



# 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 16, 2010

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 5:30 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 6:30 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 February 2, 2010

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

- 8.1 Subject Barbara Killey - Retirement  
From: Councilmembers Reid And Nadel  
Recommendation: Adopt A Resolution Honoring Barbara Killey For Her Many Years Of Valuable Service And Congratulating Her On Her Retirement  
(09-1109)
- 8.2 Subject: Defend Public Education Day  
From: Councilmember Quan  
Recommendation: Adopt A Resolution In Support Of The March 4, 2010 Statewide Day Of Action To Defend Public Education  
(09-1164)

## **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  
(09-1162)
- 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  
(09-1163)
- 10.3-CC Subject: Leash Requirements For Grove Shafter Park Dog Play  
From: Council President Brunner  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Title 6, Chapter 6.04, Section 6.04.080 "Dogs At Large In Parks", To Allow Dogs To Be Off-Leash, Under Specific Conditions, In The Grove Shafter Park Dog Play Areas And To Permit Dogs On A Six Foot Leash On Hardscape Paths In Grove Shafter Park As Authorized By The Parks & Recreation Advisory Commission  
(09-1098)

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

**Introduction (First Reading) was passed February 2, 2010**

10.4-CC Subject: Improvements To Oakland's Gun Control Laws  
From: Councilmember Larry Reid  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 5.26, Known As The Firearms Dealer Permit Ordinance, To Enhance Existing Permit Requirements Pertaining To The Sale Of Firearms And Ammunition In Oakland;  
(09-0857)

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

**Introduction (First Reading) was passed February 2, 2010**

2) An Ordinance Amending Oakland Municipal Code Chapter 9.20, Known As The Ammunitions Sales Registry Ordinance, To 1) Effective February 1, 2011, Remove The City Of Oakland Requirement For The Maintenance Of A Registry Of Handgun Ammunition Sales To Avoid Duplicating Requirements Of AB 962, And 2) Require Ammunition Purchasers To Submit A Thumbprint Along With Other Required Proof Of Identity At The Time Of Ammunition Sale, And;  
(09-0857-1)

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

**Introduction (First Reading) was passed as amended February 2, 2010**

3) An Ordinance Amending Oakland Municipal Code Chapter 9.36, To Require Reporting To The Oakland Police Department The Theft Or Loss Of A Firearm When The Owner Knew Or Should Have Known That A Firearm Has Been Lost Or Stolen  
(09-0857-2)

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

**Introduction (First Reading) was passed as amended February 2, 2010**

10.5-CC Subject: Lorenzo Johnson - Settlement Agreement  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Settle The Case Of Lorenzo Johnson V. City Of Oakland, Et Al., United States District Court Case No. C08-03932 JSW, Our File No. 26397, In The Amount Of \$12,500.00 This Case Involves Arrest Without Probable Cause And Excess Force. (Oakland Police

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Department - Alleged Civil Rights Violation)  
(09-1183)

**This item was discussed in closed session. Motion to approve settlement was passed by a vote of 7 Ayes, 1-Excused Reid**

S-10.6-CC Subject: Maintenance Of Oakland Parks  
From: Councilmember Quan  
Recommendation: Receive The 2009 Community Report Card On The Maintenance Of Oakland Parks  
(09-1149)

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

**The February 9, 2010 Public Works Committee received and forwarded the report.**

S-10.7-CC Subject: Purchase of Real Property - 3050 International Blvd.  
From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 3050 International Boulevard In The Coliseum Revelopment Project Area And The Derby Avenue Lot Located Adjacent To 3028 International Boulevard, In The Central City East Redevelopment Project Area, From Melrose Real Estate Holdings For \$3,250,000, Less The Cost Of Any Environmental Site Remediation, And Authorizing Up To \$20,000 For Real Estate Closing Costs  
(09-1094)

