



SUPPLEMENTAL

City of Oakland

Meeting Agenda

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

Concurrent Meeting of the Oakland Redevelopment Agency / City Council

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

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

Tuesday, June 02, 2009

6:00 PM

Oakland City Hall, 3rd Floor

DEFINITION OF TERMS:

CONSENT ITEM: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee. These items are heard on the 6:00 P.M. portion of the agenda.

NON-CONSENT ITEM: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee. These items are heard on the 7:00 P.M. portion of the agenda.

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

INFORMATIONAL ITEM: an item of the agenda consisting only of an informational report that does not require or permit Council action.

1 Pledge of Allegiance

2 Roll Call / ORA & Council

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

3 Open Forum / Citizens Comments
(Time Available: 15 minutes)

4 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)

SUPPLEMENTAL

- 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 May 19, 2009

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: Corrigan Sports - Recognition
From: Councilmember Nancy Nadel & Council President Brunner
Recommendation: Adopt A Resolution Honoring Corrigan Sports For Organizing An Oakland Marathon The Weekend Of March 27th, 2010, Providing A Means Of Attracting People From Across the Nation To The Neighborhoods Of Oakland And Providing A Marketing And Economic Tool For the City
(09-0396)
- 8.2 Subject: Carlos Miguel P. Briones - Recognition
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Recognizing Carlos Miguel P. Briones, Winner Of The 2009 San Francisco City Golf Championship At The Age of 14, Becoming The Youngest Winner In The Events 93 Year History
(09-0436)
- S-8.3 Subject: Robert F. Valladon - Recognition
From: Vice Mayor De La Fuente
Recommendation: Adopt A Resolution Honoring Officer Robert F. Valladon For His 30 Years Of Dedicated Service To The City Of Oakland, Thanking Him For His Many Contributions To The City And Congratulating Him On His Retirement
(09-0464)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the May 28, 2009 Rules and Legislation Committee to place this item on the agenda for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to a purely ceremonial or commendatory action

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

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

10. CONSENT CALENDAR (CC) ITEMS:

- 10.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's

SUPPLEMENTAL

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

Tuesday, June 02, 2009

Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health
Crisis With Regard To The AIDS Epidemic

[\(09-0454\)](#)

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

[\(09-0455\)](#)

10.3-CC Subject: Victor Martinez - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Victor Martinez V. City Of Oakland, Et Al.,
Alameda County Superior Court Case No. RG08407717, In The Amount Of Ninety
Eight Thousand Dollars And No Cents (\$98,000.00) (City Administrator)

[\(09-0457\)](#)

10.4-CC Subject: S-4 Design Review Combining Zone
From: Vice Mayor Ignacio De La Fuente
Recommendation: Adopt An Interim Ordinance, Recommended By The Planning
Commission, Amending The Zoning Maps For Two Years To Add The S-4 Design
Review Combining Zone To The M-40 Heavy Industrial Zone In The Area Where The
Central Estuary Plan Is In Progress

[\(09-0205\)](#)

**ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE
(Second Reading) OF THE ORDINANCE**

Introduction (First Reading) was approved on May 19, 2009; 8 Ayes

10.5-CC Subject: Zoning Approvals
From: Council President Brunner & Councilmember Kernighan
Recommendation: Adopt An Ordinance, Recommended By The City Planning
Commission, Adopting An Interim Rule To Allow The Planning Director, Or Designee,
Discretion To Approve Ground Floor Commercial Uses Of Less Than 10,000 Square
Feet In The Central Business District Without A Conditional Use Permit

[\(09-0228\)](#)

**ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE
(Second Reading) OF THE ORDINANCE**

Introduction (First Reading) was approved on May 19, 2009; 8 Ayes

10.6-CC Subject: Purchase Of Real Property
From: Community and Economic Development Agency
Recommendation: Adopt A City Ordinance Authorizing The Sale Of (1) 2100 Telegraph

