



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, April 15, 2008

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

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 April 1, 2008

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: McClymonds High School Basketball Team - Recognition
From: Councilmembers Nancy Nadel, Jean Quan, And Larry Reid
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Recognizing The Outstanding Accomplishments Of The McClymonds High School Boys Basketball Team, The Warriors, For Their Undefeated (32-0) Season, Winning The Division I California Interscholastic Federation (CIF) State Championship, Being Honored By Cal-Hi Sports As California's Team Of The Year, And Being Ranked Number Two In The Nation By MaxPreps, America's Source For High School Sports
(07-1169)
 - 2) A Resolution Congratulating Ashytin Lowe For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And
(07-1169-1)
 - 3) A Resolution Congratulating Solomon Wiseman For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And
(07-1169-2)
 - 4) A Resolution Congratulating Darrell Oliver For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And
(07-1169-3)
 - 5) A Resolution Congratulating Quincy Hill For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And
(07-1169-4)
 - 6) A Resolution Congratulating William Cherry For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And

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[\(07-1169-5\)](#)

7) A Resolution Congratulating Allen Carroll For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And

[\(07-1169-6\)](#)

8) A Resolution Congratulating Aaron Jones For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And

[\(07-1169-7\)](#)

9) A Resolution Congratulating Emmanuel Johnson For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And

[\(07-1169-8\)](#)

10) A Resolution Congratulating Damario Sims For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And

[\(07-1169-9\)](#)

11) A Resolution Congratulating Damon Powell For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And

[\(07-1169-10\)](#)

12) A Resolution Congratulating Barry Bell For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And

[\(07-1169-11\)](#)

13) A Resolution Congratulating Frank Otis, III, For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And

[\(07-1169-12\)](#)

14) A Resolution Congratulating Christopher Jackson For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship; And

[\(07-1169-13\)](#)

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15) A Resolution Honoring Coach Dwight Nathaniel For His Outstanding Leadership Of The McClymonds High School Boys Basketball Team, The Warriors, In Their Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship, Congratulating Coach Nathaniel On Being Named The 2008 State Coach Of The Year By CalHiSports, And Congratulating Him On His Retirement After 13 Years As A Coach/Educator
(07-1169-14)

8.2 Subject: Eldridge Persons - Recognition
From: Vice Mayor Larry Reid
Recommendation: Adopt A Resolution Honoring Mr. Eldridge M. Persons For Thirty-Six (36) Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Him On His Retirement
(07-1192)

8.3 Subject: Timothy Harrison - Recognition
From: Vice Mayor Larry Reid
Recommendation: Adopt A Resolution Honoring Mr. Timothy L. Harrison For Thirty-Six (36) Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Him On His Retirement
(07-1193)

8.4 Subject: Louis Pegross, Sr. - Recognition
From: Public Works Agency
Recommendation: Adopt A Resolution Honoring Mr. Louis Pegross, Sr. For Thirty-Seven (37) Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Him On His Retirement
(07-1166)

8.5 Subject: Earth Month 2008
From: Public Works Agency
Recommendation: Adopt A Resolution Proclaiming Earth Month 2008 In The City Of Oakland To Be Celebrated At The Oakland Earth Expo April 16, Earth Day Community Cleaning And Greening April 19, Arbor Day April 25, And Concluding With Bike To Work Day May 15
(07-1187)

S-8.6 Subject: Pastors David And Marilyn Kiteley - Recognition
From: Council President De La Fuente
Recommendation: Adopt A Ceremonial Resolution Honoring And Congratulating Retiring Shiloh Senior Pastors David And Marilyn Kiteley On Twenty-Two Years Of Service
(07-1234)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the April 10, 2008 Rules and Legislation Committee to place this item on the agenda for the following reasons: That there is a

