



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, July 19, 2011

5:30 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 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: Desley Brooks, Dist. 6; Jane Brunner, Dist. 1, Ignacio De La Fuente; Dist. 5; Rebecca Kaplan, At-Large; Pat Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Libby Schaaf, Dist. 4; Council President Larry Reid, Dist. 7
- 3 Open Forum / Citizens Comments
(Time Available: 15 minutes)
- 4 ACTIONS ON SPECIAL ORDERS OF THE DAY
(Ceremonial Presentations, Reports/Presentations from the Mayor, Council Acknowledgements/Announcements):
 - 4.1 Subject: Earlene Williams Retirement
From: Finance And Management Agency
Recommendation: Adopt A Resolution Commending Earlene Williams For More Than 31 Years Of Devoted And Dedicated Service And Congratulating Her On Retirement
(10-0760)

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5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT SPECIAL
AND REGULAR MEETINGS OF June 28, June 30, July 5, 2011

6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests to: Reschedule items from consent to Non-Consent to the next Council
Agenda, Speak on Consent Calendar, Register Votes, Change order of Items,
Reconsiderations, Pull Items held in Committee):

7. CONSENT CALENDAR (CC) ITEMS:

7.1-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 Human Immunodeficiency Virus ("HIV")/Acquired
Immunodeficiency Syndrome ("AIDS") Epidemic
(10-0788)

7.2-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
(10-0789)

7.3 Subject: MacArthur Transit Village Phase I
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Conditionally Approving A Final Map (Phase 1)
For Tract No. 8047, The Vacation (Abandonment) Of Apgar Street, The Dedications Of
Public Easements And Right Of Way, And A Subdivision Improvement Agreement With
Macarthur Transit Community Partners For Deferred Construction Of Public
Infrastructure Improvements, All Associated With Development Of The Macarthur
Transit Village Project To Construct A Parking Garage For The San Francisco Bay Area
Rapid Transit District (BART) And An Affordable Housing Multiple Family Building
(10-0782)

**This item was placed on this agenda by the June 30, 2011 Rules and
Legislation Committee.**

7.4-CC Subject: Revisions To Organizational Structure
From: Office Of Budget
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland
Municipal Code, Entitled, "City Agencies, Departments And Offices", To Revise The
Organizational Structure Of The City Under The City Administrator's Jurisdiction In
Accordance With The Requirements Of City Charter Section 600, By Eliminating The
Department Of Contracting And Purchasing And Transferring The Function To The
Finance And Management Agency And The City Administrator's Office, Eliminating

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The Museum Department, And Eliminating The Parking Division And Transferring The Function To The Revenue Division To More Closely Coordinate Its Activities
(10-0696)

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

Introduction (First Reading) was passed as amended on June 30, 2011 to reject the proposed restructuring of the Tax and Revenue Office and restore the .5 Revenue Assistant and 4.80 FTE Tax Enforcement Officer II; 5 Ayes, 4 Noes - Kaplan, Kernighan, Schaaf, Nadel

7.5-CC Subject: Amending Ordinance No. 13024 C.M.S (Master Fee Schedule)
From: Office Of Budget
Recommendation: Adopt An Ordinance Amending Ordinance Number 13024 C.M.S. (Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees Assessed By The Office Of The City Administrator, Office Of The City Clerk, Finance And Management Agency, Oakland Police Department, Oakland Fire Department, Oakland Public Library, Office Of Parks And Recreation, Department Of Human Services Public Works Agency, And The Community And Economic Development Agency
(10-0663)

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

Introduction (First Reading) was passed on June 28, 2011; 6 Ayes, 2 Noes - Brooks, De La Fuente

7.6-CC Subject: Oakland Museum Agreement
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A New Lease With The Oakland Museum Of California Foundation For Buildings And Improvements On City Property Located At 1000 Oak Street And 450 Lancaster Street For One Dollar Per Year In Rent As Authorized By Ordinance No. 11722 C.M.S.And Ordinance No.11603 C.M.S. For A Term Of Thirty Years
(10-0741-1)

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

Introduction was passed as amended on June 28, 2011; 8 Ayes

7.7-CC Subject: East Bay Regional Private Sewer Lateral Program
From: Public Works Agency
Recommendation: Adopt An Ordinance Revision Amending Oakland Municipal Code Title 13, Chapter 13.08 To Add New Regulations Requiring Oakland Property Owners To Inspect And Certify Lower Sewer Laterals In The Public Right-Of-Way At The Time

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Of Property Transfer, Major Remodeling And Change In Water Service [TITLE
CHANGE]
(10-0648)

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

**Introduction (First Reading) was passed July 5, 2011; 7 Ayes, 1 Abstain -
Brunner**

7.8-CC Subject: Settlement Agreement - Philip Magro
From: Office Of City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney
To Compromise And Settle The Claim Of 21st Century Insurance A/S/O Philip Magro,
In The Amount Of \$7,204.14, As A Result Of Property Damage Sustained In An
Automobile Accident. (Oakland Fire Dept).
(10-0800)

This matter was not discussed in Closed Session.