SUPPLEMENTAL

Avenue In The Central District Redevelopment Project Area For \$7,000,000, (2) The Oakland Coliseum Intercity Rail Parking Lot At 73rd Avenue In The Coliseum Redevelopment Project Area For \$500,000, And (3) Vacant Land Located At The Southeast Corner Of 73rd Avenue And International Boulevard In The Coliseum Redevelopment Project Area For \$290,000, To The Redevelopment Agency
(09-0256)

**ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE
(Second Reading) OF THE ORDINANCE**

Introduction (First Reading) was approved on May 19, 2009; 8 Ayes

10.7-CC Subject: California Public Employees Retirement System Contract
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Of The City Of Oakland Authorizing An Amendment To The Contract Between The City Of Oakland And The Board Of Administration Of The California Public Employees' Retirement System (CalPERS) That Authorizes California Government Code Section 20903, Two Years Additional Service Credit For Local Miscellaneous Members And Local Safety Members
(09-0323)

**ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE
(Second Reading) OF THE ORDINANCE**

**Introduction (First Reading) was approved on May 5, 2009; 7 Ayes, 1
Excused-Reid**

10.8-CC Subject: Purchase And Sale Agreement - Grand View Drive
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute An Agreement To Sell Two City-Owned Surplus Real Properties Located Between 1522 Grand View Drive And 1600 Grand View Drive To Pentaiah Alisetty For One Hundred And Twenty Five Thousand (\$125,000) Dollars
(09-0258)

**ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE
(Second Reading) OF THE ORDINANCE**

Introduction (First Reading) was approved on May 19, 2009; 8 Ayes

S-10.9-CC Subject: Public Sidewalk Dedication - 65 Harrison Street
From: Community & Economic Development Agency
Recommendation: Adopt A Resolution Conditionally Accepting The Dedication Of A Public Service Easement Without Cost From The Port Of Oakland For A New Sidewalk Adjoining Embarcadero Serving A New Building At 65 Harrison Street Being Constructed By Jack London Square Investors II
(09-0336)

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, June 02, 2009

**The May 26, 2009 Public Works Committee approved recommendations; 3
Ayes, 1 Excused-Brooks**

S-10.10-C Subject: Citywide On-Call Curb Ramp Project - AJW Construction
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His
Designee, To Award A Construction Contract To AJW Construction For The Citywide
On-Call Curb Ramp Project (Project No. C316310) For The Amount Of Five Hundred
Ten Thousand, One Hundred Twenty-Five Dollars (\$510,125.00)
(09-0337)

**The May 26, 2009 Public Works Committee approved recommendations; 3
Ayes, 1 Excused-Brooks**

S-10.11-C Subject: Class II Bicycle Lanes - Various Locations
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Installation Of Class II Bicycle
Lanes On MacArthur Boulevard By Reducing Travel Lanes From Three (3) Through
Lanes To Two (2) Through Lanes Between Canon Avenue And Fruitvale Avenue And
On East 33rd Street By Reducing Travel Lanes On This One-Way Street From Two (2)
Through Lanes To One (1) Through Lane Between Beaumont Avenue And 14th Avenue
(09-0338)

**The May 26, 2009 Public Works Committee approved recommendations; 3
Ayes, 1 Excused-Brooks**

S-10.12-C Subject: Lake Merritt Channel Improvements-10th Street Project
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His
Designee, To Apply For, Accept, And Appropriate Two Million Dollars (\$2,000,000.00)
In Grant Funding From The State Resources Agency Under The California River
Parkways Grant Program For The Lake Merritt Channel Improvements At 10th Street
Project
(09-0389)

**The May 26, 2009 Public Works Committee approved recommendations; 3
Ayes, 1 Excused-Brooks**

S-10.13-C Subject: Real Property Sale - 4689 And 4683 Benevides Avenue
C 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)

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, June 02, 2009

The May 26, 2009 Finance and Management 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 June 16, 2009