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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
(07-1212)
- 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
(07-1213)
- 10.3-CC Subject: Tobacco Oriented Activities - Municipal Code Amendment
From: Councilmember Larry Reid
Recommendation: Adopt An Ordinance Amending The Oakland Planning Code To: (1) Amend Chapter 17.09 "Definitions" To Define Tobacco Oriented Activities As Those That Sell Any Amount Of Tobacco Or Tobacco Related Products With The Exception Of Stores Over 10,000 Square Feet Or Those Associated With a Gasoline Service Station; And (2) Amend Chapter 17.134 "Conditional Use Permit Procedures" To Require A Major Conditional Use Permit For Establishing A New Tobacco Oriented Activity
(07-1028)

ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE OF THIS ORDINANCE

Introduction (First Reading) was approved on April 1, 2008; 8 Ayes

- 10.4-CC Subject: Maria A. Rocca - 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 Maria A. Rocca In The Amount Of Forty Thousand Dollars And No Cents (\$40,000.00), As A Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Failed City Sewer Main On December 07, 2007. (Public Works Agency)

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(07-1232)

10.5-CC Subject: Babe Ruth League Grant
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing A Grant Of \$1500.00 From Councilmember Desley Brooks' Priority Project Funds To The Oakland, California, Babe Ruth League For Expenses Associated With Two Members Of The All Star Team Participating In The 2008 College Tour

(07-1214)

10.6-CC Subject: Priority Project Funds - District Six
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing A Grant Of \$65,000.00 From Councilmember Desley Brooks' Priority Project Funds To OCCUR: Oakland Citizen's Committee For Urban Renewal For Co-Sponsorship Of The Annual Concert At Arroyo Park Series, Sponsorship Of A 3 On 3 Basketball Tournament, District 6 Mainstreet Activities, And Co-Sponsorship Of A Black College Tour For Youth Sponsored In Collaboration With First African Methodist Episcopal ("A.M.E.") Church Oakland

(07-1215)

10.7-CC Subject: Police Security Services - Black Cowboy Parade
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Authorizing \$1,672.65 From Councilmember Nancy J. Nadel's Pay-Go Funds To Reimburse The Oakland Department For Police Security Services For The 33rd Annual Black Cowboy Parade, And Authorizing The City Administrator To Transfer Said Funds To The Police Fiscal Services Division

(07-1226)

10.8-CC Subject: State Legislative Proposals And Agenda
From: City Council
Recommendation: Action On The City Council's State Legislative Proposals And Agenda

(07-0948)

Subject: Support Of Assembly Bill 2001
From: Office of the City Auditor
Recommendation: Adopt A Resolution In Support Of Assembly Bill No. 2001 (Swanson), A Proposal To Amend The Government Code For The Purpose Of Authorizing City And County Auditors And City And County Controllers To Hold In Confidence The Identities Of Individuals Who Provide Information That Result In Investigative Audits

(07-1157)

**The April 3, 2008 Rules and Legislation Committee Approved
Recommendations; 3 Ayes, 1 Excused - Brunner**

S-10.9-CC Subject: Used Motor Oil And Used Motor Oil Filter Recycling Grant
From: Public Works Agency

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Recommendation: Adopt A Resolution Authorizing Submittal Of Grant Applications And To Act As Lead Jurisdiction For Other Alameda County Jurisdictions, To The California Integrated Waste Management Board And Appropriation Of Those Grant Funds For Used Motor Oil And Used Oil Filter Recycling For Five Years Beginning With Fiscal Year 2008-2009 And Ending With Fiscal Year 2012-2013, And Authorizing Expenditure Of Used Oil Block Grant Funds On Used Motor Oil and Oil Filter Collection And Public Education Activities Provided Advertising, Bidding And Other Applicable City Contract Policies Are Followed, Without Return To Council
(07-1124)

The April 8, 2008 Public Works Committee approved recommendations; 4 Ayes

S-10.10-C Subject: Bottle And Can Recycling Grant
C From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing Submittal Of Grant Applications To The California Department Of Conservation, And Appropriation Of Those Grant Funds For Bottle And Can Recycling For Five Years Beginning With Fiscal Year 2008/2009 Through Fiscal Year 2012/2013
(07-1125)

The April 8, 2008 Public Works Committee approved recommendations and directed staff to return to a future committee with a description of the Recycling Grant and description of how money is utilized, no date specified; 4 Ayes