7.9-CC Subject: Settlement Agreement - Jane Ng
From: Office Of City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney
To Compromise And Settle The Claim Of CSAA As Subrogee For Jane Ng, In The
Amount Of \$11,344.50 As A Result Of Property Damage Sustained In An Automobile
Accident With A City Vehicle (Public Works Agency)
(10-0801)

This matter was not discussed in Closed Session.

7.10-CC Subject: Measure Y Appointments
From: Office Of Mayor
Recommendation: Adopt A Resolution Appointing Ryan G. Hunter And Jose A. Dorado
And As Members Of The Violence Prevention And Public Safety Oversight Committee
(10-0802)

7.11-CC Subject: Salary Ordinance Amendment - IAF Local 55
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule No. 12187 (The
Salary Ordinance) To Reduce The Salaries Of Employees Represented By The
International Association Of Firefighters Union Local 55 By 8.85% From July 1, 2011
To June 30, 2014
(10-0803)

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First
Reading) OF THIS ORDINANCE**

Final Passage (Second Reading) is scheduled for July 26, 2011

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7.12-CC Subject: Settlement Agreement - Ollie Walker
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Ollie Walker V. City Of Oakland, Alameda County Superior Court Case No. RG09487084, City Attorney's File No. 27031, In The Amount Of Twenty-Five Thousand Dollars (\$25,000.00). (PWA)
(10-0805)

This matter was not discussed in Closed Session.

S-7.13-CC Subject: Revocable And Conditional Permit - 14010 Broadway Terrace
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting Derek S. Kubota A Revocable And Conditional Permit To Allow Portions Of An Existing Garage, Stairs, Retaining Walls, and Courtyard For A Residence At 14010 Broadway Terrace To Encroach Into The Public Right-Of-Way
(10-0738)

The July 12, 2011 Public Works Committee approved recommendations; 3 Ayes, 1 Excused - Nadel

S-7.14-CC Subject: Implementation Of The Bay Trail Project - High Street Bridge
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Cooperative Agreement With The County Of Alameda For The Implementation Of The Bay Trail Project At The High Street Bridge
(10-0756)

The July 12, 2011 Public Works Committee approved recommendations; 3 Ayes, 1 Excused - Nadel

S-7.15-CC Subject: Seismic Retrofit Of Campus Drive Bridge
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Bugler Construction, The Lowest, Responsive, Responsible Bidder, For The Seismic Retrofit Of Campus Drive Bridge (Project No. C346710), In The Amount Of Eight Hundred Eighty-Seven Thousand Six Hundred Fifty-Three Dollars (\$887,653.00)
(10-0757)

The July 12, 2011 Public Works Committee approved recommendations; 3 Ayes, 1 Excused - Nadel

S-7.16-CC Subject: Leveling The Playing Field Phase II Project
From: Public Works Agency
Recommendation: Adopt A Resolution: 1) Rejecting All Bids, Waiving Any Further Advertising And Bidding And Authorizing The City Administrator To Negotiate And Award A Construction Contract On The Open Market For The Leveling The Playing Field Phase II Project In An Amount Not To Exceed Two Million One Hundred Fifty One Thousand Dollars (\$2,151,000.00) Without Return To Council, And 2) Appropriate

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Up To Two Hundred Thousand Dollars (\$200,000.00) Of The Remaining Measure WW Funds From Poplar Field (No. C376810), Central Reservoir Field (No. C377010), And Owen Jones Field (No. C376710) To The Brookdale Park Field (No. C290810) For The Project
(10-0754)

The July 12, 2011 Public Works Committee approved recommendations; 3 Ayes, 1 Excused - Nadel

