



# 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>

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Tuesday, February 03, 2009

6:00 PM

Oakland City Hall, 3rd Floor

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### **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)

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- 6 Requests from Councilmember(s) to schedule an Action Item considered by Committee but not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.
- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on January 20, 2009

## **8. PRESENTATION OF CEREMONIAL MATTERS**

- S-8.1 Subject: Reverend Father Thomas J. Paris - Recognition  
From: Councilmember Jean Quan  
Recommendation: Adopt A Resolution Honoring The Retirement Of Reverend Father Thomas J. Paris, Dean Of The Greek Orthodox Cathedral Of The Ascension On Lincoln Boulevard After Serving As A Greek Orthodox Priest For Forty-Eight Years  
(09-0063)

**Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the January 29, 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 Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The AIDS Epidemic  
(09-0043)
- 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  
(09-0044)
- 10.3-CC Subject: Taxi Cab Ordinance Amendment  
From: City Council  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.64 "TAXICABS" To A) Move The Administration Of Taxi Permits From The

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Oakland Police Department To The City Administrator's Office And B) Move The Initial And Annual Inspection Of Taxis From The Oakland Police Department To The Public Works Agency  
(07-1875)

**On January 6, 2009 Council amended the ordinance as re-introduced to include language to replace the Chief of Police with the appropriate staff person responsible for carrying out the duties set forth by the Ordinance.**

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

**Introduction (First Reading) was approved as amended on January 6, 2009; 8 Ayes**

10.4-CC Subject: Samantha Hynes - Settlement Agreement  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Samantha Hynes And Mark Mandel Her Attorney Of Record In The Amount Of \$7,432.25 For An Automobile Collision Involving A City Vehicle On February 27, 2008. (Police Services Agency)  
(09-0045)

**This item was not heard in Closed Session**

10.5-CC Subject: Ronald Grant - Settlement Agreement  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Ronald Grant, In The Amount Of \$28,600, As A Result Of Property Damage Sustained As A Result Of A Failed City Sewer Main On March 14, 2008 (Public Works Agency)  
(09-0046)

**This item was not heard in Closed Session**

S-10.6-CC Subject: Storm Drain Design Standards  
From: Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Amending Title 13 Of The Oakland Municipal Code Adding Section 13.14 To Establish Storm Drainage Design Standards  
(07-1870)

**The January 27, 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 February 17, 2009**

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S-10.7-CC Subject: Turner Construction Company Contract Increase  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or The City Administrator's Designee, To Increase The Contract Amount For The Construction Manager At Risk Contract With Turner Construction Company For The East Oakland Sports Center Project From Eleven Million Nine Hundred Thousand Dollars (\$11,900,000.00) By: 1) Two Million Dollars (\$2,000,000.00) In Oakland Redevelopment Agency Funds And 2) Five Million One Hundred Thousand Dollars (\$5,100,000.00) In Measure WW Regional Open Space, Wildlife, Shoreline And Park Bond Funding, For A Total Contract Amount Not To Exceed Nineteen Million Dollars (\$19,000,000.00) Subject To The Availability Of Measure WW Regional Open Space, Wildlife, Shoreline And Park Bond Funding, And Authorizing Early Termination Of The Contract In The Event That Measure WW Funds Become Unavailable  
(07-1887)

**The January 27, 2009 Public Works Committee approved  
recommendations and directed staff to provide status updates on the East  
Oakland Sport Center project; 4 Ayes**

S-10.8-CC Subject: Employee Bond Requirements - Amendment  
From: Finance and Management Agency  
Recommendation: Adopt An Ordinance Amending Ordinance No. 7997 C.M.S., Which Established A Requirement That The City Provide Bond Insurance For Specified City Employees And Officer To Insure The Honest And Faithful Performance Of Their Official Duties, To: (1) Add The City Attorney As A Bonded City Officer, (2) Authorize The City Administrator Or His/Her Designee To Approve The Bond Insurance Agreements, Subject To Approval As To Form And Legality By The City Attorney; (3) Set The Minimum Bond Coverage Limit For Each Such Employee And Officer At Two Million Dollars (\$2,000,000); And (4) Authorize The City Administrator To Provide A Master Official Bond, That Will Cover All Such Employees And Officers If The City Administrator Or Designee Determines That It Is In The City's Best Interests To Do So  
(07-1881)