S-10.11-C Subject: Energy Action Plan
C From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Forty Thousand Dollars (\$40,000.00) Of Grant Funds From The Bay Area Air Quality Management District To Develop An Energy Action Plan For Consideration By The City Council
(07-1126)

The April 8, 2008 Public Works Committee approved recommendations; 4 Ayes

S-10.12-C Subject: Wildfire Prevention Assessment - 2008-2009 Annual Report
C From: Budget Office
Recommendation: Adopt A Resolution Initiating The Fiscal Year 2008-2009 Assessment Process For The City Of Oakland Wildfire Prevention Assessment District And Authorizing The City Administrator To Order A Preliminary Annual Report Pursuant To The Oakland Municipal Code
(07-1170)

The April 8, 2008 Finance and Management Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente

S-10.13-C Subject: Piedmont Pines Undergrounding

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C From: Public Works Agency
Recommendation: Adopt A The Following Pieces Of Legislation:

1) A Resolution Of Intention To 1) Order Improvements And To Form The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase 1; 2) Accepting And Determining That Petitions Have Been Signed By Owners Owning Land Constituting More Than One-Half Of The Area Of All Assessable Lands Within The Proposed Assessment District; 3) Finding That The Improvements Are Of More Than Local Or Ordinary Public Benefit, And The Cost And Expenses, Including Incurred City Cost Of District Creation Thereof, Are Made Chargeable Upon The Assessment District; 4) Providing That The Council Intends To Levy A Special Assessment Upon The Land Within The Assessment District; 5) Providing That Bonds Shall Be Issued To Finance A Portion Of The Costs Of Improvements; 6) Appointing Harris & Associates As The Engineer Of Work For The Assessment District; And 7) Directing The Engineer Of Work To Make And File The Engineer's Report With The City Clerk; And
(07-1177)

2) A Resolution To 1) Preliminarily Accepting And Approving The Engineer's Report; 2) Calling For A Public Hearing On The Proposed Assessment District To Be Held By The Council On Tuesday, July 15, 2008 At 7:00 P.M. And An Election For The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase 1; And 3) Designating The Engineer Of Work To Assist The City Clerk In Connection With The Mailing And Tabulation Of The Ballots, And To Answer Inquiries Regarding The Protest Proceedings Applicable To The Assessment District
(07-1177-1)

**The April 8, 2008 Finance and Management Committee approved
recommendations; 3 Ayes, 1 Excused - De La Fuente**

S-10.14-C Subject: Central City East Commercial Safety Program
C From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Creating The Central City East Commercial Security Pilot Program And The Coliseum Commercial Security Pilot Program, And Authorizing The Allocation And Appropriation For Fiscal Year 2008-2009 Of \$100,000 From Oak Knoll Tax Increment Funds And \$35,000 From Neighborhood Commercial Revitalization Service Delivery System Funds For The Central City East Program And \$75,000 From Coliseum Redevelopment Tax Increment Funds For The Coliseum Program
(07-1036)

The April 8, 2008 Community and Economic Development Committee approved recommendations and adopted the following amendments to the proposed plan: 1. Strike the language on page 5 regarding target areas to be patrolled and in its place insert: "The Armed Security Services/Patrols in Coliseum Redevelopment District will primarily target: - International Boulevard from 23rd Avenue to the San Leandro border". 2. Strike the language on page 5 regarding target areas to be patrolled and in its place

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insert: "The Armed Security Services/Patrols in Central City East Redevelopment District will primarily target: - Foothill Boulevard between 23rd Avenue and 73rd Avenue. - MacArthur Boulevard between 73rd & 77th Avenues; and between 88th Avenue & the San Leandro border". - Bancroft between 66th & 73rd Avenues. 3. Specify that armed guards are to provide walking patrols, not vehicle patrols, for the majority of their shifts. 4. Ensure that OPD is consulted on the drafting of the RFP defining the scope of work for the Security firms; scope of supervision and coordination with the Area Captains; 3 Ayes, 1 Excused - De La Fuente