S-7.17-CC Subject: SeeClickFix License Agreement
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving Advertising And Bidding Requirements Of The Oakland Municipal Code For The Integration, Subscription And Licensing For SeeClickFix, An On-Line And Mobile Application Improving Customer Service And Enabling The Public To Report And Track Infrastructure Maintenance Issues In The City Of Oakland, So That The City Administrator May Enter Into A Three Year Agreement With SeeClickFix, In An Amount Of \$10,000 In The First Year And \$8,000 For The Following Two Years, With The Option To Extend Annually For A Maximum Five Percent Increase Each Year Thereafter, For A Total Five Year Period And A Total Contract Amount Not To Exceed\$43,220
(10-0761)

The July 12, 2011 Finance and Management Committee approved recommendations; 4 Ayes

S-7.18-CC Subject: Land Purchase Agreement - Park Blvd And Monterey Blvd
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Acquire Parcel 029A-1330-027-03 And Parcel 029A-1330-009-01 For Use As A Part Of The Montclair Golf Course From The California Department Of Transportation For \$25,000
(10-0700)

The July 12, 2011 Finance and Management Committee approved recommendations; 3 Ayes, 1 Abstain - Brunner

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE

Final Passage (Second Reading) is scheduled for July 26, 2011

S-7.19-CC Subject: Closed Captioning Professional Service Contract
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Two (2) Year Professional Service Contract Between The City Of Oakland And Aegis Rapid Text, Inc. To Provide Stenography Services For Real-Time Off-Site Closed Captioning Of All Regularly Scheduled And Special Concurrent Oakland Redevelopment Agency / Oakland City Council, And City Council Committee Meetings In A Total Amount Not-To-Exceed Fifty Thousand Dollars (\$50,000) Per Year For The

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Period From September 1, 2011 Through August 31, 2013 And Authorizing The Extension Of The Contract For Up To Two (2) Years For An Additional Amount Not-To-Exceed Fifty Thousand Dollars (\$50,000) Per Year
(10-0780)

**The July 12, 2011 Finance and Management Committee approved
recommendations; 4 Ayes**

S-7.20-CC Subject: Notice Of New Structures - Municipal Code Amendment
From: Councilmember Libby Schaaf
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Add Title 15, Chapter 15.10, Public Notice Of City Of Oakland's Intent To Construct Or Install New Public Safety-Related Telecommunications Facilities On City-Owned Property, To Establish Requirements For The City Of Oakland To Provide 30 Days Mailed And Posted Notice To Property Owners And Tenants (Both Residential And Commercial) Within 300 Feet Of A City Of Oakland-Owned Property Of The City's Intent To Construct Or Install New Public Safety-Related Telecommunications Facilities, Including But Not Limited To Towers, Poles Or Antennas, That Are Not Otherwise Subject To A Public Notice Requirements
(10-0682)

**The July 12, 2011 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Excused - Nadel**

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First
Reading) OF THIS ORDINANCE**

Final Passage (Second Reading) is scheduled for July 26, 2011

S-7.21-CC Subject: Business Improvement Districts Annual Reports And Payments
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Annual Reports Of The Lakeshore/Lake Park Business Improvement Management District, The Temescal/Telegraph Avenue Property Business Improvement District Of 2005, The Laurel Property Business Improvement District Of 2005, The Fruitvale Property Business Improvement District Of 2006, The Koreatown/Northgate Community Benefit District Of 2007, The Downtown Oakland Community Benefit District Of 2008, And The Lake Merritt/Uptown Community Benefit District Of 2008 Advisory Boards And Confirming The Continuing Annual Assessment For Each Applicable District For Fiscal Year 2010-2011 And Fiscal Year 2011-2012;
And
(10-0702)

2) Resolution Authorizing Payment Of The Redevelopment Agency's Cumulative Fiscal Year 2011/12 Fair Share Assessment In An Amount Not To Exceed \$33,860.56 For Agency-Owned Properties In The Koreatown/Northgate Community Benefit District Of

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2007, The Downtown Oakland Community Benefit District Of 2008, And The Lake Merritt/Uptown Community Benefit District Of 2008.