S-10.14-C Subject: City Center Garage West - Loan Prepayment
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing Prepayment Of The Outstanding Balance On A City Loan Used To Develop City Center Garage West And Assumed By The Agency 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

[\(09-0333-1\)](#)

The May 26, 2009 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused-Reid

S-10.15-C Subject: Mandela Foods Cooperative Grant
C From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Amending Resolution No. 2007-0073 To Increase The Tenant Improvement Grant To Mandela Foods Cooperative For The Rehabilitation Of Its Grocery Store Site At 1420-1430 7th Street By An Amount Not To Exceed \$58,000, For A Total Grant Not To Exceed \$258,000, Allocating West Oakland Redevelopment Funds For This Purpose, And Authorizing The Agency Administrator To Amend The Existing Grant Agreement To Reflect The Increased Funding Amount

[\(09-0335\)](#)

The May 26, 2009 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused-Reid

S-10.16-C Subject: GRID Alternatives Grant
C From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A \$48,000 Grant From The Low And Moderate Income Housing Fund To GRID Alternatives, A Nonprofit Organization Dedicated To Promoting Renewable Energy, To Install Solar Panels On Low-Income Housing Units Within The West Oakland Project Area

[\(09-0391\)](#)

The May 26, 2009 Community and Economic Development Committee

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, June 02, 2009

approved recommendations; 3 Ayes, 1 Excused-Reid

S-10.17-C Subject: Real Property Purchase - 5847 And 5851 Foothill Boulevard
C From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real
Property At 5847 And 5851 Foothill Boulevard, In The Central City East Redevelopment
Project Area From Dorcia Anderson For \$680,000 And Authorizing Up To \$80,000 For
Demolition And Real Estate Closing Costs
(09-0392)

**The May 26, 2009 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Excused-Reid**

S-10.18-C Subject: 2009-2010 Senior Companion/Foster Grandparent Programs
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply
For, Accept And Appropriate Grant Funds From The Corporation For National And
Community Services (CNCS) In The Amount Of \$324,951 And The Alameda County
Area Agency On Aging In The Amount Of \$19,554 And The City Of Berkeley In The
Amount Of \$14,575 For The Senior Companion Program (SCP) And Foster Grandparent
Program (FGP) For The Fiscal Year 2009-2010
(09-0263)

**The May 26, 2009 Life Enrichment Committee approved
recommendations; 4 Ayes**

S-10.19-C Subject: Gardens Renaming
C From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Authorizing The Naming Of The Gardens
Adjacent To The Marsha J. Corprew Memorial Garden Center Located At 666 Bellevue
Avenue To The Gardens At Lake Merritt
(09-0411)

**The May 26, 2009 Life Enrichment Committee approved
recommendations; 4 Ayes**

S-10.20-C Subject: 2009-2010 Senior Aides Program
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply
For, Accept, And Appropriate Grant Funds In The Estimated Amount Of \$1,238,240
From Senior Services America, Inc., For The City Of Oakland Senior Aides Program For
Fiscal Year 2009-2010
(09-0265)

**The May 26, 2009 Life Enrichment Committee approved
recommendations; 4 Ayes**

S-10.21-C Subject: First Responder Advanced Life Support Services Agreement
C From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Agree To

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, June 02, 2009

An Extension Of The First Responder Advanced Life Support (FRALS) Services Agreement With Alameda County Emergency Medical Services District For An Additional Two Years To June 30, 2011, And To Appropriate The Payments Received From Alameda County Thereunder Which Are Anticipated To Be Nine Hundred Fifty Three Thousand Five Hundred Fourteen Dollars And Ninety Cents (\$953,514.90) Annually
(09-0248)

The May 26, 2009 Public Safety Committee approved recommendations; 3 Ayes, 1 Excused-Reid

