



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/Joint Powers Financing Authority

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612

City of Oakland Website: <http://www.oaklandnet.com>

Tuesday, March 18, 2008

6:00 PM

Oakland City Hall, 3rd Floor

DEFINITION OF TERMS:

CONSENT ITEM: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee. These items are heard on the 6:00 P.M. portion of the agenda.

NON-CONSENT ITEM: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee. These items are heard on the 7:00 P.M. portion of the agenda.

ACTION ITEM: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

INFORMATIONAL ITEM: an item of the agenda consisting only of an informational report that does not require or permit Council action.

- 1 Pledge of Allegiance
- 2 Roll Call / ORA & Council

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

- 3 Open Forum / Citizens Comments
(Time Available: 15 minutes)
- 4 Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an item from the Consent Calendar, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.

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- 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)
- 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 March 4, 2008

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: Bay Area Blues Society - Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Recognizing The Bay Area Blues Society's West Coast Blues Hall Of Fame And Awards Show, And Their Efforts To Honor And Pay Homage To West Coast And Oakland Blues Legends
(07-1086)
- 8.2 Subject: Donahue Gallagher Woods, LLP - Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Recognizing The 90th Anniversary Of Donahue Gallagher Woods, LLP, Their Pro Bono Accomplishments, And Their Continued Commitment To Serving The City Of Oakland, And Proclaiming March 19, 2008 As "Donahue Gallagher Woods Day" In The City Of Oakland
(07-1087)

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

10. CONSENT CALENDAR (CC) ITEMS:

- 10.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The AIDS Epidemic
(07-1110)
- 10.2-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland
(07-1111)
- 10.3-CC Subject: Travel Authorization For Councilmember Nadel
From: Councilmember Nancy Nadel

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Recommendation: Adopt A Resolution Authorizing Councilmember Nancy Nadel To Attend The "2008 Energy Matters Summit: Shifting Mindsets Towards Sustainability," In Toronto, Canada, From March 31, 2008 To April 3, 2008
[\(07-1085\)](#)

10.4-CC Subject: Priority Project Funds - District Five
From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La Fuente's Priority Project Funds To The Friends Of Oakland Parks & Rec In The Amount Of \$1,166.19 To Fund The Purchase Of Martial Arts Equipment To Be Used At Oakland Recreation Centers For Martial Arts Classes
[\(07-1095\)](#)

10.5-CC Subject: Naturesweep Tow Behind Sweeper
From: Councilmember Patricia Kernighan
Recommendation: Adopt A Resolution Authorizing Up To \$22,000 Of Councilmember Pat Kernighan's District 2 Pay-Go Funds For the Purchase Of A Naturesweep Tow Behind Sweeper And A Gator Cart For Use On Lake Merritt Lawns, And Plastic Fencing To Create A Pilot Canada Geese
[\(07-1102\)](#)

10.6-CC Subject: Price - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Price V. City Of Oakland, Alameda County Superior Court Case No. RG06-290882 In The Amount Of \$300,000 (OPD)
[\(07-1127\)](#)

Council discussed this item in Closed Session on March 4, 2008. Motion authorizing settlement passed with: 8 Ayes

10.7-CC Subject: Trail Signage - Joaquin Miller Park
From: Councilmember Quan
Recommendation: Adopt A Resolution Waiving City's Competitive Bid Requirements For A Small Pay-Go Funded Purchase In The Amount Of Three Thousand And Eight Dollars (\$3,008.00) For Reflective Decals To Improve Trail Signage Visibility At Joaquin Miller Park
[\(07-1108\)](#)

10.8-CC Subject: Charles F. Hall - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Charles F. Hall In The Amount Of \$9,100, As A Result Of Property Damage And Bodily Injury Sustained In An Auto Collision Involving A City Of Oakland Vehicle On July 3, 2007 (Public Works Agency)
[\(07-1109\)](#)

