellaneous Employees Classifications To Be Offered The California Public Employees Retirement System (CalPERS) Retirement Incentive Program Of Two Years Additional Service Credit Under California Government Code Section 20903; And Providing Estimated Savings And Costs Associated With The Program As Proposed (09-0486)
- 21 Subject: Chapter 4.16 The Parking Tax - Municipal Code Amendment  
From: Finance and Management Agency  
Recommendation: Adopt An Ordinance Amending Chapter 4.16 Of The Oakland Municipal Code To Exempt From The Parking Tax Occupants Who Pay Rent For Occupancy Of Spaces At Parking Stations Operated Exclusively For Large Diesel Trucks (09-0206)

**This item was rescheduled from the June 2, 2009 City Council Agenda**

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

**Final Passage (Second Reading) has been scheduled for June 30, 2009**

- 21.1 Subject: Vehicle Code Parking Fines- Parking Meters & Trucks  
From: Budget Office  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Section 10.48.010 "Schedule Of Parking Fines" To Increase California Vehicle Code Parking Fines, And Amending O.M.C. Section 10.36.050 "Parking Meter Indication That Space Is Illegally In Use", To Increase The Parking Meter Hours, And Amending O.M.C. Section 10.48.010 "Schedule Of Parking Fines" To Increase Parking Fines Related To Illegal Truck Parking (09-0539)

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

**Final Passage (Second Reading) has been scheduled for June 30, 2009**

**This item will appear as a Public Hearing on the June 30, 2009 City  
Council agenda**

- S-21.2 Subject: Tax Amnesty Program  
From: Finance And Management Agency  
Recommendation: Adopt An Ordinance Establishing A Time-Limited Tax Amnesty

Program Forgiving Payment Of Penalties And Interest On Penalties Applicable To Under-Reported And Un-Reported Business Taxes, Parking Taxes, Transient Occupancy Taxes, And Utility Users Taxes (TITLE CHANGE)  
(09-0477)

**The June 9, 2009 Finance and Management Committee approved recommendations and amended the Ordinance as follows:**

**On Page One the fourth Whereas was deleted**

**In Section 2, Line 3 should read "penalties and interest on penalties owed by taxpayers under the Business Tax (O.M.C. 5.04); Line 5 should read "Tax (O.M.C. 4.28), provided that the amounts owed are based on true and complete reporting as"**

**In Section 5, Line 2 should read. "eligible taxpayer is any person, business, occupant, operator, or service provider"; 4 Ayes**

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

**Final Passage (Second Reading) has been scheduled for July 7, 2009**

21.3 Subject: 2009-2010 Investment Policy  
From: Finance And Management Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Adopting The Oakland Redevelopment Agency's Investment Policy For Fiscal Year 2009-2010; And  
(09-0492)

2) A City Resolution Adopting The City Of Oakland's Investment Policy For Fiscal Year 2009-2010  
(09-0492-1)

**The June 9, 2009 Finance and Management Committee approved recommendations; 4 Ayes**

21.4 Subject: 2009-2010 Debt Management And Swap Policies  
From: Finance and Management Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Adopting The Oakland Redevelopment Agency's Debt Management Policy And Swap Policy For Fiscal Year 2009-2010; And  
(09-0493)

2) A City Resolution Adopting The City Of Oakland's Debt Management Policy And Swap Policy For Fiscal Year 2009-2010  
(09-0493-1)

**The June 9, 2009 Finance and Management Committee approved  
recommendations; 4 Ayes**

- 21.5 Subject: One Work Place - Business Incentive Agreement  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing A Business Incentive Agreement With One Workplace Ferrari, LLC ("OWP"), Requiring OWP To Expand And Maintain Its Business In The City For A Minimum Period Of Five Years In Exchange For The City's Disbursement To OWP Of Business Incentive Payments In Amounts Equal To The Percentage Of Sales And Use Tax Received By The City From OWP's Retail Sales For The Following Periods: (1) For Year Two Of The Agreement (Fiscal Year 2011-2012), 50% Of The Tax; (2) For Year Three Of The Agreement (Fiscal Year 2012-2013), 45% Of The Tax; And (3) For Year Four Of The Agreement (Fiscal Year 2013-2014), 40% Of The Tax.  
(09-0407)

**The June 9, 2009 Finance and Management Committee approved  
recommendations and directed staff to submit a supplemental report with  
their corrections. The Committee further directed that moving forward  
staff should provide more specifics on what they would like to see within  
this project; 3 Ayes, 1 No-De La Fuente**

- 22 Subject: Lake Merritt BART Station Area Specific Plan  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) An Agency Resolution Authorizing A Contribution Of An Amount Not To Exceed Fifty Thousand Dollars (\$50,000) From The Central City District Redevelopment Project And Two Hundred Fifteen Thousand Dollars (\$215,000) From The Central District Redevelopment Project To The City Of Oakland Under The Cooperation Agreement To Fund The Development Of The Lake Merritt BART Station Area Plan And Environmental Document; And  
(09-0247)
- 2) A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed Two Hundred Sixty-Five Thousand Dollars (\$265,000) For The Development Of The Lake Merritt Bart Station Area Plan And Environmental Document, And Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Dyett & Bhatia For Development Of The Lake Merritt Bart Station Area Plan In An Amount Not To Exceed One Million Eighty-Five Thousand Dollars (\$1,085,000)  
(09-0247-1)

**This item was rescheduled from the June 2, 2009 City Council Agenda**

- 23 Subject: City Center Garage West - Loan Prepayment  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:



1) An Agency Resolution Authorizing Prepayment Of A City Loan Assumed By The Agency For The Development Of City Center Garage West In An Amount Not To Exceed \$15.95 Million From Proceeds Of Its 2009T Central District Subordinated Tax Allocation Bonds; And  
(09-0333)

2) A City Resolution Authorizing Acceptance Of An Agency Prepayment Of The Outstanding Balance On A City Loan In An Amount Not To Exceed \$15.95 Million Used To Develop City Center Garage West And Assumed By The Agency  
(09-0333-1)

**Pursuant to Rule 7, subpart 8 of the Council's Rules of Procedure Resolution 79006 C.M.S. Councilmember Brooks made a motion seconded by Councilmember Reid to pull this item from the June 2, 2009 Consent Calendar and place on this agenda as a Non-Consent item.**

24 Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")  
(09-0188)

24.1 Subject: City Energy Efficiency  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Apply For, Accept And Appropriate All Funds Designated For The City Of Oakland Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") Energy Efficiency And Conservation Block Grant Formula Allocation Estimated At Three Million Nine Hundred Nineteen Thousand Two Hundred Dollars (\$3,919,200.00); And 2) Apply For, Accept And Appropriate Rebates, Grants And Incentives For Related Energy Projects  
(09-0475)

**The June 9, 2009 Public Works Committee approved recommendations and directed staff to provide the following information in a Supplemental Report: 1) A list of all City Facilities, including recreation centers, where the lighting has been retrofitted; and 2) An analysis of the total cost of each project; 4 Ayes**

24.2 Subject: Street Rehabilitation Funding  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The Filing Of An Application For Federal American Recovery And Reinvestment Act Of 2009 (ARRA) Funding And Stating The Assurance To Complete The Project; And  
(09-0471)

2) A Resolution Authorizing The City Administrator Or His Designee To Accept And Appropriate American Recovery And Reinvestment Act Of 2009 (ARRA) Funds Of

Approximately One Million Two Hundred And Fifty-Five Thousand Dollars  
(\$1,255,000.00) For The Purpose Of Street Resurfacing  
(09-0471-1)

**The June 9, 2009 Public Works Committee approved recommendations; 4  
Ayes**

- 25 Subject: Two Years Additional Service - Notice Of Intent  
From: Finance and Management Agency  
Recommendation: Adopt A Resolution Authorizing Two Years Of Additional Service  
Credit To Specific Local Miscellaneous Employees Classifications Under California  
Government Code Section 20903; And Public Notice Of Costs Associated With The  
Program As Proposed  
(09-0507)

**This item was placed on this agenda pursuant to Rule 28 of the Council's  
Rules of Procedure Resolution 79006 C.M.S.**

- 26 Subject: Oakland's Parking Violation Fines Comparison  
From: Finance and Management Agency  
Recommendation: Receive A Follow-Up Report From The Parking Division On  
Comparison Of Oakland's Parking Violation Fines With Other Cities  
(09-0433)

**The June 9, 2009 Finance and Management Committee received and  
forwarded the report and directed staff to have discussions with the  
business community and merchants in the different districts to determine if  
the increased meter operation hours and additional enforcement days  
would help or hinder their businesses; 4 Ayes**

- 27 Subject: Measure DD Bonds - Allocations And Appropriations  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution (1) Approving The Allocation And Appropriation  
Of Measure DD Bond Series 2009B Proceeds, (2) Approving The Reallocation Of  
Measure DD Bond Series 2003A Proceeds, And (3) Authorizing The City Administrator,  
Or The City Administrator's Designee, To Make Final Adjustments To The Allocations  
Of Measure DD Series 2003A Bond Proceeds As The City Administrator Deems  
Necessary For The Timely Completion Of Measure DD Projects  
(09-0473)

**The June 9, 2009 Finance and Management Committee approved  
recommendations; 4 Ayes**

- 28 Subject: Measure DD Series 2009B - Bond Sales  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing And Directing The Sale Of Not To  
Exceed \$70,000,000 Aggregate Principal Amount Of City Of Oakland General  
Obligation Bonds (Series 2009B, Measure DD) And Levying An Ad Valorem Tax With  
Respect Thereto; Approving The Form Of And Authorizing The Execution And Delivery  
Of A Fiscal Agent Agreement; Approving The Selection Of One Or More Underwriters  
And The Execution Of Bond Purchase Contract(s) Or A Competitive Sale; Approving

The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing Execution And Delivery Of An Official Statement; Approving The Retention Of Bond Counsel And Other Agents; Authorizing Payment Of Costs Of Issuance; And Authorizing Necessary Actions In Connection Therewith  
(09-0478)

**The June 9, 2009 Finance and Management Committee approved recommendations; 4 Ayes**

- 29 Subject: Parking Division Report  
From: Finance and Management Agency  
Recommendation: Receive An Informational Report From The Parking Operations Division On Revenue Generating And Service Improvement Efforts  
(09-0480)

**The June 9, 2009 Finance and Management Committee received and forwarded the report and directed staff to comeback with additional information regarding the 126 contracts and what the possible procedures would be for the Committees review of the contracts; 4 Ayes**

- 30 Subject: CompStat Report  
From: Councilmember Larry Reid  
Recommendation: Action On A Report From The Oakland Police Department With An Update On The Implementation Of CompStat Including Current Progress, Phases, Next Steps, Challenges And A Request For Funding In The Amount Of \$1,715,950  
(07-1893-1)

**The June 9, 2009 Public Safety Committee received and forwarded the report and will consider the report again after grant funding is known; 4 Ayes**

**Continuation of Open Forum**

**ADJOURNMENT OF COUNCIL SESSION**

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

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(...)

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

ORA - Oakland Redevelopment Agency  
S - Supplemental Item