



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, May 03, 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: Jane Brunner, Dist. 1; Patricia Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Libby Schaaf, Dist. 4; Ignacio De La Fuente, Dist. 5; Desley Brooks, Dist. 6; Rebecca Kaplan, At-Large, and 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: Chuck Harlins - Retirement
From: Council President Reid And Vice Mayor Brooks
Recommendation: Adopt A Resolution Recognizing And Honoring Charles Keith (Chuck) Harlins For His Dedicated Service To The City Of Oakland Upon His Retirement After 24 Years

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(10-0564)

- 4.2 Subject: Laurel Elementary School - 100 Years
From: Councilmember Schaaf
Recommendation: Adopt A Resolution Commending Laurel Elementary School For 100 Years Of Service To The Children Of The City Of Oakland

(10-0579)

- 4.3 Subject: Affordable Housing Week
From: Councilmember Nadel
Recommendation: Adopt A Resolution Proclaiming The Week Of May 6 To May 15, 2011 To Be 15th Annual Affordable Housing Week

(10-0572)

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETING OF April 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 AIDS Epidemic

(10-0576)

- 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

(10-0577)

- 7.3-CC Subject: City Administrator Employment Agreement - P. Lamont Ewell
From: Office Of The Mayor
Recommendation: Adopt A Resolution Authorizing The Mayor To Execute An Employment Agreement On Behalf Of The City With P. Lamont Ewell, City Administrator, Effective March 28, 2011

(10-0557)

- 7.4-CC Subject: Formation Of The Fruitvale Property Business Improvement District
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

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1) A Resolution Authorizing The City Administrator To Sign The Petition For The Three (3) City-Owned Properties On Which Assessments Are To Be Levied (APN 025-0722-026-00, APN 033-2130-035-02, And APN 033-2135-026-02) To Support The Formation Of The Fruitvale Property Business Improvement District Of 2011; And
(10-0509)

2) An Agency Resolution Authorizing The Agency Administrator To Sign The Petition For The Three (3) Agency-Owned Properties On Which Assessments Are To Be Levied (APN 032-2115-037-01, APN 025-0719-007-01, APN 025-0690-008-01, And APN 032-2084-051-00) To Support The Formation Of The Fruitvale Property Business Improvement District Of 2011
(10-0509-1)

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

7.5-CC Subject: Behavioral Science Consultation And Training Services
From: Oakland Police Department
Recommendation: Adopt A Resolution Waiving Advertising And The Request For Proposals/Qualifications And Authorizing The City Administrator To Enter Into An Agreement For The Period Of July 1, 2011 To June 30, 2012, With Michael Palmertree To Provide Behavioral Science Consultation And Training Services To The Oakland Police Department At A Cost Not To Exceed Fifty Thousand Dollars (\$50,000.00)
[TITLE CHANGE]
(10-0513)

**The April 12, 2011 Public Safety Committee approved recommendations; 3
Ayes; 1 Absent - Kernighan**

7.6-CC Subject: Alcohol Control Enforcement Program
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 One Hundred Thousand Dollars (\$100,000) From The State Of California, Department Of Alcoholic Beverage Control (ABC), Grant Assistance Program (Gap), For The Federal Fiscal Year 2012 Implementation Of The Alcohol Control Enforcement Program Within The Police Department
(10-0504)

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

7.7-CC Subject: License Agreement With American Medical Response
From: Oakland Fire Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Enter Into A License Agreement With American Medical Response West DBA National College Of Technical Instruction (NCTI) For Nonexclusive Use Of Classrooms Located At The Oakland Fire Department's Training Facilities For An Initial Term Until February

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2012, With The Option To Extend For Two Years, One Year At A Time, Until February 2014, In Consideration For A Reduced Fee For Emergency Medical Services Training And Payment Of Maintenance Costs

[\(10-0526\)](#)

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

FINAL PASSAGE (Second Reading) is scheduled for May 17, 2011.