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

**The February 9, 2010 Community and Economic Development Committee approved recommendations; 4 Ayes**

S-10.8-CC Subject: Mason Tillman - Mason Tillman Contract Amendment  
From: Department Of Contracting And Purchasing  
Recommendation: Adopt A Resolution Amending City Council Resolution No. 79385 C.M.S., Which Authorized A Contract With Mason Tillman Associates To Perform A Fairness In Contracting And Purchasing Study (Disparity Study), To Increase The Contract By Fourteen Thousand One Hundred Twenty Five Dollars (\$14,125), From Four Hundred Eighty-Nine Thousand Six Hundred Twenty Dollars (\$489,620) To Five Hundred Three Thousand Seven Hundred Fortyfive Dollars (\$503,745), To Cover Additional Public Hearing Services  
(09-1104)

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

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**The February 9, 2010 Community and Economic Development Committee  
approved recommendations; 4 Ayes**

S-10.9-CC Subject: Transit-Oriented Development Centers  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Resolution Designating Planned Priority  
Development Areas At Six Established Transit oriented Development (TOD) Centers In  
Oakland, To Include 1) Downtown At 12<sup>th</sup>/19<sup>th</sup> Streets, 2) Macarthur, 3) West  
Oakland, 4) Fruitvale, And 5) Coliseum Bart Stations And 6) Eastmont Transit Center,  
That Will Enable The City To Better Compete For Future Planning, Technical  
Assistance, And Capital Funding For Transportation, Infrastructure, And Housing  
(09-1130)

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

**The February 9, 2010 Community and Economic Development Committee  
and approved recommendations; 4 Ayes**

S-10.10-C Subject: Purchase Of Real Property - 8296 Macarthur Blvd.  
C From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real  
Property At 8296 Macarthur Boulevard In The Central City East Redevelopment Project  
Area From Us Bank National Association For \$201,000, Less The Cost Of Any  
Environmental Site Remediation, And Authorizing Up To \$15,000 For Real Estate  
Closing Costs And \$50,000 For Demolition Costs  
(09-1159)

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

**The February 9, 2010 Community and Economic Development Committee  
approved recommendation; 4 Ayes**

S-10.11-C Subject: Upgrade The City's 800 Mhz Radio Network Equipment  
C From: Fire Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To: 1) Accept, Appropriate And  
Allocate Fiscal Year 2009 Urban Areas Security Initiative ("UASI") Interoperability  
Grant Funds In The Amount Of One Million Three Hundred Thousand Dollars  
(\$1,300,000) To The 800 Mhz Radio Network Upgrade Project; And 2) Amending  
Resolution No. 79706 C.M.S., Which Authorized A Contract With Dailey Wells, Inc.  
For 800 Mhz Radio Network Project Engineering, Radio Replacement, And Upgrades,  
To Authorize An Amendment For The Additional Purchase Of Design, Engineering,  
Installation And Upgrade Services And Goods For The City's 800 Mhz Radio Network  
Equipment To Make It Interoperable Internally And With Other Regional Public Safety

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Agencies, In An Amount Not To Exceed \$2,600,000, For A Total Contract Not-To-Exceed \$5,600,000; And 3) Waiving Advertising, Bidding And The Request For Proposals/Qualifications Processes For Said Additional Services And Goods; And (09-1097)

2) A Resolution: 1) Awarding A Contract To Harris (Formerly M/A-Com) Or Its Authorized West Coast Distributor, Dailey Wells, Inc., For Supply Of Radio Parts And Materials For The City's 800 Mhz Radio Equipment In An Amount Not-To-Exceed One Million Dollars (\$1,000,000) Per Year For Three (3) Years, For A Total Not-To-Exceed Amount Of Three Million Dollars (\$3,000,000) Over The Term Of The Contract, And 2) Waiving Advertising And Bidding For Said Goods (09-1097-1)

