

CITY OF OAKLAND
AGENDA REPORT

To: Office of the City Administrator
Attn: Deborah Edgerly, City Administrator
From: Office of the City Clerk
Date: October 4, 2005

**Re: RESOLUTION RATIFYING ACTION TAKEN BY THE MAYOR DURING
THE OAKLAND CITY COUNCIL 2005 ANNUAL RECESS IN
CONFORMANCE WITH RESOLUTION NO. 79006 C.M.S. DATED
JANUARY 4, 2005**

SUMMARY

The City Council's Annual Recess began August 2, 2005, and ended September 6, 2005. During the Annual Recess the Mayor was authorized to take such actions that would normally be taken by the City Council during the period of the Annual Recess except for duties reserved to the City Council by the City Charter, pursuant to Resolution No. 79006 C.M.S., dated January 4, 2005.

The City Council granted authorization to the Mayor to take action on procurement of certain supplies and services exceeding \$500,000 and certain professional services contracts exceeding \$150,000 during the 2005 Annual Recess, pursuant to Resolution No. 79006 C.M.S., dated January 4, 2005.

Therefore, pursuant to City Council Resolution No. 79006 C.M.S. the following reports and resolutions were approved by the Mayor during this period.

August 2, 2005, Mayor's Annual Recess Agenda

Oakland City Council Resolution No. 79426 C.M.S. through
Oakland City Council Resolution No. 79427 C.M.S.

August 9, 2005, Mayor's Annual Recess Agenda

No Actions Taken

August 16, 2005, Mayor's Annual Recess Agenda

No Actions Taken

August 23, 2005, Mayor's Annual Recess Agenda

Oakland Redevelopment Agency Resolution No. 05-0051 C.M.S

Oakland City Council Resolution No. 79428 C.M.S. through
Oakland City Council Resolution No. 79432 C.M.S.

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August 30, 2005, Mayor's Annual Recess Agenda

Oakland City Council Resolution No. 79433 C.M.S. through
Oakland City Council Resolution No. 79435 C.M.S.

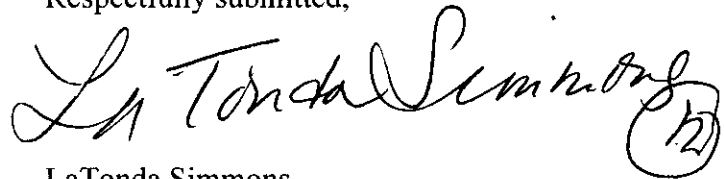
September 6, 2005, Mayor's Annual Recess Agenda

Oakland City Council Resolution No. 79436 C.M.S. through
Oakland City Council Resolution No. 79438 C.M.S.

ACTION REQUESTED OF THE CITY COUNCIL

It is requested that the City Council adopt the proposed resolution specifying the actions taken by the Mayor during the 2005 Annual Recess of the City Council.

Respectfully submitted,

Handwritten signature of LaTonda Simmons in cursive, with a circled number 12 to the right.

LaTonda Simmons
City Clerk and Clerk of the Council

Prepared by:
Stephanie La Shawn, Legislative Recorder
Agenda Management

APPROVED AND FORWARDED TO THE
CITY COUNCIL

Handwritten signature of Cheryl L. Thompson in cursive, underlined.

OFFICE OF THE CITY ADMINISTRATOR

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DRAFT

Approved as to
Form and Legality

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

**RESOLUTION RATIFYING ACTION TAKEN BY THE MAYOR DURING THE
OAKLAND CITY COUNCIL 2005 ANNUAL RECESS IN CONFORMANCE WITH
RESOLUTION NO. 79006 C.M.S., DATED JANUARY 4, 2005**

WHEREAS, the City Council has taken its Annual Recess August 2, 2005, and ending September 6, 2005, pursuant to Resolution No. 79006 C.M.S., dated January 4, 2005 and

WHEREAS, pursuant to City Council Resolution No. 79006 C.M.S., passed January 4, 2005 delegating certain authority to the Mayor during the Annual Recess of the City Council, the following actions were taken:

August 2, 2005

1. Resolution No. 79426 C.M.S. - Adopt A Resolution Authorizing the City Administrator to Solicit Bids, Award, And Negotiate If Necessary, A Construction Contract In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) To The Lowest Responsive, Responsible Bidder For Construction Of Two Stormwater Treatment Units In The Lake Merritt Watershed Without Returning To Council

2. Resolution No. 79427 C.M.S. - Adopt A Resolution Authorizing The City Administrator To Waive The Competitive RFP/RFQ Process And Enter Into An Agreement With The Youth Employment Partnership, Inc. To Implement The Team Oakland Youth Training Program In Connection With The Provision Of A Variety Of Environmental Services In An Amount Not-To-Exceed Two Hundred Forty Nine Thousand Dollars (\$249,000.00) For Fiscal Year 2005-2006