2) A Resolution Waiving Advertising And The Request For Qualification Requirements And Authorizing The Purchase Of Emergency Medical Services And Paramedic Classes From The National College Of Technical Instruction For Up To Ten Students Enrolled In The Fire Department EMT And Paramedic Cadet Program In An Amount Not To Exceed \$80,000 Annually

[\(10-0526-1\)](#)

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

- 7.8-CC Subject: Public Safety Oversight Committee Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Qa'id Aqeel Tauheed And Michael E. Brown Jr. As Members Of The Violence Prevention And Public Safety Oversight Committee
[\(10-0580\)](#)
- 7.9-CC Subject: Commission On Persons With Disabilities Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Betty Mulholland To The Commission On Persons With Disabilities
[\(10-0581\)](#)
- 7.10-CC Subject: Community Policing Advisory Board Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Tamera White As A Member Of The Community Policing Advisory Board
[\(10-0582\)](#)
- 7.11-CC Subject: Settlement Agreement - Evelyn Belnavis
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Evelyn Belnavis V. City Of Oakland, Alameda County Superior Court Case No. RG09-489228 In The Amount Of \$90,000.000 As A Result Of A Trip And Fall Accident At Near 721 W. MacArthur Blvd. (Public Works Agency)
[\(10-0584\)](#)

This item was discussed in closed session on April 5, 2011. The motion

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authorizing the settlement passed by unanimous vote; 8 Ayes

7.12-CC Subject: Oakland Housing Authority Board Appointment
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Revising Resolution No. 82300 Appointing Greg Hartwig To The Oakland Housing Authority Board Of Commissioners To Reflect The Correct Term
(10-0575)

7.13-CC Subject: Parks And Recreation Advisory Commission - Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Marsha C. Peterson To The Parks And Recreation Advisory Commission
(10-0597)

7.14-CC Subject: Enterprise Zone Program
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution In Support Of Assembly Bill ("AB") 231, AB 232, And ABX 11, Proposed Amendments To Reform California Enterprise Zone Program [TITLE CHANGE]
(10-0497)

**The April 21, 2011 Rules and Legislation Committee approved
recommendations; 3 Ayes; 1 Excused - Brooks**

7.15-CC Subject: Seismic Safety Finance Act
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Supporting Assembly Bill 184 (Swanson) Which Will Add A New Section 5899, Entitled The Seismic Safety Finance Act, To The California Streets And Highways Code To Allow The Voluntary Creation Of Contractual Assessment Programs For Property Owners To Seismically Retrofit Residential, Commercial, Industrial, And Agricultural Buildings
(10-0492)

**The April 21, 2011 Rules and Legislation Committee approved
recommendations; 3 Ayes; 1 Excused - Brooks**

7.16-CC Subject: Installation Of Art At Hardy Park
From: Councilmember De La Fuente
Recommendation: Adopt A Resolution Waiving Advertising, Bidding And Request For Proposal Requirements For The Purchase Of Materials And Public Art From The Rockridge Community Planning Council In The Amount Of \$22,021.70 Used To Build And Install A Kiosk And Benches And To Fabricate And Install Art By Mark Brest Van Kempen At Hardy Park
(10-0583)

7.17-CC Subject: Settlement Agreement - Bernd Fiebig
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney

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To Compromise And Settle The Case Of Bernd Fiebig V. City Of Oakland, Alameda County Superior Court Case No. RG10493987, City Attorney's File No. 27014, In The Amount Of Twenty-Five Thousand Dollars And No Cents (\$25,000.00). Mr. Fiebig's Injuries Resulted From A Trip And Fall On A City Of Oakland Sidewalk (Public Works Agency)
[\(10-0598\)](#)

This matter was not heard in Closed Session.

S-7.18-CC Subject: Gerrie Scott - Encroachment And Public Easement
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting Gerrie Scott A Revocable And Conditional Permit To Allow Portions Of Existing Buildings And A Fence At 1506 Center Street And 1438 15th Street To Encroach Into The Public Right-Of-Way And Public Easement
[\(10-0538\)](#)

**The April 26, 2011 Public Works Committee approved recommendations;
3 Ayes, 1 Excused - Kaplan**

S-7.19-CC Subject: Approving Stop Sign Installation
From: Public Works Agency
Recommendation: Adopt A Resolution Approving The Installation Of Stop Signs Pursuant To California Vehicle Code Sections 21351 And 21355 And Oakland Municipal Code Section 10.12.110 On: A. Minna Avenue At Allendale Avenue; B. East 27th Street At The West Leg Of 26th Avenue; And C. 43rd Street And Linden Street
[\(10-0548\)](#)