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S-10.9-CC Subject: Renaming A Portion Of Rusdale Street To Dr. Herbert Guice Street
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Renaming Rudsdale Street Between 69th Avenue
And 73rd Avenue As Herbert Guice Way
(07-0823)

**The March 11, 2008 Public Works Committee approved recommendations;
4 Ayes**

S-10.10-C Subject: Renaming A Portion Of Coliseum Way To Joe Morgan Way
C From: Councilmembers Larry Reid And Ignacio De La Fuente
Recommendation: Adopt A Resolution Renaming South Coliseum Way Between 66th
Avenue And Hegenberger Road As Joe Morgan Way
(07-0856)

**The March 11, 2008 Public Works Committee approved recommendations;
4 Ayes**

S-10.11-C Subject: Pedestrian Safety Improvements Grant
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Accept
And Appropriate Up To Eight Hundred Three Thousand Seven Hundred Thirty-Seven
Dollars (\$803,737.00) In State Cycle 7 Safe Routes To School Grant Funds For
Pedestrian Safety Improvements Near Oakland Technical High School And The
Castlemont Community Of Schools
(07-1045)

**The March 11, 2008 Public Works Committee approved recommendations;
4 Ayes**

S-10.12-C Subject: Equal Access Ordinance Implementation
C From: Office of Personnel
Recommendation: Action On A Follow-Up Report On The Status Of The
Implementation Of The Equal Access Ordinance And Recommendations For Improving
Language Access To City Of Oakland Services
(07-0292)

**The March 11, 2008 Finance and Management Committee approved
recommendations and directed staff to provide a supplemental report on
specifically what Parks and Recreation is doing for recruiting, and to
update the human resource webpage. The Committee further directed that
in future reports: 1) Attachment A should not include the total number of
FTE's; and 2) An accumulative (year by year) chart of PCP's citywide by
department should be provided; 4 Ayes**

S-10.13-C Subject: Second Quarter Revenue and Expenditure Report
C From: Budget Office
Recommendation: Receive A Report On Fiscal Year 2007-2008 Second Quarter

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Revenue And Expenditure Results And Year-End Projections For Four Selected Funds -
General Purpose Fund (1010), Telecommunications Reserve Fund (1760), Equipment
Fund (4100), City Facilities Fund (4400)
(07-0797)

**The March 11, 2008 Finance and Management Committee approved
recommendations and directed Staff to submit in the Third Quarter
Revenue and Expenditure Report the following: 1) An updated analysis of
the State cuts, especially the sales taxes; 2) Options for paying down or
establishing a trust fund for the Pension Fund (OPEB) for the long-term
deficit; 3) An analysis of the impacts of Foreclosures; and 4) The best
options for the Internal Services Fund (i.e. growth of fund); 4 Ayes**

S-10.14-C Subject: AST Corporation Contract
C From: The Budget Office
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter
Into A Services Agreement With AST Corporation To Provide Consulting Services For
The Implementation Of The Oracle Public Sector Budgeting Computerized System In An
Amount Not-To-Exceed \$525,000.00, And Appropriating Five Hundred Twenty Five
Thousand Dollars (\$525,000.00) From The Telecommunications Land Fund (1770),
Balance To The Telecommunications Land Use Fund (1770), Capital Improvement
Project - Information Technology (94461), Miscellaneous Contract Services (54919),
Oracle Public Sector Budgeting (C336510), And Application Development And
Administration (IP69)
(07-1066)

**The March 11, 2008 Finance and Management Committee approved
recommendations; 4 Ayes**

S-10.15-C Subject: Self-Insurance General Liability Fund Allocations
C From: Finance And Management Agency
Recommendation: Action On A Report And Recommendation Regarding The Allocation
Of Monies From The Self-Insurance General Liability Fund (Fund 1100) To
Departments For Fiscal Year 2008-2009 Mid-Cycle Budget Adjustment Of General
Liability Costs Based On Implementation Of The "Phoenix Model" Of Risk Management
Cost Allocation, Reflecting A Projected Ultimate Loss Increase From \$4.04 Per \$100
Payroll In Fiscal Year 2007-2008 To \$4.12 Per \$100 Payroll In Fiscal Year 2008-2009
(TITLE CHANGE)
(07-1068)