(10-0702-1)

**The July 12, 2011 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Excused - Nadel**

S-7.22-CC Subject: Temescal/Telegraph Avenue - Security Lighting Project
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Consent To Execution Of An Assignment Of Payments Agreement Between The Temescal Telegraph Avenue Community Association Of Oakland ("Borrower") And A Still To Be Determined Lender ("Lender") To Make Payments To Lender From Temescal / Telegraph Avenue Property Business Improvement District Of 2005 ("PBID") Special Assessment Funds Held On Behalf Of The PBID In Support Of The Telegraph Avenue Pedestrian Lighting Project

(10-0747)

**The July 12, 2011 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Excused - Nadel**

S-7.23-CC Subject: Grant Award - 16th Street Train Improvements
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing An Owner Participation Agreement With Build West Oakland, LLC/Bridge Economic Development Corporation To Grant Up To \$1,300,000 In Matching Oakland Army Base Redevelopment Funds For Phased Improvements To The Historic 16th Street Train Station, Including Improvements To The Baggage Wing

(10-0701)

**The July 12, 2011 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Excused - Nadel**

S-7.24-CC Subject: WIA Youth Services Contract Extensions
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending Resolution No. 83121 C.M.S. To Extend Youth Training And Employment Service Contracts To June 30,2012

(10-0749)

2) A Resolution Amending Resolution No. 83121 C.M.S. To Increase Youth Training And Employment Contracts To Fund The 2011 Mayor's Summer Jobs Program In The Following Amounts: \$30,000 To Alameda County Youth Development Inc. (Scotlan Youth And Family Center); \$27,000 To East Bay Spanish Speaking Citizens' Foundation; \$30,000 To LAO Family Community Development Inc.; \$30,000 To Pivotal Point Youth Services Inc.; \$27,000 To Youth Employment Partnership Inc.-In School; \$27,000 To Youth Employment Partnership Inc.-Out Of School; And \$27,000 To Youth

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Uprising
(10-0749-1)

The July 12, 2011 Community and Economic Development Committee approved recommendations as amended to the resolution to add language that provides the ability to defund organizations that do not meet their minimum established goals and reallocate the funds to the remaining performing programs; 3 Ayes, 1 Excused - Nadel

ALTERNATIVE RECOMMENDATIONS

The following alternative resolutions eliminates Scotland from the extension of Youth Training and Employment Service Contracts to June 30, 2012 and eliminates allocated funding of \$30,000.

This item was placed on the agenda Pursuant to Rule 28a of Council's Rules of Procedures Resolution 82580 C.M.S.

This item requires an Urgency Finding (2/3 majority vote) pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance, prior to hearing the item.

3) Resolution Amending Resolution No. 83121 C.M.S. To Extend Youth Training And Employment Service Contracts To June 30, 2012
(10-0749-2)

4) Resolution Amending Resolution No. 83121 C.M.S. To Increase Youth Training And Employment Contracts To Fund The 2011 Mayor's Summer Jobs Program In The Following Amounts: \$27,000 To East Bay Spanish Speaking Citizens' Foundation; \$30,000 To Lao Family Community Development Inc.; \$30,000 To Pivotal Point Youth Services Inc.; \$27,000 To Youth Employment Partnership Inc.--In School; \$27,000 To Youth Employment Partnership Inc.--Out Of School; \$27,000 To Youth Uprising; And \$30,000 To Serve Youth Residing In West Oakland By A Youth Service Provider To Be Determined By The City Administrator Without Returning To Council
(10-0749-3)

S-7.25-CC Subject: Workforce Investment Grant Disbursement
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate \$600,000 In Workforce Investment Act (WIA) Federal Grant From The U.S. Department Of Labor Employment Training Agency For The East Bay Green Jobs Project; And Enter Into Contracts With Cypress Mandela Training Center In The Amount Of \$120,000, Laney Community College In The Amount Of \$78,000, Solar Richmond In The Amount Of \$200,000, Rising Sun Energy Center In The Amount Of \$66,500, And RichmondBUILD In The Amount Of \$45,500 To Collaboratively Provide Employment Training And Job Placement Services For A Minimum Of 80 Low-Income Adults For The Term Beginning July 19, 2011 And Ending March 2013; To Procure A Contract Not To Exceed \$26,500 For Program Performance Evaluation Without

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Returning To Council; And To Allocate \$64,200 For City Administration Of The Grant.
(10-0739)

**The July 12, 2011 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Excused - Nadel**

S-7.26-CC Subject: Broadway/MacArthur/San Pablo Redevelopment Project Committee
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A One-Year Extension Of The
Project Area Committee For The Broadway/ Macarthur/ San Pablo Redevelopment
Project To July 25. 2012
(10-0758)

**The July 12, 2011 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Excused - Nadel**

S-7.27-CC Subject: Fruitvale Transit Village Project ENA
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing An Exclusive Negotiating
Agreement With The Spanish Speaking Unity Council For Phase II Of The Fruitvale
Transit Village At The Fruitvale Bart Station Parking Lot
(10-0717)