**The January 27, 2009 Finance and Management Committee approved  
recommendations; 3 Ayes, 1 Excused - De La Fuente**

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

**Final Passage (Second Reading) has been scheduled for February 17, 2009**

S-10.9-CC Subject: Service Credit Purchased Tax Deferment  
From: Finance and Management Agency  
Recommendation: Adopt An Employer Pickup Resolution Pre-Tax Payroll Deduction Plan For Service Credit Purchases (Contribution Code 14)  
(09-0008)

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**The January 27, 2009 Finance and Management Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

S-10.10-C Subject: East Bay Regional Park District Local Grant Program  
C From: Office of Parks and Recreation  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Apply For, Accept, And Appropriate Grant Funds In An Amount Not To Exceed Nineteen Million Two Hundred Four Thousand Four Hundred Fifty Six Dollars (\$19,204,456) From The East Bay Regional Park District Local Grant Program Under Measure WW Park Bond Extension To Be Allocated To Various Oakland Parks And Open Space Renovation Projects And To Enter Into A Grant Contract With The East Bay Regional Park District  
(09-0018)

**The January 27, 2009 Life Enrichment Committee approved recommendations and requested that staff contact the park district and if possible find out the amount of funding prior to the Council meeting and report back. Staff was also directed to come back to Committee for prioritization of the list if the full amount of funding was not received.; 4 Ayes**

S-10.11-C Subject: Child Abuse Center Donation  
C From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With The Child Abuse Listening, Interviewing, And Coordination Center (CALICO) In The Amount Of Twenty-Four Thousand Nine Hundred Ninety-Nine Dollars (\$24,999) For The Period Of July 1, 2008 Through June 30, 2009, To Provide Forensic Interviews, Multi-Disciplinary Child Abuse Investigations, Family Support Services, Community Outreach, And Training To The Oakland Police Department (TITLE CHANGE)  
(07-1647)

**The January 27, 2009 Public Safety Committee approved recommendations; 4 Ayes**

S-10.12-C Subject: 2008 Urban Area Security Initiative Grant  
C From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To:  
1) Enter Into An Urban Area Security Initiative (UASI) Grant Administration Agreement With City And County Of San Francisco For Fiscal Year 2008 Urban Area Security Initiative (UASI) Grant Funds In The Amount Of Three Million Six Hundred Thousand Dollars (\$3,600,000.00) To The City Of Oakland, And  
2) Accept, Appropriate And Administer Fiscal Year 2008 UASI Grant Allocations, And  
3) Approve The Preliminary Spending Plan And Waive City Of Oakland Central Services Overhead (CSO) Fees Of Eighty Five Thousand Four Hundred And Sixty Nine Dollars (\$85,469), And

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4) Expend Funds In Accord With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases In Excess Of The City Administrator's Purchasing Authority For Equipment On The Federally Authorized Equipment List And Services Required By The Grant, Provided City Bidding Requirements And Purchasing Programs/Policies Are Followed  
(07-1753)

**The January 27, 2009 Public Safety Committee approved  
recommendations; 4 Ayes**

S-10.13-C Subject: 2007 Super Urban Area Security Initiative Grant Amendment  
C From: Oakland Fire Department  
Recommendation: Adopt A Resolution Amending Resolution No. 81421 C.M.S. Which Authorized The City Administrator To, Among Other Things, Accept, Appropriate, And Administer The Fiscal Year 2007 Super Urban Areas Security Initiative (SUASI) Grant Allocations, To Accept And Appropriate Supplemental Fiscal Year 2007 SUASI Grant Funds In An Amount Up To Fifty-Two Thousand Dollars (\$52,000.00) For A Cumulative Fiscal Year 2007 SUASI Grant Award Allocation Of Up To Two Million Seven Hundred Nineteen Thousand And Sixty-Two Dollars (\$2,719,062.00) And Appropriate Said Funds To The Oakland Fire Department's Office of Emergency Services  
(07-1754)

**The January 27, 2009 Public Safety 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

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

- 13 Reconsideration of Ordinances pursuant to Charter Section 216
- 13.1 Subject: Status Report On Senate Bill S.1  
From: Council President Brunner  
Recommendation: Receive From The Federal Lobbyinst A Status Report On Senate Bill S.1 - The American Recovery And Reinvestment Act Of 2009, A Bill To Create Jobs, Restore Economic Growth, And Strengthen America's Middle Class Through Measures That Modernize The Nation's Infrastructure, Enhance America's Energy Independence, Expand Educational Opportunities, Preserve And Improve Affordable Health Care, Provide Tax Relief, And Protest Those In Greatest Need, And For Other Purposes  
(09-0050)