**The March 11, 2008 Finance and Management Committee approved
recommendations and directed staff to include in the title the "\$4.12 cents
rate per 100 dollars of the payroll"; 4 Ayes**

S-10.16-C Subject: Joint Powers Authority Revenue Bonds 2005 Series
C From: Finance and Management Agency
Recommendation: Adopt A The Following Pieces Of Legislation:

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1) A Resolution Of The Oakland Joint Powers Financing Authority Approving The Issuance And Sale Of Refunding Revenue Bonds Of An Aggregate Amount Not To Exceed \$137,000,000 In One Or More Series To Refund The Authority's Outstanding Refunding Revenue Bonds, 2005 Series A-1 (Auction Rate Securities) (Tax-Exempt Bonds), 2005 Series A-2 (Auction Rate Securities) (Tax-Exempt Bonds) And 2005 Series B (Auction Rate Securities) (Taxable Bonds); Approving The Forms Of And Authorizing Execution And Delivery Of An Amended And Restated Lease, An Amended And Restated Sublease, An Indenture And A Bond Purchase Contract And Related Agreements; [Authorizing The Procurement Of Bond Insurance;] And Authorizing Execution Of Documents And The Taking Of All Necessary Actions Relating To The Issuance Of The Bonds; And
(07-1112)

2) A Resolution Of The City Council Of The City Of Oakland Approving The Issuance By The Oakland Joint Powers Financing Authority Of Not To Exceed \$137,000,000 Aggregate Principle Amount Of Refunding Revenue Bonds In One Or More Series To Refund The Authority's Outstanding Refunding Revenue Bonds, 2005 Series A-1 (Auction Rate Securities) (Tax-Exempt Bonds), 2005 Series A-2 (Auction Rate Securities) (Tax-Exempt Bonds) And 2005 Series B (Auction Rate Securities) (Taxable Bonds); Authorizing Execution And Delivery Of An Amended And Restated Lease; An Amended And Restated Sublease, And Authorizing Execution Of Documents And The Taking Of All Necessary Actions Relating To The Refunding Financing With The Oakland Joint Powers Financing Authority
(07-1112-1)

The March 11, 2008 Finance and Management Committee approved recommendations and directed staff to submit a supplemental report with the ranges of implication of all bonds (real dollars); 4 Ayes

S-10.17-C Subject: Joint Powers Authority Revenue Bonds 2004 Series
C From: Finance and Management Agency

Recommendation: Adopt A The Following Pieces Of Legislation:

1) A Resolution Of The City Council Approving The Issuance By The Oakland Joint Powers Financing Authority Of Lease Revenue Bonds, In One Or More Series, Of Not To Exceed One Hundred Twenty Five Million Dollars (\$125,000,000) Aggregate Principal Amount; Approving The Form Of And Authorizing The Execution And Delivery Of Lease, Sublease And Bond Purchase Agreement; Authorizing Variable Rate Bonds, Purchase Of Letters Of Credit And Execution Of Reimbursement Agreements; Authorizing The City Administrator To Terminate One Or More Interest Rate Swap Agreements; And Authorizing Execution Of Documents And The Taking Of All Necessary Actions Relating To The Bonds And Authorizing Necessary Actions Relating To The Lease Financing With The Oakland Joint Powers Financing Authority; And
(07-1113)

2) A Resolution Of The Oakland Joint Powers Financing Authority Authorizing The Issuance And Sale Of Lease Revenue Bonds (Oakland Administration Buildings) In An