**The July 12, 2011 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Excused - Nadel**

S-7.28-CC Subject: Oakland Economic Development Corporation - ENA
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing An Exclusive Negotiating
Agreement With The Oakland Economic Development Corporation For Development Of
Phase I Of The Transit Village At The Coliseum Bart Station, And Authorizing A
Redevelopment Loan For The Project In An Amount Not To Exceed \$400,000
(10-0776)

**The July 12, 2011 Community and Economic Development Committee
approved recommendations; 3 Ayes, 1 Excused - Nadel**

S-7.29-CC Subject: Oakland Zoo Master Agreement Amendment
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend
Master Agreement Between City Of Oakland And The East Bay Zoological Society /
Oakland Zoo Pursuant To Grant Requirements From Proposition 84 Funds From The
California Department Of Parks And Recreation, Which Require 1) Extension Of The
Agreement To 30 Years; And 2) Elimination Of The "At-Will" Termination Clause
(10-0748)

**The July 12, 2011 Life Enrichment Committee approved
recommendations; 4 Ayes**

S-7.30-CC Subject: COPS Grant Award

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From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate A State Of California "Citizens Options For Public Safety" (State Cops) Grant In An Amount Not To Exceed Five Hundred Seventeen Thousand (\$517,000) For Front Line Policing
(10-0712)

**The July 12, 2011 Public Safety Committee approved recommendations; 4
Ayes**

S-7.31-CC Subject: Oakland Youth Court - Grant Award
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To 1) Accept And Appropriate Funds From The State Of California, Corrections Standards Authority, Juvenile Accountability Block Grant To The Oakland Police Department In An Amount Not To Exceed Sixty Thousand Dollars (\$60,000), 2) Waive The Competitive Request For Proposals /Qualifications (RFP/Q) Process, And 3) Enter Into A Professional Services Agreement With McCullum Youth Court For The Period July 1,2011 Through June 30, 2012, Plus Two One-Year Extension Options, In An Amount Not To Exceed Sixty Thousand Dollars (\$60,000) Annually For Continued Program Implementation Of The Oakland Youth Court For The Oakland Police Department
(10-0713)

**The July 12, 2011 Public Safety Committee approved recommendations; 4
Ayes**

S-7.32-CC Subject: BayRICS JPA Membership
From: Department Of Information Technology
Recommendation: Adopt A Resolution Requesting Authority To: (1) Join The Bay Area Regional Interoperable Communications System Joint Powers Authority ("Bayrics JPA";Or "JPA") By Executing The Proposed JPA Agreement ("Agreement"), Including An Annual Membership Fee In An Amount Not-To-Exceed Twenty Four Thousand Five Hundred Dollars (\$24,500.00), And (2) Sublease, Assign Or Transfer To The Jpa Part Or All Of Oakland's Spectrum Waiver And/Or Lease Rights As May Be Granted By The Federal Communications Commission (The "FCC") Pursuant To The Petition Filed By Oakland, San Francisco And San Jose With The FCC, And (3) To Take Such Steps Necessary To Effectuate These Agreements On Behalf Of The City Of Oakland, Without Return To Council
(10-0715)

**The July 12, 2011 Public Safety Committee approved recommendations; 4
Ayes**

S-7.33-CC Subject: Evaluation Services Of The Measure Y Funded Programs
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The Contract Between The City Of Oakland And Resource Development Associates

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From July 1, 2011 To December 31, 2012 For Evaluation Services Of The Measure Y Funded Programs, In The Amount Of Up To Three Hundred And Fifty Thousand Dollars
(10-0759)

**The July 12, 2011 Public Safety Committee approved recommendations; 4
Ayes**

S-7.34-CC Subject: UASI Regional Training Program Grant
From: Oakland Fire Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into A Memorandum Of Understanding (MOU) With The Alameda County Sheriff's Office To Provide Personnel Services In Connection With The Bay Area Urban Area Security Initiative (UASI) Regional Training Program In Exchange For The Fiscal Year 2009 UASI Grant Allocation 2) Accept, Appropriate And Administer Up To \$120,000 From The Federal Fiscal Year 2009 UASI Grant Allocation For Reimbursement Of Salaries And Benefits Paid To An Oakland Fire Department, Office Of Emergency Services Staff Member Assigned As A Bay Area UASI Region Training Officer, As Per The MOU Agreement; And
(10-0766)