S-10.15-C Subject: Consortium Of Community Agencies Grant
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving A Two-Year Grant To A Maximum Of \$100,000 Per Year (\$200,000 Total) To A Consortium Of Community Agencies With Centro Legal De La Raza As The Prime Grantee To Counsel And Represent Low Income Participants In Oakland Rent Adjustment Program Hearings And Appeals To The Rent Board, With An Option By The City To Extend The Grant An Additional Three Years, One Year At A Time, To A Maximum Of \$100,000 For Each Year Of Extension
(07-1096)

The April 8, 2008 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente

S-10.16-C Subject: Oakland Merchant Leadership Forum - Agreement Amendment
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Amending Resolution No. 80750 C.M.S. To Authorize An Amendment To A Professional Services Agreement With The Oakland Merchant Leadership Forum (OMLF) For Merchant Organizing And Commercial District Support Services To Increase The Contract Amount By \$40,000 For Fiscal Year 2007-2008 For A Total Contract Amount Not To Exceed \$112,500
(07-1097)

The April 8, 2008 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente

S-10.17-C Subject: Gang Resistance Education And Training Grant
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Forty-Thousand Seven Hundred Seventy Dollars (\$40,770) From The U.S. Department Of Justice, Office Of Justice Programs, For The 2008/2009 Implementation Of The Gang Resistance Education And Training (GREAT) Grant Program In The Oakland Unified School District And Appropriate Said Funds To The Police Department
(07-1002)

The April 8, 2008 Public Safety Committee approved recommendations and directed staff to provide a supplemental report listing which schools

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would receive grant funding; 4 Ayes

S-10.18-C Subject: 2007-2008 Bicycle And Car Seat Traffic Safety Program
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Twenty-One Thousand One Hundred Forty-Seven Dollars (\$221,147) From The State Of California, Office Of Traffic Safety, For The Fiscal Year 2009 Implementation Of The Vehicle Occupancy Protection And Bicycle Traffic Safety Program, And Authorizing A Waiver Of The Competitive Request For Proposal/Qualification Process And Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Enter Into Professional Service Agreements With The Oakland Police Activities League In An Amount Not To Exceed Twenty Thousand Dollars (\$20,000), And With The Community Health Academy In An Amount Not To Exceed Fifteen Thousand Dollars (\$15,000), And With The East Bay Community Recovery Project In An Amount Not To Exceed Fifteen Thousand Dollars (\$15,000) For Services Associated With The Initiative, And Appropriate Said Funds To The Police Department
(07-1069)

The April 8, 2008 Public Safety Committee approved recommendations and directed staff to provide a follow up report on where the equipment is being distributed; 4 Ayes

S-10.19-C Subject: 2008 Solving Cold Cases With DNA Grant Program
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Four Hundred Fifty-Four Thousand Nine Hundred And Sixty-Five Dollars (\$454,965) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2008 Solving Cold Cases With DNA Grant Program In The Police Department And Approving The Hiring Of One Full-Time Eighteen-Month Limited Duration Professional Staff Position For The Research, Planning, And Crime Analysis Division
(07-1070)

The April 8, 2008 Public Safety Committee approved recommendations and directed staff to provide a supplemental report on whether or not the previously allocated funds for the FTEs could be utilized to off-set overtime for the current DNA staff, due to under staffing; 4 Ayes

S-10.20-C Subject: 2008-2009 Selective Traffic Enforcement Program
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Ninety-Eight Thousand Seventy Dollars (\$298,070) From The State Of California, Office Of Traffic Safety, For Fiscal Year 2009 Implementation Of The Selective Traffic Enforcement Program In The Police Department

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(07-1071)

The April 8, 2008 Public Safety Committee approved recommendations and directed staff to submit a supplemental report providing the following information regarding the “Check Points” for the last fiscal quarter: 1) number of weapons seized, 2) number of other kinds of citations issued, and 3) number of felony arrests made; 4 Ayes