S-10.22-C Subject: Oil Spill Response Equipment Grants
C From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Accept And Appropriate Two Grants For Oil Spill Response Equipment In The Amount Of Twenty-Five Thousand Dollars \$25,000 Each, Totaling Fifty Thousand Dollars (\$50,000.00) In Grant Funding For Reimbursement From The California Department Of Fish And Game, Office Of Oil Spill Prevention And Response, To Purchase Oil Spill Response Equipment And Training To Provide The City Of Oakland The Enhanced Capability To Immediately Respond And Deal With The Immediate Needs Of An Oil Spill And Protect Our Ecologically Sensitive Sites And Local Resources, And Waiving The City's Bid And Request For Proposal Processes For The Purchase Of Said Equipment And Training
(09-0325)

The May 26, 2009 Public Safety Committee approved recommendations; 3 Ayes, 1 Excused-Reid

S-10.23-C Subject: 2008-2009 Oil Spill Grant Funding
C From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Accept And Appropriate An Additional Ten Thousand Dollars (\$10,000.00) In Oil Spill Prevention And Response (OSPR) Grant Funding For Fiscal Year 2008-2009, Increasing The Total Grant Award To Thirty-Five Thousand Dollars (\$35,000) Per Year For Reimbursement From The State Of California Department Of Fish And Game, Office Of Oil Spill Prevention And Response (OSPR), For The City Of Oakland's Staff Services Of Updating And Revising The Alameda County Oil Spill Contingency Plan (LCP), And 2) Accepting Up To Thirty-Five Thousand Dollars (\$35,000) In Grant Funding Per Year For The Next Five Years, Through July 1, 2014, To Continue To Update And Revise The Alameda County Oil Spill Contingency Plan
(09-0327)

The May 26, 2009 Public Safety Committee approved recommendations; 3 Ayes, 1 Excused-Reid

S-10.24-C Subject: Support Of Assembly Bill 814
C From: Oakland Police Department
Recommendation: Adopt A Resolution In Support Of California State Assembly Bill

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, June 02, 2009

Number 814 (AB 814 Krekorian), Which Addresses Gaps In Existing Law With Regards
To The Possession Of Firearms By Convicted Felons And Other Prohibited
Misdemeanants In The State Of California
(09-0401)

**The May 28, Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Excused-De La Fuente**

S-10.25-C Subject: Polsinelli Shughart - Agreement
C From: Office of the Mayor
Recommendation: Adopt A Resolution Waiving The Request For Proposal Process And
Authorizing An Extension Of The 2008 Agreement With Polsinelli Shughart To Serve
As The City's Federal Legislative Lobbyist For The Period Of January 1, 2009 Through
December 31, 2009, At A Cost Of One Hundred And Fifty Thousand Dollars
(\$150,000.00), And Authorizing An Option To Renew For One Year Until December
2010 For An Additional One Hundred And Fifty Thousand Dollars (\$150,000.00), For A
Total Amount Not-To-Exceed Four Hundred And Fifty Thousand Dollars (\$450,000.00)
For The Entire Term Of The Agreement
(09-0402)

**The May 28, Rules and Legislation Committee amended the resolution to
authorize the contract for a one year term only; 3 Ayes, 1 Excused-De La
Fuente**

S-10.26-C Subject: Support Of Assembly Bill 962
C From: Oakland Police Department
Recommendation: Adopt A Resolution In Support Of California State Assembly Bill 962
(Assembly Bill 962 Deleon), Which Imposes New Regulations Over The Sale And
Transfer Of Handgun Ammunition In The State Of California
(09-0409)

**The May 28, Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Excused-De La Fuente**

S-10.27-C Subject: Support Of Assembly Bill 260
C From: Vice Mayor Ignacio De La Fuente
Recommendation: Adopt A Resolution To Support Assembly Bill 260 (Lieu) To Reform
Mortgage Lending Practices By Placing Restrictions On Subprime Loans, Prohibits
Various Practices By Lenders And Brokers And Authorizes State Regulatory Agencies
To Suspend Or Revoke Licenses Of Real Estate Lenders And Mortgage Brokers That
Violate Lending Laws
(09-0444)