2) A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into A Memorandum Of Understanding (MOU) With The Alameda County Sheriff's Office To Provide Personnel Services In Connection With The Bay Area Urban Area Security Initiative (UASI) Regional Training Program In Exchange For The Fiscal Year 2010 UASI Grant Allocation And 2) Accept, Appropriate And Administer Up To \$225,000 From The Federal Fiscal Year 2010 UASI Grant Allocation For Reimbursement Of Salaries And Benefits Paid To An Oakland Fire Department, Office Of Emergency Services Staff Member Assigned As A Bay Area UASI Region Training Officer, As Per The MOU Agreement
(10-0766-1)

**The July 12, 2011 Public Safety Committee approved recommendations; 4
Ayes**

S-7.35-CC Subject: Summer Recess Grant And Contract Awards
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Make Grant Awards, Accept Grant Funds And Award Contracts For The Purchase Of Construction Labor And Materials Exceeding \$500,000.00, To Be Executed During The City Council Annual Recess Of 2011, As Follows:

1. A Resolution To Award A Construction Contract To The Lowest, Responsive, Responsible Bidder, For The Construction Of MacArthur Boulevard Improvement Project (Project No. C167640), Or To Reject All Bids If All Bids Are Deemed Non-Responsive Or Non-Responsible, And Award A Contract On The Open Market In

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Accord With The Project Plans And Specifications Up To The Amount Of
\$5,075,351.00;

2. A Resolution Authorizing The Acceptance And Appropriation Of Up To
\$827,900.00 Of Federal Funds From The Transportation, Housing And Urban
Development And Related Agencies Appropriation Act Of 2010 For The Lake Merritt
Improvement Project;

3. A Resolution Awarding A Construction Contract To The Lowest, Responsive,
Responsible Bidder, For The Installation Of New And Modified Traffic Signals At
Various Locations (Project Nos. C313710, C318210, C316210) Or To Negotiate With
The Lowest Bidder If Bids Are Deemed Non-Responsive Or Non-Responsible, In
Accord With The Project Plans And Specifications In An Amount Not To Exceed
Eight-Hundred Thousand Dollars (\$800,000.00) Without Return To Council;

4. A Resolution Awarding A Construction Contract To The Lowest, Responsive,
Responsible Bidder, For The Safe Routes To Schools, Cycle 7 Project (Project No.
C357010) Or To Negotiate With The Lowest Bidder If Bids Are Deemed
Non-Responsive Or Non-Responsible, In Accord With The Project Plans And
Specifications In An Amount Not To Exceed Six-Hundred Thousand Dollars
(\$600,000.00) Without Return To Council; And

5. A Resolution Awarding A Construction Contract To The Lowest, Responsive,
Responsible Bidder, For The Broadway Intelligent Transportation Systems (Its) (Project
No. C270210) Or To Negotiate With The Lowest Bidder If Bids Are Deemed
Non-Responsive Or Non-Responsible, In Accord With The Project Plans And
Specifications In An Amount Not To Exceed Eight-Hundred Thousand Dollars
(\$800,000.00) Without Return To Council
(10-0773)

**The July 12, 2011 Finance and Management Committee approved
recommendations as amended to the resolution to delete the four proposed
contracting actions from the resolution and allow the acceptance of the
grant funds for the Lake Merritt Improvement Project. Staff was directed
to proceed with all regular RFP processes for the identified projects and
return to Council in September 2011 with recommendations for contract
awards for Council's approval; 4 Ayes**

8 Oral Report of Final Decisions Made During Closed Session & Disclosure of
Non-Confidential closed session discussions

**COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE
THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

**9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:**

SUPPLEMENTAL

- 9.1 Subject: Jack London Square Site C Transfer
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion, Adopt A Resolution Consenting To A Non-Affiliate Transfer Of Site C (Located At 10 Clay Street) Relating To The Development Agreement Between The City Of Oakland, Jack London Square Partners LLC, And CEP-JLS I LLC, Dated July 6, 2004 (DA) To 10 Clay Street LLC Pursuant To The Development Agreement And Planning Code Section 17.138.080 (Development Agreement Procedure)
[\(10-0755\)](#)