S-10.21-C Subject: Police Recruitment
C From: Councilmember Brooks and Councilmember Kernighan
Recommendation: Receive An Informational Report From The Chief Of Police Updating The Status Of Investigators Assigned To The Criminal Investigation Division, Outlining The Department's Plan To Fully Staff Each Patrol Beat Throughout The City, Publish A Weekly Report Of Patrol Staffing Levels On The City's Website, And Disseminate Said Information To The Council Offices And PSA Yahoo Groups

(07-1080)

The April 8, 2008 Public Safety Committee received and forwarded the report; 4 Ayes

S-10.22-C Subject: 30 Day Crime And Arrest Statistics
C From: Councilmember Reid
Recommendation: Receive A Monthly Informational Report From The Chief Of Police On Part I Crimes Which Includes Robberies, Burglaries, And Homicides, Committed In The City Within The Last 30 Days, Specific Issues In Each Area (I,II,III,) And How The Issues Are Being Addressed

(07-1080-5)

The April 8, 2008 Public Safety Committee received and forwarded the report; 4 Ayes

S-10.23-C Subject: Reentry Employment Agreement
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute Agreements Between The City Of Oakland And Goodwill Industries Of The Greater East Bay To Provide Reentry Employment In Coordination With Project Choice For A Total Amount Not To Exceed \$210,000 For The Period Of April 1, 2008 To June 30, 2009

(07-1122)

The April 8, 2008 Public Safety Committee approved recommendations; 4 Ayes

S-10.24-C Subject: Measure Y Gang Prevention And Intervention Agreements
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend Agreements With Project Re-Connect And Oakland Unified School District Office Of Alternative Education For Five Months, And With Catholic Charities Of The East Bay, Alameda County Health Care Services Agency, And Youth Alive! For Fifteen Months For Measure Y Gang Prevention And Intervention And Violent Incident Response

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Services Offered Through June 30, 2009, For A Total Amount Not To Exceed \$668,000
(07-1123)

**The April 8, 2008 Public Safety Committee approved recommendations; 4
Ayes**

S-10.25-C Subject: Support Of Assembly Bill 2513
C From: City Council
Recommendation: Adopt A Resolution To Support Assembly Bill 2513 (Caballero)
Giving Funding Priority To Housing And Housing-Related Infrastructure Projects
Located In Jurisdictions With Increased Shares Of Regional Housing Need
(07-1205)

**The April 10, 2008 Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Excused - De La Fuente**

S-10.26-C Subject: Support Of Assembly Bills 2566 And 2696
C From: City Council
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution In Support Of Assembly Bill 2566 (Hancock) - "Firearms: Prohibitions"
Which Makes Changes To Existing Law, Permitting Cities, Counties And City And
Counties To Regulate The Possession Of Handguns Without Preemption By State Law
(TITLE CHANGE); And
(07-1206)

**The April 10, 2008 Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Excused - De La Fuente**

2) A Resolution In Support Of Assembly Bill 2696 (Krekorian) - "Firearms: Requiring
The California Department Of Justice (DOJ) To Enter Into A Memorandum Of
Understanding With The Federal Bureau Of Investigation (FBI) To Provide Information
To, And Participate In, The National Instant Criminal Background Check System
(NICBCS)"
(07-1206-1)

**The April 10, 2008 Rules and Legislation Committee bifurcated the motion
and separated Assembly Bill 2566 and Assembly Bill 2696 into two pieces
of Legislation and directed staff to submit in a supplemental report a more
detailed analysis of Assembly Bill 2696 including support and opposition
and information as to the position of the Mental Health Community on the
bill; 2 Ayes, 1 Abstain - Brunner, 1 Excused - De La Fuente**

S-10.27-C Subject: Priority Project Funds - District Five
C From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant From Council President De
La Fuente's Priority Project Funds To Cover Food And Entertainment Costs For Earth
Day At Cesar Chavez Park In The Amount Of \$500.00; On The April 15, 2008 City
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(07-1247)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the April 10, 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 I(2) of the Sunshine Ordinance requiring a 2/3 majority vote.