**The April 26, 2011 Public Works Committee approved recommendations;
3 Ayes, 1 Excused - Kaplan**

S-7.20-CC Subject: State Transportation Development Act Article 3
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Two Hundred Eighty Five Thousand Dollars (\$285,000.00) In Fiscal Year 2011-2012 State Transportation Development Act Article 3 Funds As Follows: (1) Bicycle Wayfinding Signage, Fifty Thousand Dollars (\$50,000.00); (2) Bonham Way Stairs And Paths Rehabilitation, One Hundred Ten Thousand Dollars, (\$110,000.00); And (3) Harrison Street/Oakland Avenue Bikeway, One Hundred Twenty Five Thousand Dollars (\$125,000.00); And
[\(10-0549\)](#)

2) A Resolution Authorizing The Installation Of Class II Bicycle Lanes On Harrison Street By Reducing Travel Lanes From Three (3) Through Lanes To Two (2) Through Lanes Between Macarthur Boulevard And Fairmount Avenue
[\(10-0549-1\)](#)

The April 26, 2011 Public Works Committee approved recommendations;

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3 Ayes, 1 Excused - Kaplan

S-7.21-CC Subject: Installation Of Bicycle Lanes
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The Installation Of Bicycle Lanes On MacArthur Boulevard Between High Street And Buell Street By Reducing Travel Lanes From Three (3) Through Lanes To Two (2) Through Lanes Between High Street And Greenacre Road And By Reducing Travel Lanes From Four (4) Through Lanes To Two (2) Through Lanes Between Greenacre Road And Enos Avenue, And By Prohibiting Parking Adjacent To Interstate 580 Between High Street And Greenacre Road
(10-0554)

The April 26, 2011 Public Works Committee approved recommendations; 3 Ayes, 1 Excused - Kaplan

S-7.22-CC Subject: 6444 San Pablo Avenue - Encroachment
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting Benjamin Williams A Revocable And Conditional Permit To Allow An Existing Basement For A Building At 6444 San Pablo Avenue To Encroach Under The Public Sidewalk
(10-0496)

The April 26, 2011 Public Works Committee approved recommendations; 3 Ayes, 1 Excused - Kaplan

S-7.23-CC Subject: Lake Merritt Institute For Professional Services
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Two Year Agreement From July 1, 2011, To June 30, 2013, With The Lake Merritt Institute For Professional Services To Provide Cleanup, Maintenance, Monitoring, Volunteer Coordination, Technical Assistance And Public Outreach Related To Lake Merritt In An Amount Not To Exceed Three Hundred Twenty Thousand Dollars (\$320,000), And To Extend The Initial Contract Period An Additional Two Years Through June 30, 2015, If The Tasks In The Scope Of Work Are Completed Satisfactorily.
(10-0512)

The April 26, 2011 Public Works Committee approved recommendations; 3 Ayes, 1 Excused - Kaplan

This item was previously numbered as item 9.3 on the Public Hearing portion of the agenda.

S-7.24-CC Subject: Landscaping And Lighting Assessment District
From: Office Of Budget
Recommendation: Adopt A Resolution Initiating The Fiscal Year 2011-2012 Assessment Process For The City Of Oakland Landscaping And Lighting Assessment

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District And Authorizing The City Administrator To Order A Preliminary Engineers's Report Pursuant To The California Streets And Highways Code
(10-0545)

The April 26, 2011 Finance and Management Committee approved recommendations; 4 Ayes

S-7.25-CC Subject: Fiscal Year 2009/2010 Single Audit Report
From: Finance And Management Agency
Recommendation: Receive An Informational Report Presenting The Fiscal Year 2009/2010 Single Audit Report
(10-0546)

The April 26, 2011 Finance and Management Committee received and forwarded; 4 Ayes

S-7.26-CC Subject: Wildfire Prevention Assessment District
From: Office Of The Budget
Recommendation: Adopt A Resolution Initiating The Fiscal Year 2011-2012 Assessment Confirmation 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
(10-0553)

The April 26, 2011 Finance and Management Committee approved recommendations; 4 Ayes

S-7.27-CC Subject: Bricker-Mincolla Contract Award
From: Department Of Contracting And Purchasing
Recommendation: Adopt A Resolution Awarding A Contract To Bricker-Mincolla Uniform Company, A Small Local Business, And Lowest Responsive, Responsible Bidder In An Amount Not To Exceed Two Hundred Seventy Nine Thousand, Six Hundred Dollars (\$279,600.00) For The Purchase Of Four Hundred (400) Second Chance, Summit SM01, Level IIIA Body Armor Vests In Accordance With Specification No. 11-680-08-01/Request For Quote (RFQ) No. 1387
(10-0505)