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

**The February 9, 2010 Public Safety Committee approved recommendation; 3 Ayes; 1 No - Nadel**

S-10.12-C Subject: Microwave Backbone System  
C From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Negotiate And Enter Into A Contract With Harris Stratex , Inc. In An Amount Not-To-Exceed One Million Four Hundred Thousand Dollars (\$1,400,000) To Upgrade, Expand, And Integrate Phase I Of The Public Safety Microwave Backbone System, 2) Enter Into Additional Competitively Bid Contracts To Purchase Networking And Security Equipment In An Amount Not-To-Exceed One Hundred And Seven Thousand Eight Hundred And Thirty Seven Dollars (\$107,837), 3) Purchase Annual Maintenance Services For The Public Safety Microwave Backbone System In An Amount Not-To-Exceed One Hundred Fifty Two Thousand Dollars (\$152,000) To Support The Public Safety Voice And Data Transmission And Related Support Services, And 4) Waive The City Of Oakland's Competitive Request For Proposal (RFP And Advertising And Bid Processes For The Above Described Contract, Without Further Council Action (09-0962)

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

**The February 9, 2010 Public Safety Committee approved recommendation; 3 Ayes; 1 No - Nadel**

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

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**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: Rockridge Business Improvement District Assessment  
From: Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution  
Confirming The Annual Report Of The Rockridge Business Improvement District  
Advisory Board And Levying The Annual Assessment For The Rockridge Business  
Improvement District For Fiscal Year 2010-2011  
(09-1194)

**The February 2, 2010 City Council directed that staff must ensure that prior to approval of the Levy of the Annual Assessment scheduled for February 16, 2010, the Rockridge BID provides evidence of the following changes to their by-laws and/or the agreement between the BID and the City have been made:**

- Allow any BID member to make a nomination to the BID board
- Allow BID members to vote for board members by mail
- Require the submission of an annual CPA-reviewed financial statement to the City
- Require that quarterly financial statement be made available online
- Require that City of Oakland contact information be included on the annual notification postcard;

14.2 Subject: ~~Central Estuary Specific Plan Alternatives~~  
From: ~~Community And Economic Development Agency~~  
Recommendation ~~Adopt A Resolution To Adopt The Community Preferred Land Use Alternative For The Central Estuary Specific Plan And To Have That Preferred Alternative Subject To California Environmental Quality Act Review. The Preferred Alternative Includes: (1) West Subarea, Mixed Use Infill, Maintain Specialty Food-Producing Industrial Area; (2) Central West Subarea, Preserve The Existing Neighborhood Including Livework Uses; (3) Central East Subarea, New Mixed-use Residential Development; And (4) East Subarea, Industrial Uses And Limited Residential Development Buffered By Research And Development.~~  
(09-1045)

**This item was withdrawn with no new date**

**ACTION ON NON-CONSENT ITEMS:**

15 Subject: The Business Tax Board Of Review  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Barry Pilger, Deanna Andrews, Sabrina Jones And Charles R. "Chip" Conradi As Members Of

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The Business Tax Board Of Review  
(09-1193)

- S-15.1 Subject: Parking Citation Administration And Revenue Reconciliation System  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Contract Between The City Of Oakland and \_\_\_\_\_ [Selected Contractor] To Provide A Parking Citation Administration And Revenue Reconciliation System (CARRS) At An Estimated Cost Of Nine Hundred Thousand Dollars (\$900,000) Per Year For A Term Of Three Years Beginning \_\_\_\_\_ [Date]  
(09-0881)

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

**The February 9, 2010 Finance and Management Committee approved recommendations and selected ACS as the contractor; 3 Ayes, 1 No - De La Fuente**

- S-15.2 Subject: Exempting Certain Positions - Hiring Freeze  
From: Office of the City Administrator  
Recommendation: Adopt A Resolution Exempting Certain Positions Funded By The General Fund From The Hiring Freeze That The City Council Implemented On January 19, 2010 On All General Funded Positions  
(09-1154)

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

**The February 9, 2010 Finance and Management Committee approved recommendations and directed staff to provide the following: 1) A monthly report on all positions that are filled; and 2) A more detailed explanation on critical positions listed in the report; 4 Ayes**