**The May 28, Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Excused-De La Fuente**

S-10.28-C Subject: Support Of The DREAM Act
C From: Vice Mayor Ignacio De La Fuente
Recommendation: Adopt A Resolution In Support Of The Development, Relief, And

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, June 02, 2009

Education For Alien Minor - DREAM Act, Which Would Allow Undocumented Students Who Have Lived In The United States For At Least Five Years And Have Graduated High School Or Received A Graduate Equivalency Diploma (GED) To Legalize Their Immigration Status, Thereby Making Them Eligible For Federal Financial Aid, And Allow States To Consider These Students As State Residents For Tuition Purposes At State Universities

(09-0445)

**The May 28, Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Excused-De La Fuente**

S-10.29-C Subject: Support Of Senate Bill 94
C From: Vice Mayor Ignacio De La Fuente
Recommendation: Adopt A Resolution To Support Senate Bill 94 (Calderon) To Reform Mortgage Lending Practices And Prohibited Fee-For-Service Loan Modification Services
(09-0446)

**The May 28, Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Excused-De La Fuente**

S-10.30-C Subject: Support Of Assembly Bill 8
C From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution In Support of Assembly Bill 8 (Brownley), Which Convenes A Working Group To Make Recommendations To The Legislature And Governor Regarding Restructuring Of California's Education Finance System
(09-0448)

**The May 28, Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Excused-De La Fuente**

- 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

**COMMENCING AT 7:00 P.M. OR AS SOON AS REASONABLY PRACTICAL
THEREAFTER:**

- 13 Reconsideration of Ordinances pursuant to Charter Section 216

14. Consideration of items with statutory Public Hearing Requirements:

- 14.1 Subject: Bing Rong Mi - Appeal
From: Office of the City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal Filed By Bing Rong Mi And Upholding The Administrative Hearing Officer's Decision To Deny A Massage Establishment Permit For Sunny Relax, Located At 1531 Webster Street, Oakland, California
(09-0324)

SUPPLEMENTAL

This item was rescheduled from the May 5, 2009 City Council Agenda

14.2 Subject: 2008-2009 Consolidated Action Plan Amendment
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
1) Authorizing The City Administrator To Amend The Consolidated Plan Annual Action
Plan For Housing And Community Development For Fiscal Year 2008-2009 To The
U.S. Department Of Housing And Urban Development; 2) Authorizing The City
Administrator To Accept And Appropriate Funds Totaling \$2,259,921 For The
Community Development Block Grant Program From The American Recovery And
Reinvestment Act Of 2009 And 3) Authorizing The City Administrator To Negotiate
And Execute Agreements With Contractors For Fiscal Years 2009-2011 For The
Community Development Block Grant
(09-0214)

14.3 Subject: Planning Code Amendments-Chapter 17.10
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion 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)

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

Final Passage (Second Reading) has been scheduled for June 16, 2009

ACTION ON NON-CONSENT ITEMS:

~~15 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)~~

SUPPLEMENTAL

~~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 withdrawn from this agenda and rescheduled to the June 16, 2009 City Council agenda by the May 28, 2009 Rules and Legislation Committee

16 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 withdrawn from this agenda and rescheduled to the June 16, 2009 City Council agenda by the May 28, 2009 Rules and Legislation Committee

17 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")

The May 12, 2009 Finance and Management Committee directed staff to comeback with information on Green Jobs and to meet with the Council, Mayor and City Administrator to discuss a connection with the Stimulus funding. This information should be brought back to the Full Council on June 2, 2009.

The May 26, 2009 Life Enrichment Committee directed staff to provide status updates, including any collaborations that are in the making.