**14. Consideration of items with statutory Public Hearing Requirements:**

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14.1 Subject: ~~Planning Code Amendments – Chapters 17.73 And 17.102~~  
From: ~~Community and Economic Development Agency~~  
Recommendation: ~~Conduct A Public Hearing And Upon Conclusion Adopt One Of The~~  
~~Following Pieces Of Legislation:-~~

~~1) An Ordinance Amending The Oakland Planning Code To: (1) Amend Chapter 17.102 "General Regulations Applicable To All Or Several Zones" To Include Performance Standards For Primary Collection Center Recycling Uses In All Zones (2) Amend Chapter 17.73 "CIX-1, CIX-2, IG And IO Industrial Zones" To Include Regulations Concerning Primary Collection Center Recycling Uses In CIX-1, CIX-2 And IG Zones; (2) Amend Chapter 17.10 "Use Classifications" To Delete "Intermediate Processing Facility" As A Land Use Activity Type From O.M.C. 17.10.586 "Recycling And Waste-Related Industrial Activities"; Or~~

~~(07-1774)~~

~~2) A Revised Ordinance (Including Changes To The Extent Of The Area For Which Primary Collection Centers Are Responsible For Litter, Garbage And Shopping Cart Removal, And Allowed Parking Areas For Facility Owned Vehicles) Amending The Oakland Planning Code To:-~~

~~(1) Amend Chapter 17.102 "General Regulations Applicable To All Or Several Zones" To Include Performance Standards For Primary Collection Center Recycling Uses In All Zones;-~~

~~(2) Amend Chapter 17.73 "CIX-1, CIX-2, IG And IO Industrial Zones" To Include Regulations Concerning Primary Collection Center Recycling Uses In CIX-1, CIX-2 And IG Zones;-~~

~~(3) Amend Chapter 17.10 "Use Classifications" To Delete "Intermediate Processing Facility" As A Land Use Activity Type From O.M.C. Section 17.10.586 "Recycling And Waste-Related Industrial Activities"~~

~~(07-1774-1)~~

**This item was withdrawn from this agenda by the January 29, 2009 Rules Committee and rescheduled as a Public Hearing on the March 3, 2009 City Council Agenda**

14.2 Subject: Olson 737-Oakland 1, LLC - Agreement Amendment  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The  
Following Pieces Of Legislatoin:

1) A Redevelopment Agency And City Resolutions Authorizing An Amendment To The Disposition And Development Agreement With Olson 737 - Oakland 1, LLC, For The City Center T-10 Residential Project At 14th Street, 13th Street Pedestrian Walk, Jefferson Street And Martin Luther King, Jr. Way, To Permit The Project To Be A Rental Project, To Extend The Dates For Project Development And Completion, To Authorize Transfer Of The Development Right To DCA City Walk, L.P., Or To Another Qualified Entity Approved By The Agency Administrator Without Returning To The



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Agency, And To Eliminate Profit-Sharing; And  
(07-1802)

2) A City Resolution Approving An Amendment To The Disposition And Development Agreement Between The Redevelopment Agency And Olson 737 - Oakland 1, LLC, For The City Center T-10 Residential Project At 14th Street, 13th Street Pedestrian Walk, Jefferson Street And Martin Luther King, Jr. Way, (A) To Permit The Project To Be A Rental Project, (B) To Extend The Dates For Project Development And Completion, (C) To Authorize Transfer Of The Project And Property To DCA City Walk, L.P., Or To Another Qualified Entity, (D) To Add Local Construction Employment Requirements, And (E) To Modify The Profit-Sharing Provision  
(07-1802-1)

**The January 27, 2009 Community and Economic Development Committee approved recommendations and requested additional clarifying language regarding the 15% for only one craft; 3 Ayes, 1 Excused - De La Fuente**

14.3 Subject: Housing Trust Fund Grant  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Apply For And Accept Up To \$2 Million In Funds From The California Department Of Housing And Community Development Under The Local Housing Trust Fund Matching Grant Program, Housing And Emergency Shelter Trust Fund Act Of 2006 (Proposition 1C) Affordable Housing Innovation Fund, And Allocating Up To \$1.3 Million For The First-Time Homebuyer Program And Up To \$700,000 For Affordable Rental And Ownership Housing Development; And  
(07-1868)