The April 26, 2011 Finance and Management Committee approved recommendations; 4 Ayes

S-7.28-CC Subject: MacArthur Boulevard Acquisition/Demolition Project
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Approving A Replacement Housing Plan For The MacArthur Boulevard Project
(10-0537)

The April 26, 2011 Community and Economic Development Committee approved recommendations; 4 Ayes

S-7.29-CC Subject: Coliseum BART Station Transit Village Infrastructure Project

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From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing And Appropriating A \$6,551,446 Increase In The Contribution Of Agency Funds From \$2,065,000 To \$8,616,466 To The City Of Oakland Under The Cooperation Agreement For The Coliseum Bart Station Transit Village Infrastructure Project
(10-0540)

2) A City Resolution Accepting And Appropriating A \$6,551,446 Increase In The Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement From \$2,065,000 To \$8,616,466 For The Coliseum Bart Station Transit Village Infrastructure Project, And Authorizing Professional Services Agreements With Moffatt And Nichol In An Amount Not To Exceed \$402,314 For Civil Engineering Design Services And Golden Associates In An Amount Not To Exceed \$192,291 For Landscape Architectural Design Services For The Project
(10-0540-1)

The April 26, 2011 Community and Economic Development Committee approved recommendations; 4 Ayes

S-7.30-CC Subject: 606 Clara Street/9418 Edes Ave - ENA
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing An Exclusive Negotiating Agreement (ENA) With AE3 Associates For Development Of Agency - Owned Property At 606 Clara Street/9418 Edes Avenue
(10-0539)

The April 26, 2011 Community and Economic Development Committee approved recommendations; 4 Ayes

S-7.31-CC Subject: Summer Food Service Program Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate The Summer Food Service Program Grant From The California Department Of Education Nutrition Services Division In An Estimated Amount Of \$323,000 And To Negotiate And Execute A Professional Service Agreement Between The City And The San Lorenzo Unified School District In An Amount Not To Exceed \$118,250 And To Negotiate And Execute A Professional Service Agreement Between The City And Epicurean Group In An Amount Not To Exceed \$99,900 To Provide Food Services For The 2011 Summer Food Service Program For Children
(10-0498)

The April 26, 2011 Life Enrichment Committee approved recommendations; 3 Ayes, 1 Excused - Kaplan

S-7.32-CC Subject: Bay Area Library And Information System (BALIS)
From: Library Services

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Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds In The Amount Of \$73,000 From The Bay Area Library And Information System (BALIS) For The Development Of A Teen Multimedia Creation Lab At The New 81st Avenue Library That Fosters Participatory Media, Creativity, And Digital Literacy
(10-0551)

The April 26, 2011 Life Enrichment Committee approved recommendations and directed staff to also include the East Oakland Youth Development Center in their outreach for the Teen Multimedia Creation Lab; 4 Ayes

S-7.33-CC Subject: Laboratory Information Management System - Contract Award
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee, On Behalf Of The City Of Oakland To 1) Waive The Competitive Request For Proposals (RFP) Process, And 2) Enter Into A Professional Services Agreement With Mr. Bruce Fukayama For The Period Of May 1, 2011 Through September 30, 2012 With Two One-Year Options To Extend, In An Amount Not To Exceed Thirty-Two Thousand, One Hundred Ninety-One Dollars (\$32,191) For Technical Assistance To The Oakland Police Department's Criminalistics Division With The Implementation Of A Laboratory Information Management System (LIMS)
(10-0544)

The April 26, 2011 Public Safety Committee approved recommendations; 4 Ayes

S-7.34-CC Subject: Transitional Employment Program
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With Volunteers Of America Of The Bay Area (VOABA) In An Amount Not To Exceed \$2,065,000 From May 1, 2011 Through June 30, 2013 To Provide A Transitional Employment Program For Oakland Residents On Parole Modeled After The Center For Employment Opportunities (CEO) Best Practice
(10-0552)