~~(09-0188)~~

~~(09-0188-1)~~

S-17.1 Subject: Youth Employment Funds
From: Office of the Mayor
Recommendation: Adopt A Resolution Accepting And Appropriating \$1,586,109 In Fiscal Year 2008-2009 American Recovery And Reinvestment Act (ARRA) Workforce Investment Act Title 1 Youth Employment Funds, And Allocating Said Funds To The Oakland Private Industry Council, Inc. As The Oakland Workforce Investment System Administrator To Designated Youth Service Providers

~~(09-0496)~~

SUPPLEMENTAL

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the May 28, 2009 Rules and Legislation Committee to place this item on the agenda for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting

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

S-18 Subject: 2009-2010 Violence Prevention Services Grant Agreements
From: Department of Human Services
Recommendation: Adopt 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 Violence Prevention Services For The Period July 1, 2009 To June 30, 2010, With Two One-Year Options To Renew In Accordance With The Measure Y Violence Prevention And Public Safety Act In An Amount Not To Exceed \$5,362,127
(09-0348)

The May 26, 2009 Public Safety Committee directed staff to submit a future report on the following: 1) Data on programs that are two and three years old including the Non-Profit And Public Agencies that are working with the recently released prison population with focus on what is working, not working and which ones are more effective; 2) Clarification of all funding for the Office of the Mayor and with enforcement of the same accountability measures; 3) Are funds being used to strengthen the OPD Safety districts and will these districts have a youth focus; and 4) What options are available for the age groups 16-20 years old (GAP GROUP) including stimulus grant opportunities; 3 Ayes, 1 Excused-Reid

S-19 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)

The May 26, 2009 Finance And Management Committee directed staff to prepare an Implementation Plan that includes the following: 1) A Bi-Local Incentive Programs for broader use; 2) The fiscal impact if the city provides this service; 3) Cost covering measures; 4) Considers a multiuse card (debit card). Staff was also directed to provide a description of the

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, June 02, 2009

most practical way to move forward with this project; 4 Ayes

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

Final Passage (Second Reading) has been scheduled for June 16, 2009

S-20

Subject: City Banking

From: Finance and Management Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing With Wells Fargo Bank, N.A. To Provide Primary Depository Services For The City At An Annual Cost Not To Exceed \$275,000
(09-0284)

2) A Resolution Authorizing An Agreement With Wells Fargo Bank To Provide Primary Custodial Banking Services For The City At An Annual Cost Not To Exceed \$25,000;
And
(09-0284-1)

The May 26, 2009 Finance and Management Committee directed staff to provide a supplemental report on the following: 1) Whether or not the bank meets the minimum wage requirements; 2) Will the bank agree in writing to uphold the city's eviction rules; 3) The name of the person appointed by the bank to serve as a point person to provide counseling and to inform the community about the loan modification process; and 4) Will the bank make available a phone line for Housing Counseling Services; 4 Ayes

S-21

Subject: Council Appointment To The Workforce Investment Board

From: Council President Brunner

Recommendation: Adopt A Resolution Nominating Councilmember Patricia Kernighan For Appointment By The Mayor As The City Council Representative To The Workforce Investment Board For The Remainder Of The Two (2) Year Term Beginning On November 2, 2008 And Ending On November 1, 2010
(09-0490)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the May 28, 2009 Rules and Legislation Committee to place this item on the agenda for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting

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

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, June 02, 2009

S-22 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)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the May 28, 2009 Rules and Legislation Committee to place this item on the agenda for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting

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

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

Final Passage (Second Reading) has been scheduled for June 16, 2009

S-23 Subject: Citywide Sidewalk Repairs - Rosas Brothers
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His
Designee To Award A Construction Contract To Rosas Brothers Construction For The
Citywide Sidewalk Repairs (Project No. C317510) For The Amount Of One Million
Three Hundred Seventy-Six Thousand, Six Hundred Sixty-Seven Dollars
(\$1,376,667.00)
(09-0339)