The July 12, 2011 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - Nadel

- 9.2 Subject: Community Development Block Grant Program
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Amending Resolution 83344 C.M.S 1) Authorizing The City Administrator To Submit To The U.S. Department Of Housing And Urban Development The Revised Annual Action Plan For Fiscal Year 2011-2012; 2) Accepting And Appropriating Funds Totaling \$14,658,157 For The Home, Emergency Shelter Grant (ESG), Housing Opportunities For Persons With Aids (HOPWA), And The Community Development Block Grant Programs; And 3) Authorizing The City Administrator To Negotiate And Execute Agreements With Subgrantees For Fiscal Year 2011-2012 For The Community Development Block Grant Program.
[\(10-0775\)](#)

The July 12, 2011 Community and Economic Development Committee approved recommendations; 4 Ayes

- 9.3 Subject: Fruitvale Property Business Improvement District
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Establishing The Fruitvale Property Business Improvement District Of 2011, Approving The Management Plan, Directing Filing Of The Proposed Assessment District Boundary Description, Making A Determination With Regard To The Majority Protest Procedure For Approval Of The Proposed Assessments; And Approving The Assessments For The District
[\(10-0790\)](#)

The July 12, 2011 Community and Economic Development Committee approved recommendations; 4 Ayes

- 9.4 Subject: Amending Cannabis Ordinances
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

- 1) An Ordinance Amending Chapter 5.80 Of The Oakland Municipal Code Pertaining

SUPPLEMENTAL

To Medical Cannabis Dispensary Permits
(10-0751)

The July 12, 2011 Public Safety Committee approved recommendations as amended to include language in the ordinance stating:

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE

Final Passage (Second Reading) is scheduled for July 26, 2011

~~2) An Ordinance Amending Chapter 5.81 Of The Oakland Municipal Code Pertaining To Cultivation Of Medical Cannabis; And
(10-0751-1)~~

The July 12, 2011 Public Safety Committee held this item in committee.

3) An Ordinance Amending The Master Fee Schedule (Ordinance Number 13024 C.M.S., As Amended) To Establish A Medical Cannabis Dispensary Permit Application Fee And An Annual Regulatory Fee For Permitted Medical Dispensaries & To Establish A Cultivation Of Medical Cannabis Permit Application Fee And An Annual Regulatory Fee For Permitted Medical Cannabis Cultivation
(10-0751-2)

The July 12, 2011 Public Safety Committee approved recommendations as amended to remove the proposed fees for Cannabis Cultivation. Staff was directed to proceed with the RFP process for the Cultivation Permits; 3 Ayes, 1 Excused - Nadel

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE

Final Passage (Second Reading) is scheduled for July 26, 2011

ALTERNATIVE STAFF RECOMMENDATION

This item was placed on the agenda Pursuant to Rule 28a of Council's Rules of Procedures Resolution 82580 C.M.S.

The following Alternative Master Fee Amendment Establishes Fees To Provide For Cost Covered Oversight Operations As Proposed By Staff

This item requires an Urgency Finding (2/3 majority vote) pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance, prior to hearing the item.

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE

SUPPLEMENTAL

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Final Passage (Second Reading) is scheduled for July 26, 2011

4) An Ordinance Amending The Master Fee Schedule (Ordinance Number 13024 C.M.S., As Amended) To Modify And Establish Medical Cannabis Dispensary Permit Application Fee(s) And An Annual Regulatory Fee For A Medical Cannabis Dispensary Permit
(10-0751-3)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 NUMBER INTENTIONALLY NOT USED

11 Subject: Call For 2011 Special Election
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Adding Section 3.08.015 To Chapter 3.08 Of The Oakland Municipal Code, Entitled "Elections," To Authorize The City Council To Call A Special Municipal Election On November 15, 2011
(10-0555-1)

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

First Reading was passed on July 5, 2011; 7 Ayes, 1 No - Schaaf

12 Subject: City Attorney Appointment
From: Council President Larry Reid
Recommendation: Adopt A Resolution Appointing _____ To Fill The Vacancy In The Office Of The City Attorney For The Balance Of The Unexpired Term, Which Runs Until 11 A.M. On Monday, January 7, 2013
(10-0785)

13 Subject: City Attorney Election
From: President Pro Tempore Ignacio De La Fuente
Recommendation: Adopt A Resolution On The City Council's Own Motion Waiving The Council's Authority To Fill The Vacancy In The Office Of City Attorney And Submitting To The Voters At The November 15, 2011 Special Election The Filling Of The Vacancy In The Office Of City Attorney; Directing The City Clerk And City Administrator To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The Special Election
(10-0793-1)