2) An Agency Resolution Authorizing The Agency Administrator To Apply For And Accept Up To \$2 Million In Funds From The California Department Of Housing And Community Development Under The Local Housing Trust Fund Matching Grant Program, Housing And Emergency Shelter Trust Fund Act Of 2006 (Proposition 1C) Affordable Housing Innovation Fund, And Allocating Up To \$1.3 Million For The First-Time Homebuyer Program And Up To \$700,000 For Affordable Rental And Ownership Housing Development  
(07-1868-1)

**Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the January 29, 2008 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**



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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 NON-CONSENT ITEMS:**

15 Subject: Sidewalk Safety And Maintenance - Liability  
From: Office of the City Attorney  
Recommendation: Adopt An Ordinance Of The City Of Oakland Adding Chapter 12.22 To The Oakland Municipal Code To Establish Landowner Responsibility And Liability For Sidewalk Safety And Maintenance  
(07-1731)

**The December 16, 2009 Public Works Committee approved recommendations and directed staff to include the following; 1) An educational flyer to property owners and comment period to occur simultaneously; 2) A list of all the payouts on sidewalks claims (claim by claim) for each year; and 3) What is an acceptable standard for a property owner that lives adjacent to an ally or path and who is responsible; 3 Ayes, 1 Abstention - Nadel**

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

**Final Passage (Second Reading) has been scheduled for February 17, 2009**

S-15.1 Subject: Spur Track Maintenance  
From: Office of the City Administrator  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Rescinding No. 80939 C.M.S. Adopted December 4, 2007, To: 1) Restore Resolution No. 23515 C.M.S., Passed August 30, 1949, Which Granted A Revocable Permit For The Maintenance And Operation Of A Spur Track On And Across 23rd Avenue, 29th Avenue, Derby Street, Lancaster Street And Ford Street And Upon And Along Glascock Street Between 29th Avenue And Lancaster Street In The City Of Oakland ("Fruitvale Track"), And 2) Withdraw Previous Direction Regarding The Filing Of An Action For "Adverse Abandonment" Of The Fruitvale Track With The Department Of Transportation Surface Transportation Board, And  
(09-0031)

2) A Resolution Authorizing The City Administrator To Negotiate And Execute A Letter Of Understanding And Subsequent Cooperative Agreement With The California Department Of Transportation ("Caltrans") To Close The Railroad Crossing At 5th Avenue, Known As The Hanlon Lead, Provided That Certain Railroad Safety And Community Improvements Are Implemented On And Around The Fruitvale Track With Funding Provided By Caltrans, All In Connection With Caltrans 5th Avenue Seismic

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Retrofit Project  
(09-0031-1)

**The January 27, 2009 Community and Economic Development Committee approved recommendations and directed staff to negotiate with the representatives from Union Pacific, and Caltrans to resolve the outstanding Union Pacific operational issues before this item goes to full council; 3 Ayes, 1 Excused - De La Fuente**

S-15.2 Subject: Measure Y Violence Prevention Strategies  
From: Department of Human Services  
Recommendation: Action On A Report And Request For The City Council To Approve Recommendations For Funding Measure Y Violence Prevention Program Strategies And The Competitive Proposal Process For The Three Year Funding Cycle Beginning Fiscal Year 2009-2010  
(07-1734)

**The January 27, 2009 Public Safety Committee amended the recommendations as follows: 1) City-County Neighborhood Initiative currently funded at \$202,380 the revised recommendation is to use \$150,000 of the \$180,000 allocated to the Public Safety Districts, and have CCNI provide community building efforts in each PSA; 2) The remaining \$30,000 of the \$180,000 will be allocated to the Public Safety Coordinator to provide support for Clergy Cares through mini-grants; 3) There is approximately \$100,000 in City-County Neighborhood Initiative carry forward from previous years that we are recommending be allocated to City-County Neighborhood Initiative instead of the Measure Y reserve. This amount could be allocated for the first two years of the three year cycle, which would bring them up to their current level of funding, and allow them to fund raise. Measure Y will fund City-County Neighborhood Initiative at \$200,000 for Fiscal Year 2009-2010 and Fiscal Year 2010-2011, and at \$150,000 for Fiscal Year 2011-2012; 4) 0 to 5 mental health - currently funded at \$303,570; the original recommendation was to cut this funding to \$75,000; the revised recommendation is to fund it at \$200,000. Although this is still less than the current funding, this amount can allow for other sources of funding to be leveraged; the additional \$125,000 is to come from taking the following amounts from other programs that were either recommended for an increase or a reduction less than the 21% average: \$30,000 from Sexually Exploited Minors; \$25,000 from Mayor's Street Outreach; \$25,000 from Crisis Response; \$45,000 from Reentry Employment. Staff was also directed to submit a supplemental report detailing what programs are being cut and what programs can be replenished; 4 Ayes**