The May 26, 2009 Public Works Committee approved recommendations and directed staff to provide a supplemental report on the updated Brochure and Letter to notify property owners. The Committee further directed staff to provide the following in a future report: 1) Options for providing Citywide "On-Call Contracts" for concrete grinding with inclusion of the possibilities of Oakland citizen's being trained; 2) Local-hire clauses; and 3) If the contract has to be a sole source; 3 Ayes, 1 Excused-Brooks

S-24 Subject: 2009-2010 Tax And Revenue Anticipation Notes
From: Finance and Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The Sale Of The 2009-2010 Tax And Revenue Anticipation Notes, Series A And Series B (Federally Taxable) In An Amount Not To Exceed One

SUPPLEMENTAL

Hundred Fifty-Five Million Dollars (\$155,000,000); And, Authorizing The Execution And Delivery Of Related Documents And Approving Certain Related Actions; And
(09-0435)

2) An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2009-2010 In An Amount Not To Exceed \$155,000,000 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
(09-0435-1)

The May 26, 2009 Finance and Management Committee amended the resolution to increase the not to exceed amount from \$155,000,000 to \$185,000,000 and requested that the City Attorney report back on what the City can do legally to address the issue with CalPERS regarding the Port of Oakland; 4 Ayes

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

Final Passage (Second Reading) has been scheduled for June 16, 2009

S-25

Subject: 2009-2010 Paratransit Services Contracts

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Funds In The Amount Of \$918,483 From Alameda County Transportation Improvement Authority (ACTIA) Measure B Funds And Accept And Appropriate Up To \$251,820 Measure B Gap Funds For The Fiscal Year 2009-2010 For Paratransit Services And Authorizing The City Administrator To Negotiate And Execute Contracts To Provide Paratransit Services For Fiscal Year 2009-2010 In Amounts Not To Exceed: 1) \$380,000 To V.I.P. Express Transport, Inc., 2) \$230,000 To Bay Area Community Services (BACS), 3) \$145,000 To Friendly Transportation DBA Friendly Transportation Inc., Friendly Cab Company, Metro Yellow Cab Company, And Yellow Cab Company, And 4) \$145,000 To Veterans Transportation Inc., DBA Veterans Transportation Inc., And Veterans Cab Company And Authorizing The City Administrator To Execute Amendments To The Contracts For Any Additional Amounts Received Under The Measure B Grant Without Returning To City Council
(09-0262)

The May 26, 2009 Life Enrichment Committee directed staff to conduct a survey to determine the following statistics: 1) The percentage of need; 2) The number of individuals being served or underserved; 3) The response time of transit service; 4) The cleanliness of vehicles; and 5) The Customer Service Issues. Staff was also directed to identify priorities for new sources and define the future for the aging community. The Committee further directed staff to provide information on the number of Programs with negative balances and to look at the Federal Transportation Bill for additional program funding; 4 Ayes

SUPPLEMENTAL

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

Tuesday, June 02, 2009

S-26 Subject: 2009-2010 Grant Agreements Children And Youth Services
From: Department of Human Services
Recommendation: Adopt A Resolution Appropriating \$195,019 In Interest Income
Earned To The Oakland Fund For Children And Youth; And 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 Fiscal Year 2009-2010 In An Amount Not To Exceed
\$13,710,005; And Authorizing The City Administrator To Change The Not To Exceed
Amount To The Total Of \$11,698,739, If The Voters Approve A Kids First! Charter
Amendment In The Special Election On July 21, 2009
(09-0264)

**The May 26, 2009 Life Enrichment Committee directed staff to provide a
supplemental report on the following programs: 1) The Aids Project of the
East Bay, The Grass Valley Project, OUSD West Oakland, Urban Services
YMCA- Explore, Safe Passages Routes International and BACR
Claremont and to provide information as to whether or not there were
issues with the program, what the issues were; the reason for keeping them
and the plan for correcting the issues; 3 Ayes, 1 No-Brunner**

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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(TDD)

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(...)

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED

SUPPLEMENTAL

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

Tuesday, June 02, 2009

**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