- S-15.3 Subject: Workforce Investment Board Contracts  
From: Office of the Mayor  
Recommendation: Adopt A Resolution To Approve Workforce Investment Board (WIB) Budget Title I Funds, Adult, Dislocated Workers, And Youth Programs For Fiscal Year (FY) 2009-2010 In The Amount Of \$6,648,139, Including The Total Budget, Amount For Each Contract, Service Goals, And Past Evaluations For Each Contract And To Adopt A) A Memorandum Of Understanding With The Oakland Private Industry Council, Inc. (PIC) To Serve As The Oakland Workforce Investment System Administrator For Fiscal Year 2009/2010 In An Amount Not To Exceed \$918,376; B) A Memorandum Of Understanding With The Oakland PIC To Serve As The One Stop Career Center Operator For Fiscal Year 2009 - 10 In An Amount Not To Exceed \$1,652,746; And C) The Disbursement Of Additional Funds To The Oakland PIC For



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Subcontracts With Adult And Youth Services Providers As Approved By The Oakland Workforce Investment Board, For The Delivery Of Support Services And Training For Job Seekers And Business Clients, And For Other Programs For Which The Oakland PIC Acts As Systems Administrator(Title Change)

(09-0281)

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

**The February 9, 2010 Community and Economic Development Committee received and forwarded this report; 3 Ayes, 1 No-Brunner**

S-15.4 Subject: City-Funded Workforce Development Programs Standards  
From: Office of the Mayor  
Recommendation: Action On An Informational Report On The Job Training Performance Standards Of Local Workforce Development Programs Funded Through The Federal Workforce Investment Act Of 1998 And Through The City Of Oakland, Including The Costs-Per-Outcome Of Adult Services For Program Year (PY) 2008-2009(TITLE CHANGE)  
(07-1176)

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

**The February 9, 2010 Community and Economic Development Committee approved recommendation; 4 Ayes**

16 Subject: The Library Advisory Commission  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Jessica Leavitt As A Member Of The Library Advisory Commission  
(09-1187)

17 Subject: The Measure Z Community Oversight  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Jeff Baker As A Member Of The Measure Z Community Oversight Committee, To Oversee The Implementation Of The Oakland Cannabis Regulation And Revenue Ordinance  
(09-1191)

18 Subject: The Library Advisory Commission  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Peggy Simmons As A Member Of The Library Advisory Commission  
(09-1190)

19 Subject: The Oakland Taxation & Assessment Board  
From: Office of the Mayor

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Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Barry Pilger, Deanna Andrews, Sabrina Jones, And Charles R. "Chip" Conradi As Members Of The Oakland Taxation And Assessment Board Of Review Under The Transient Occupancy Tax Ordinance  
[\(09-1188\)](#)

20 Subject: The Parking Tax Board Of Review  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Barry Pilger, Deanna Andrews, Sabrina Jones, And Charles R. "Chip" Conradi As Members Of The Parking Tax Board Of Review  
[\(09-1192\)](#)

S-21 Subject: Amending Oakland Municipal Codes  
From: City Attorney's Office  
Recommendation: Adopt An Ordinance Deleting Municipal Code (OMC) Section 3.08.140 (Election Of Candidates), Amending Section 3.08.150 (Order Of Candidates Names); Deleting Section 3.12.210 (Time Periods For Expenditures); Amending 3.12.040 (Interpretation Of This Act), To Make The OMC Consistent With Ranked Choice Voting Sometimes Referred To As Instant Runoff Voting  
[\(09-1145\)](#)

**The February 4, 2010 Rules and Legislation Committee approved  
recommendations; 3 Ayes, 1 Excused-Reid**

## **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)**

NOTE: 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  
Phone: (510) 238-6406  
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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**

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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**

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

ORA - Oakland Redevelopment Agency  
S - Supplemental Item