August 9, 2005
No Actions Taken

August 16, 2005
No Actions Taken

August 23, 2005

1. Oakland Redevelopment Agency No. 005-0051 C.M.S. - Adopt An Agency Resolution Authorizing Preparation Of Amendments To The Central City East Redevelopment Plan And The Oak Knoll Redevelopment Plan To Merge The Central City East And Oak Knoll Project Areas, And Authorizing Transmittal Of A Statement Of Preparation Of Plan Amendments To The State, County, And Taxing Entities
2. Resolution No. 79428 C.M.S. - Adopt A Resolution Authorizing Award Of A Construction Contract To AJW Construction For The Rubber Sidewalk Pilot Project (C78050) In The Amount of \$424,130.65
3. Resolution No. 79429 C.M.S. - 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 2005-2006 For Voter-Approved Indebtedness
4. Resolution No. 79430 C.M.S. - Adopt A Resolution Authorizing The City Administrator To Execute An Agreement For \$510,862 Between The City Of Oakland And The Oakland Unified School District To Implement The Second Step Violence Prevention Curriculum And A Peer Conflict Resolution Program In Accordance With Measure Y For the Period Of July 1, 2005 Through June 30, 2006, With Two One-Year Options To Renew
5. Resolution No. 79431 C.M.S. - Adopt A Resolution Authorizing A Professional Services Contract With Patel And Associates For A Total Amount Not To Exceed \$23,650 For Conducting The Fiscal Year 2004-2005 Audits Of Measure B Funds Allocated By Alameda County Transportation Improvement Authority (ACTIA) And Transportation Development Act Funds (TDA) Provided By The Metropolitan Transportation Commission (MTC) And Authorizing The Option To Extend The Agreement For Fiscal Year 2005-2006 And Fiscal Year 2006-2007
6. Resolution No. 79432 C.M.S. - Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Phoenix Electric Company For The Broadway At 28th Street Traffic Signal Project (City Project No. B246610) In The Amount Of One Hundred Thirty-One Thousand Nine Hundred Eighty-Seven Dollars and Fifty Cents (\$131,987.50)

August 30, 2005

1. Resolution No. 79433 C.M.S. - Adopt A Resolution Authorizing The City Administrator To Enter Into A Second Amendment To Office Building Lease For Property Located At 1970 Broadway, Suite 1010, Oakland, For Use By Finance And Management Agency, Employee

Assistance Program In An Annual Amount of \$29,070.00 For Five Years, Plus A Pro-rata Share Of Building Operating And Maintenance Costs In Excess Of The Base Operating Expense

2. Resolution No. 79434 C.M.S. - Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Bay Construction Company For The Dimond Deck Repair Project (Project No. G251210) In The Amount Of Two Hundred Twenty Five Thousand Nine Hundred Dollars (\$225,900.00)

3. Resolution No. 79435 C.M.S. - Adopt a Resolution Authorizing the City Administrator to Award a One-year Contract To Lovett & Lovett Roofing Company Inc. For A Not to Exceed Amount of Five Hundred Sixty Eight Thousand Four Hundred Seventy Seven Dollars (\$568,477.00) For Roofing, Waterproofing Installation and Repairs At Various City-owned Facilities

September 6, 2005

1. Resolution No. 79436 C.M.S. - Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Bay Construction For The Citywide Guardrail Project (City Project No. C231410C) In The Amount Of One Hundred Sixty-Eight Thousand Four Hundred Sixty-Nine Dollars and Twenty-Five Cents (\$168,469.25)

2. Resolution No. 79437 C.M.S.-Adopt A Resolution Authorizing The City Administrator To Execute An Agreement For \$240,000 Between The City Of Oakland And Alameda County Health Care Services Agency; To Provide School-Based Assessment, Case Management, And Referral Services For High-Risk Students Designed To Reduce School Violence And Increase Student Attendance For The Period Of July 1, 2005 Through June 30, 2006, With Two One-Year Options To Renew In Accordance With The Violence Prevention And Public Safety Act Of 2004

3. Resolution No. 79438 C.M.S. - Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract In An Amount Not-To-Exceed Two Hundred Twenty Thousand Dollars (\$220,000.00) For The Construction Of A Retaining Wall And Storm Drainage Improvements Near 6658 Exeter Drive To The Lowest Responsible Bidder, Without Returning To Council, Provided That If The Bids Are Not Received Or Found To Be Non-Responsive, The City Administrator May Reject All Bids And Negotiate Award Of The Contract Not To Exceed \$220,000.00, Without Returning To Council (Project No. C253010)

NOW THEREFORE, be it resolved that the Oakland City Council does hereby ratify the above-mentioned actions taken by the Mayor during the Oakland City Council Annual Recess commencing August 2, 2005 through September 6, 2005.

In Council, Oakland, California,

PASSED BY THE FOLLOWING VOTE -

AYES - Brooks, Brunner, Chang, Kernighan, Nadel, Quan, Reid and President De La Fuente

NOES -

ABSENT -

ABSTENTION -

Attest:

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