14 Subject: Charter Amendment Returning City Attorney To Appointed Position
From: Councilmembers Nadel And Kernighan
Recommendation: Adopt A Resolution Submitting, On The Council's Own Motion, To The Electors At The Next Special Or General Municipal Election, A Proposed Charter Amendment, Entitled, "Returning The Elected City Attorney Position To An Appointed Position" And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The Next Election Date

SUPPLEMENTAL

(10-0778)

- 15 Subject: PFRS Ballot Measure
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Submitting On The Council's Own Motion, A Proposed Charter Amendment, Entitled, "Measure Allowing the Police and Fire Retirement System Board and City Council to Set an Actuarially Sound Deadline For Fully Funding Its Retirement Plan", To Be Submitted To The Electors At The Next Special or General Municipal Election; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The Next Election Date

(10-0786)

The July 12, 2011 Finance and Management Committee approved recommendations; 3 Ayes, 1 No - De La Fuente

- 16 Subject: Rainy Day Fund Ballot Measure
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Submitting On The Council's Own Motion, A Proposed Charter Amendment, Entitled, "Measure Establishing A 'Rainy Day' Fund For Money Collected When There Is An Unusually Large Surplus, Which May Be Used In Years When There Is A Revenue Shortfall", To Be Submitted To The Electors At The Next Special Or General Municipal Election; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The Next Election Date

(10-0787)

The July 12, 2011 Finance and Management Committee deliberately took no action on this item.

- 17 Subject: Five - Year Temporary Fiscal Emergency Parcel Tax
From: Office Of The Mayor
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The November 15, 2011 Special Election A Proposed Ordinance Creating A Five-Year Temporary Fiscal Emergency Special Parcel Tax; Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The Special Election

(10-0779)

- 18 Subject: Salary Schedule Amendment - City Administrator
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 (The Salary Ordinance) To Increase The Salary For The Classification Of City Administrator

(10-0798)

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE

SUPPLEMENTAL

Final Passage(Second Reading) is scheduled for July 26, 2011

- 19 Subject: Resolution Calling Special Election
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland, California, Calling And Giving Notice For The Holding Of A Special Municipal Election On Tuesday, November 15, 2011 For The Purpose Of Submitting To The Electors Of The City Of Oakland Various Proposed Measures And Authorizing And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With Applicable Legal Requirements
(10-0807)

Pursuant to Rule 28a of Resolution 82580 C.M.S., this item was added to this agenda.

- S-20 Subject: Henry J. Kaiser - Lease Revenue Bonds
From: Finance And Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Authorizing the Substitution of City Hall for the Henry J. Kaiser Convention Center Securing the Existing Obligations for the Oakland Joint Powers Financing Authority Lease Revenue Refunding Bonds (Oakland Convention Centers), Series 2001; Approving the Execution and Delivery of Amendments to Leases to Substitute such Property and Authorizing the Taking of all Necessary Actions Relating Thereto; And
(10-0684)

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE

Final Passage (Second Reading) is scheduled for July 26, 2011

2) A Resolution of the Oakland Joint Powers Financing Authority Authorizing the Substitution of City Hall for the Henry J. Kaiser Convention Center Securing the Existing Obligations for the Oakland Joint Powers Financing Authority Lease Revenue Refunding Bonds (Oakland Convention Centers), Series 2001; Approving the Execution and Delivery of Amendments to Leases to Substitute such Property and Authorizing the Taking of all Necessary Actions Relating Thereto
(10-0684-1)

The July 12, 2011 Finance and Management Committee approved recommendations; 3 Ayes, 1 No - Brooks

- S-21 Subject: Redevelopment Agency Continuance And Payment Obligations
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance Continuing The Existence Of The Redevelopment Agency Of The City Of Oakland And Declaring Compliance With

SUPPLEMENTAL

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Payment Obligations Of Part 1.9, Division 24, Of The California Health And Safety
Code
(10-0831)

**This item was placed on the agenda by the July 14, 2011 Rules and
Legislation Committee**

**This item requires an Urgency Finding (2/3 majority vote) pursuant to
Section 2.20.080 E(2) of the Sunshine Ordinance, prior to hearing the item.**

**ACTION ON THE ITEM WILL RESULT IN INTRODUCTION (First
Reading) OF THIS ORDINANCE**

Final Passage (Second Reading) is scheduled for July 26, 2011

Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

**(Meeting shall conclude no later than 12:00 a.m., unless extended by Majority Vote of the
Council)**

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**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**

SUPPLEMENTAL

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

ORA - Oakland Redevelopment Agency
S - Supplemental Item