The April 26, 2011 Public Safety Committee approved recommendations; 4 Ayes

S-7.35-CC Subject: Summer Youth Employment Services
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute Grant Agreements Between The City Of Oakland With The Following Agencies With Corresponding Amounts: 1) Youth Employment Partnership Inc. (\$95,260): 2) Youth Radio (\$40,000), And 3) Youth Uprising (\$42,340): To Provide Summer Youth Employment Services To High Risk Youth In Accordance With The Measure Y Violence Prevention And Public Safety Act, For A Total Amount Not To Exceed \$177,600 For The Period Of May 5, 2011 To December 30, 2011

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(10-0508)

The April 26, 2011 Public Safety Committee approved recommendations; 4 Ayes

S-7.36-CC Subject: Support Of Senate Bill SB 729
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution To Support Senate Bill 729 This Bill Would Prohibit A Mortgagee, Trustee, Beneficiary, Or Authorized Agent From Recording A Notice Of Default Unless That Party Makes Reasonable And Good Faith Efforts, Defined In Bill, To Evaluate The Borrower For All Available Loss Mitigation Options To Avoid Foreclosure. [TITLE CHANGE]

(10-0527)

The April 28, 2011 Rules and Legislation Committee approved recommendations; 3 Ayes, 1 - Excused - De La Fuente

S-7.37-CC Subject: Support Of Assembly Bill 1321
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution To Support Assembly Bill 1321 (Wieckowski) - Mortgage Title Transparency. A Bill Mandating The Recording Of All Mortgage Deeds/Trusts And Assignments, And Payment Of The Requisite Fees. It Would Also Require That The Mortgage Note Be Filed Prior To Issuing A Notice Of Default To Ensure That The Foreclosing Party Has The Right To Foreclose. [TITLE CHANGE]

(10-0528)

The April 28, 2011 Rules and Legislation Committee approved recommendations; 3 Ayes, 1 - Excused - De La Fuente

S-7.38-CC Subject: Support Of Assembly Bill SB 935
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution To Support Assembly Bill 935 (Blumenfield) An Act To Amend Section 27360 Of The Government Code, Creating A Foreclosure Mitigation Charge Of \$20,000.00, That Must Be Deposited By A Mortgage Servicer Upon Filing A Notice Of Trustee's Sale With The County Recorder. The Monies Collected To Be Used To Create A Foreclosure Mitigation Fund To Be Distributed To Local Agencies For Specific Designated Uses. [TITLE CHANGE]

(10-0529)

The April 28, 2011 Rules and Legislation Committee approved recommendations; 3 Ayes, 1 - Excused - De La Fuente

S-7.39-CC Subject: Waste, Recycling, And Labeling Legislative Bills
From: Public Works Agency
Recommendation: Adopt Five Resolutions To Support Five California Legislative Bills Concerning Solid Waste, Recycling, And Product Labeling:

1) A Resolution To Support California Senate Bill 515 (Corbett) Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of

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Household Batteries They Sell In California After Their Useful Life;
(10-0558)

2) A Resolution To Support California Senate Bill 567 (Desaulnier) Which Would Extend Existing Environmental Labeling Requirements Affecting Plastic Bags And Food And Beverage Containers To All Plastic Products;
(10-0558-1)

3) A Resolution To Support California Senate Bill 568 (Lowenthal), Which Would Ban Restaurants And All Other Food Vendors From Serving Prepared Food In Polystyrene Foam Containers;
(10-0558-2)

4) A Resolution In Support Of Assembly Bill 341 (Chesbro) - "Solid Waste: Diversion" That Would Establish A Statewide Goal Of 75% Waste Diversion By The Year 2020 And Require Cities And Counties To Establish Mandatory Recycling For Businesses And Multi-Family Dwellings; And
(10-0558-3)

5) A Resolution In Support Of Assembly Bill 818 (Blumenfield) - Solid Waste - Multifamily Dwelling "Renters Right To Recycle Act"
(10-0558-4)

The April 28, 2011 Rules and Legislation Committee approved recommendations; 3 Ayes, 1 - Excused - De La Fuente

S-7.40-CC Subject: Civil Service Board Appointments
From: Department Of Human Resource Management
Recommendation: Adopt A Resolution Reappointing Judith Bodenhausen, Dee Dee Brantley, And Wendall Mitchell As Members Of The Civil Service Board
(10-0605)

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

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:

9.1 Subject: Major Conditional Use Permit - 4514 Telegraph Avenue
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal (A10-324), Thereby Upholding The Planning Commission Decision To Approve A Revision (REV10-018) To A Major Conditional Use Permit At 4514 Telegraph Avenue For Fast-Food And Drive-Through Commercial

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Activity
(10-0487)

- 9.2 Subject: Improvements To The Facility Located At 655 International Boulevard
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The
Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of \$100,000 From Central City
East Redevelopment Funds To The City Of Oakland Under The Cooperation Agreement
To Undertake Disabled Access Improvements To The Facility Located At 655
International Boulevard In Clinton Park; And
(10-0511)

2) A City Resolution Accepting A Contribution Of \$100,000 From The Redevelopment
Agency Under The Cooperation Agreement To Undertake Disabled Access
Improvements To The Facility Located At 655 International Boulevard In Clinton Park
(10-0511-1)

**The April 26, 2011 Community and Economic Development Committee
approved recommendations; 4 Ayes**

- ~~9.3 Subject: Lake Merritt Institute For Professional Services
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter
Into A Two Year Agreement From July 1, 2011, To June 30, 2013, With The Lake
Merritt Institute For Professional Services To Provide Cleanup, Maintenance,
Monitoring, Volunteer Coordination, Technical Assistance And Public Outreach Related
To Lake Merritt In An Amount Not To Exceed Three Hundred Twenty Thousand
Dollars (\$320,000), And To Extend The Initial Contract Period An Additional Two
Years Through June 30, 2015, If The Tasks In The Scope Of Work Are Completed
Satisfactorily.
(10-0512)~~

This item has been moved to 7.23 on the Consent portion of the agenda.

**Staff has confirmed that this item does not require a Public Hearing for
May 3, 2011.**

- 9.4 Subject: Housing And Urban Development Action Plan
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A
Resolution 1) Authorizing The City Administrator To Prepare And Submit To The U.S.
Department Of Housing And Urban Development The Annual Action Plan For Fiscal
Year 2011-2012; 2) Accepting And Appropriating Funds Totaling \$16,439,906.00 For
The Home, Emergency Shelter Grant (ESG), Housing Opportunities For Persons With
Aids (HOPWA), And The Community Development Block Grant Programs; 3)
Appropriating \$670,480.00 In Program Income And Any Amounts In Excess Thereof

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For Housing Rehabilitation Revolving Loan Fund; And 4) Authorizing The City Administrator To Negotiate And Execute Agreements With Subgrantees For Fiscal Years 2011-2013 For The Community Development Block Grant Program.
(10-0535)

The Community and Economic Development Committee approved recommendations as amended and directed staff to re-allocate FY 11-13 District 5 CDBG funds in the amount of \$82,000 from Rebuilding Together Oakland to AnewAmerica. The amount allocated is \$50,000 in year 1 (FY 11-12) and \$32,000 in year 2 (FY 12-13)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 This number intentionally not used

11 Subject: Gang Injunction Informational Reports
From: Councilmember Patricia Kernighan
Recommendation: Receive A Joint Informational Report From The City Attorney's Office And The Oakland Police Department On The City's Civil Injunction Cases Against The North Side Oakland Gang And The Nortenos Gang
(10-0331)

Pursuant to Rule 7(8) of the Council's Rules of Procedure 82580, Councilmember Nadel made a motion seconded by Vice Mayor Brooks to add this item to the May 3, 2011 City Council agenda.

12 Subject: ~~City Of Oakland Lobbyist Registration Act Amendments~~
From: ~~Public Ethics Commission~~
Recommendation: ~~Adopt An Ordinance Establishing Regulation Of Lobbyists In Oakland Municipal Code Chapter 3.20~~
(10-0342)

This item was withdrawn at the April 28, 2011 Rules and Legislation Committee meeting with no new date.

13 Subject: Countrywide Transportation Plan
From: Public Works Agency
Recommendation: Adopt A Resolution Endorsing And Establishing Specific Programs And Projects As Oakland's Top Priorities For Funding In The 25-Year 2012 Countywide Transportation Plan
(10-0565)

The April 28, 2011 Public Works Committee approved recommendations; 3 Ayes, 1 Excused - Kaplan

Continuation of Open Forum

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, May 03, 2011

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

ORA - Oakland Redevelopment Agency
S - Supplemental Item