- 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 15 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: Habitat For Humanity Edes "B" Residential Project
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:
 - 1) A City Resolution Affirming And Sustaining The Planning Commission Decision To Approve The Development Permits (Planned Unit Development Permit, Vesting Tentative Tract Map, Design Review, Conditional Use Permit, And Variances) For The Habitat For Humanity Edes "B" Residential Project Located At 10800 Edes Avenue Near The Intersection Of Edes Avenue And 105th Avenue; And
(07-1149)
 - 2) A City Resolution Amending The General Plan Land Use Designation For The Habitat For Humanity Edes "B" Residential Project Site, Located At 10800 Edes Avenue Near The Intersection Of Edes Avenue And 105th Avenue, From Business Mix To Mixed Housing Type Residential; And
(07-1149-1)
 - 3) An Agency Resolution Approving And Recommending Adoption Of The Sixth Amendment To The Coliseum Area Redevelopment Plan Amending The Land Use Designation For The Habitat For Humanity Edes "B" Residential Project Site, Located At 10800 Edes Avenue Near The Intersection Of Edes Avenue And 105th Avenue, From

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Business Mix To Mixed Housing Type Residential; And
(07-1149-2)

4) A City Ordinance Rezoning The Habitat For Humanity Edes "B" Residential Project Site, Located At 10800 Edes Avenue Near The Intersection Of Edes Avenue And 105th Avenue, From The M-20 Light Industrial Zone And S-4 Design Review Combining Zone To The R-40 Garden Apartment Residential Zone; And
(07-1149-3)

**ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION
OF THIS ORDINANCE**

Final Passage (Second Reading) has been scheduled for April 29, 2008

5) A City Ordinance Adopting The Sixth Amendment To The Coliseum Area Redevelopment Plan Amending The Land Use Designation For The Habitat For Humanity Edes "B" Residential Project Site, Located At 10800 Edes Avenue Near The Intersection Of Edes Avenue And 105th Avenue, From Business Mix To Mixed Housing Type Residential
(07-1149-4)

The April 8, 2008 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente

**ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION
OF THIS ORDINANCE**

Final Passage (Second Reading) has been scheduled for April 29, 2008

14.2

~~Subject: Zoning Regulations Amendment
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending The Oakland Planning Code To Update References, Improve Consistency Among Chapters, Clarify Language, And Make Other Minor Planning Code Revisions (Including Updating Development Standards In the HBX Zone, Permitted Uses In The S-8 Zoning Designations; Revising Conditional Use Permit Criteria For Dwelling Units With Five Or More Bedrooms; And Increasing The Threshold Before Certain Projects Require A Major Conditional Use Permit In the R-36 And R-40 Zones)
(07-0979)~~

This item was continued to the April 22, 2008 Community and Economic Development Committee

14.3

Subject: Planning Code Amendments
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending The Oakland Planning Code To:
(1) Add Chapter 17.73 "CIX-1, CIX-2, IG And IO Industrial Zones", Which Will Create The Following Four New Zones: Commercial Industrial Mix-1, Commercial Industrial

SUPPLEMENTAL

Mix-2, General Industrial And Industrial Office;
(2) Amend The City's Zoning Maps To Map These Proposed Zones In Areas In The City That Currently Have The General Plan Land Use Designations Of Business Mix And General Industrial/Transportation;
(3) Amend Chapter 17.10 "Use Classifications";
(4) Add Chapter 17.100 "S-19 Health And Safety Protection Overlay Zone"; And Amend Zoning Map To Add Overlay;
(5) Amend Chapter 17.120 "Performance Standards"; And
(6) Amend The "Guidelines For Determining Project Conformity With The General Plan And Zoning Regulations" To Reflect The New Zones
(07-0978)

The April 8, 2008 Community and Economic Development Committee approved recommendations and directed staff to return to Committee in September; no date specified, with a study of “work-live” uses which will include recommendations on requiring business licenses for “work-live” units. Staff will come back with a supplemental report for Council; no date specified, with a proposed motion to keep residentially-zoned areas residential until staff comes back with mapping and General Plan Amendments; 3 Ayes, 1 Excused - De La Fuente

ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION OF THIS ORDINANCE

Final Passage (Second Reading) has been scheduled for April 29, 2008

ACTION ON NON-CONSENT ITEMS:

15 ~~Subject: (A Motion To Reconsider) Arcadia Park Subdivision—New Public Street
From: Community and Economic Development Agency
Recommendation: A Motion To Reconsider The Adoption On November 6, 2007, Of
Resolution No. 80922 C.M.S. Conditionally Accepting The Dedication of Public Right
Of Way To Extend Ellington Way To 92nd Avenue For The Arcadia Park Project~~

~~If Reconsidered, Either To~~

~~§ Reconfirm The Adoption Of Resolution No. 80922 C.M.S., Or~~

~~§ Not Adopt A Resolution Conditionally Accepting The Dedication, Or To~~

~~§ Continue The Item For A Future Meeting Of The City Council, Or To~~

~~§ Refer The Item To The Public Works Committee For Further Consideration~~

(07-0610)

This item was withdrawn and rescheduled to the May 6, 2008 City Council

SUPPLEMENTAL

agenda by the April 10, 2008 Rules and Legislation Committee

- 16 Subject: Vacating Turner Court
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Summarily And Conditionally Vacating Turner Court To Turner Estates Partners LP And Conditionally Accepting Public Service Easement Dedications
[\(07-0906\)](#)
- 17 Subject: Oakland Resident and Worker Preference Policy-Affordable Housing
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Adopting An Oakland Resident And Oakland Worker Preference Policy For Affordable Housing Developments Funded Through The City's Notice Of Funding Availability Process; And
[\(07-0941-4\)](#)
- 2) An Agency Resolution Adopting An Oakland Resident And Oakland Worker Preference Policy For Affordable Housing Developments Funded Through The Agency's Notice Of Funding Availability Process
[\(07-0941-19\)](#)
- 18 Subject: Teammate Audit Management - Contract
From: Office of the Auditor
Recommendation: Adopt A Resolution Waiving (1) The Competitive Bidding And (2) The Competitive RFP/RFQ Selection Requirements Of The Oakland Purchasing Ordinance And Authorizing The City Auditor To Award A Contract To Wolters Kluwer For Teammate, An Integrated Audit Management Software Program, In An Amount Not To Exceed Twenty Seven Thousand Five Hundred Dollars (\$27,500) In Software Licensing Fees And Training Costs And For One Year Of Maintenance And Upgrades, With Three Options To Renew The Maintenance And Upgrades Services Contract For Three Additional One-Year Terms At An Annual Rate Of Fifty Five Hundred (\$5,500.00), For A Total Not To Exceed Contract Amount Of Forty Five Thousand Dollars (\$45,000.00)
[\(07-1227\)](#)
- 19 Subject: Amicus Brief In Support Of San Francisco's Petition
From: City Attorney
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Join In An Amicus Brief In Support Of San Francisco's Petition Asking The California Supreme Court To Reverse A Lower Court's Decision In Fiscal V. City And County Of San Francisco, No. S160968 That Invalidated San Francisco's Ban On The Sale, Manufacture, Distribution And Transfer Of Firearms And Ammunition
[\(07-1230\)](#)
- S-20 Subject: CIP Traffic Signal Project
From: Community and Economic Development Agency

SUPPLEMENTAL

Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Ray's Electric, Lowest Responsive, Responsible Bidder, For Traffic Signal Installations At 73rd Avenue At Garfield Avenue And International Boulevard At 7th Avenue (City Project Nos. C333010, C269510) In The Amount Of Three Hundred Forty-Six Thousand Nine Hundred Forty-Two Dollars (\$346,942.00)
(07-1042)

The April 8, 2008 Public Works Committee approved recommendations and directed staff to return to a future Committee with recommendations on the local employment policy, no specified date; 3 Ayes, 1 Abstain - Brooks