16 Subject: Salary Schedule Amendments  
From: Finance And Management Agency  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance

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No. 12187 C.M.S. (The Salary Ordinance) To Add: The Permanent Full Time Equivalent Classification, Archivist; The Permanent Part Time Equivalent Classifications of Case Manager I, Permanent Part-Time; Budget And Grants Administrator, Permanent Part-Time; Animal Control Officer, Permanent Part-Time; And Recreation Attendant II, Permanent Part-Time; And To Re-Title Youth Sports Program Coordinator To Sports Program Coordinator  
(07-1857)

**This item was continued to this agenda at the January 20, 2009 City Council meeting. Staff was requested to provide information regarding the benefits for Permanent Part-Time Employees**

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

**Final Passge (Second Reading) has been scheduled for February 17, 2009**

17 Subject: Oakland Tourism Business Improvement District  
From: Office of the City Administrator  
Recommendation: Adopt A Resolution To Establish The Oakland Tourism Business Improvement District (OTBID) Proposed By The Oakland Convention & Visitors Bureau, Declare The Results Of The Majority Protest Proceedings, And Authorizing The City Administrator To Negotiate And Enter Into A Professional Services Agreement With The Oakland Convention & Visitors Bureau To Operate The OTBID  
(07-1393-1)

**At the January 22, 2009 Rules and Legislation meeting, the Committee continued the OTBID PUBLIC HEARING to the March 3, 2009 City Council agenda with the understanding that at the February 3, 2009 Council meeting, the Council will continue the PUBLIC MEETING which currently is scheduled for February 3, 2009.**

S-18 Subject: Vacant Building Registration  
From: Councilmember Desley Brooks  
Recoomendation: Adopt The Following Pieces Of Legislation

1) An Ordinance Amending The Oakland Muncipal Code To Add A New Chapter 8.54 Requiring The Registration Of Vacant Buildings; And  
(07-1717)

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

**Final Passge (Second Reading) has been scheduled for February 17, 2009**

2) An Ordinance Amending Ordinance No. 12880 C.M.S. (Master Fee Schedule) To Add New Fees For Registering Vacant Buildings  
(07-1717-1)

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The January 27, 2009 Community and Economic Development Committee approved recommendations and directed staff to submit a supplemental report with the following information: 1) An analysis of the establishment of a \$5,000 cap on penalty fees; 2) Clarification of the annual registration fees; and 3) The implementation process of the Vacant Building list. The Committee further directed that staff provide a future report on the legal analysis of charging private owners lower penalties than bank owners. The committee also stated that offline discussions will occur about the registration and wavier timeframes; 2 Ayes, 1 Abstention - Kernighan, 1 Excused - De La Fuente

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

**Final Passge (Second Reading) has been scheduled for February 17, 2009**

S-19 Subject: Police Chief Recruitment  
From: Office of the City Administrator  
Recommendation: Adopt A Resolution Waiving The Request For Proposal Or Qualifications Selection Process For A Professional Services Contract With A Qualified Law Enforcement Executive Search Firm To Conduct A Nationwide Search And Recruitment For The Position Of Chief Of Police Of The Oakland Police Department For An Amount Not To Exceed \$50,000.00  
(09-0065)

**Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the January 29, 2008 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-20 Subject: Hiring Of The Chief Of Police  
From: Vice Mayor De La Fuente and President Brunner  
Recommendation: Adopt A Resolution Confirming The Recommendation Of The City Council That 1) The Mayor Conduct A National Search To Fill The Position Of Chief Of Police, 2) That The Next Chief Of Police Be Hired From Outside The Department, And 3) That The Next Chief Of Police Have Experience In Urban Policing  
(09-0066)

**Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency**

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finding was made at the January 29, 2008 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.

## Continuation of Open Forum

### ADJOURNMENT OF COUNCIL SESSION

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

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

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(TDD)

THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.

(...)

**MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM**

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

ORA - Oakland Redevelopment Agency  
S - Supplemental Item