S-21 Subject: Residential Permit Parking - Addition To Existing Area "C"
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving Implementation Of Residential Permit Parking (RPP) On Clifton Street (Between Lawton Avenue And Desmond Street), Desmond Street (Between Clifton Street And Hemphill Place), Glendale Avenue (Between Desmond Street And Manila Avenue), Hemphill Place, And Manila Avenue (Between Clifton Street And Cavour Street) As An Addition To The Existing Area "C" RPP Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Section 10.44 And Restricting General Street Parking Within Said Residential Permit Parking Zone To Two And Four Hours Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Section 10.44
(07-1044)

The April 8, 2008 Public Works Committee approved recommendations; 4 Ayes

S-22 Subject: Residential Permit Parking - Addition To Existing Area "F"
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving Implementation Of Residential Permit Parking (RPP) On 17th Street (Between Madison Street And Lakeside Drive) As An Addition To The Existing Area "F" RPP Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Section 10.44 And Restricting General Street Parking Within Said Residential Permit Parking Zone To Two Hours Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Section 10.44
(07-1063)

The April 8, 2008 Public Works Committee approved recommendations and directed staff to submit a supplemental report answering the following questions on the number of parking spaces available at apartment units: 1) number of units that do not provide parking, 2) number of units that have limited parking, and 3) number of units that provide some, but not full parking; 4 Ayes

S-23 Report: Project 22 - Community Service For Parking Tickets
From: Councilmember Jane Brunner
Recommendation: Action On A Report And Recommendation On Establishment Of A

SUPPLEMENTAL

Pilot Project 22 Or Similar Program In The City Of Oakland For One Year, Particularly As It Relates To Potential Community Payment Program(s) For Indigent Citizens Who Incur Parking Fines
(06-1018)

The April 8, 2008 Finance and Management Committee approved recommendations and made a motion to create a 1-year pilot program with the following eligibility requirements: 1) Vehicle must be registered in Oakland; 2) Registered owner must be certified as low income; 3) Registered owner must sign up within the original bail period. If citation has moved to delinquent or lien status, community service is not an option; 4) Cap of 5 citations per year maximum that could be worked off or \$250 total; 5) The work must be performed in Oakland; 6) Only registered owner can perform the service; 7) Citations for unauthorized parking in a disabled zone are excluded; 8) Return after 6 months with a report on how many referrals were made, number of hours of community service performed, and other relevant information; 2 Ayes, 1 Abstain - Brunner, 1 Excused - De La Fuente

S-24 Subject: Measure K - Kids First! Legislation Extension
From: Department of Human Services
Recommendation: Adopt A Resolution To Reauthorize And Extend An Amendment Of The Charter Of The City Of Oakland (Article XIII Section 1300 Added By: Stats. November 1996 Kids First! Oakland Children's Fund) Establishing The Kids First! Oakland Children's Fund As Approved By The Passage Of The 1996 Kids First! Voter Initiative Measure K
(07-1027)

The April 8, 2008 Life Enrichment Committee approved recommendations and directed staff to submit a Supplemental Report with the following: 1) A Legal Opinion clarifying the correct Baseline Percentage of OFCY funding from the General Fund; and 2) The total aggregate amount of City funds for Youth Services; 4 Ayes

S-25 Subject: Consent To Search Report
From: Councilmembers Brooks and Kernighan
Recommendation: Action On A Report And Recommendation From The Office Of Chief Of Police On The Development Of A Consent To Search Program For The City Of Oakland, Which Is A Gun Control Strategy Used In Other Cities Across The Country To Locate Guns That May Be In Possession Of Juveniles, And May Have Been Use In The Commission Of Crimes In The City
(07-1080-4)

The April 8, 2008 Public Safety Committee approved recommendations; 4 Ayes

S-26 Subject: Street Outreach Agreements
From: Department of Human Services

SUPPLEMENTAL

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

Tuesday, April 15, 2008

Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute Agreements Between The City Of Oakland And Various Agencies To Provide Street Outreach In Coordination With Measure Y For A Total Amount Not To Exceed \$575,000 For The Period Of April 1, 2008 To June 30, 2009
(07-1211)

**The April 8, 2008 Public Safety Committee approved recommendations; 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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(...)

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

ORA - Oakland Redevelopment Agency
S - Supplemental Item