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Aggregate Principal Amount Not To Exceed One Hundred Twenty Five Million Dollars (\$125,000,000); Authorizing The Execution And Delivery Of A Trust Agreement, Lease, Sublease, Escrow Agreement, Bond Purchase Agreement, Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing Execution And Delivery Of An Official Statement; Approving The Retention Of Bond Counsel, Financial Advisor And Underwriters; And Authorizing Payment Of Cost Issuance

(07-1113-1)

The March 11, 2008 Finance and Management Committee approved recommendations and directed staff to submit a supplemental report with the ranges of implication of all bonds (real dollars); 4 Ayes

S-10.18-C Subject: Oakland Business Development Corporation - Agreement
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Increase The Funding For Oakland Business Development Corporation In An Amount Not To Exceed \$285,800 Of Economic Development Initiative Funds ("EDI") For Fiscal Year 2007-2008, For A Total Contract Amount Not To Exceed \$558,550; And In An Amount Not To Exceed \$95,800 Of EDI Funds For Fiscal Year 2008-2009, For A Total Contract Amount Not To Exceed \$468,550, For Commercial Loan Underwriting And Servicing

(07-0944)

2) A Resolution Authorizing The Agency Administrator To Increase The Funding For Oakland Business Development Corporation In An Amount Not To Exceed \$100,000 Of Redevelopment Funds For Fiscal Year 2008-2009, For A Total Contract Amount Not To Exceed \$468,550, For Commercial Loan Underwriting And Servicing

(07-0944-1)

The March 11, 2008 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Abstained - Brunner

S-10.19-C Subject: Replacement Housing Plan - Tassafaronga Village
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving A Replacement Housing Plan For The Tassafaronga Village Project

(07-0980)

The March 11, 2008 Community and Economic Development Committee approved recommendations; 4 Ayes

S-10.20-C Subject: Mercy Properties California Grant
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing A Grant Agreement With Mercy Properties California In The Amount Of \$25,000 From Community Development Block

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Grant (CDBG) Funds For Repairs And Upkeep Of A City-Owned Property At 1226-73rd
Avenue
(07-1008)

**The March 11, 2008 Community and Economic Development Committee
approved recommendations; 4 Ayes**

S-10.21-C Subject: Transportation Planning Grants - 2008-2009
C From: Community and Economic Development 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 And Forty Five Thousand Dollars (\$245,000) From
The California Department Of Transportation (CALTRANS) Community-Based
Transportation Planning Grant Funds For The International Boulevard Corridor
Transit-Oriented Development Plan For The San Antonio, Fruitvale And Elmhurst
Neighborhoods
(07-1026)

2) A Resolution Authorizing The City Administrator To Apply For, Accept And
Appropriate Grant Funding Up To One Hundred Seventy Five Thousand Dollars
(\$175,000) From The California Department Of Transportation (CALTRANS)
Environmental Justice Transportation Planning Grant For The 81st Avenue Business
And Residential Community Plan
(07-1026-1)

3) A Resolution Authorizing The City Administor To Apply For, Accept And
Appropriate Grant Funding Up To One Hundred Seventy Five Thousand Dollars
(\$175,000) From The California Department Of Transportation (CALTRANS)
Environmental Justice Transportation Planning Grant For The Prescott Neighborhood
Peralta Street Corridor Plan In West Oakland
(07-1026-2)

**The March 11, 2008 Community and Economic Development Committee
approved recommendations; 4 Ayes**

S-10.22-C Subject: Urban Forestry Management Plan
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The Application For, Acceptance
And Appropriation Of \$200,000 From The State Of California Department Of Forestry
And Fire Protection's Urban Forestry Management Plan Grant Program To Develop An
Urban Forestry Management Plan For Oakland And \$100,000 From The State Of
California Department Of Urban Forestry And Fire Protection's Urban Forestry
Inventory Grant Program To Complete A Database Of Oakland's Trees
(07-1047)

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approved recommendations; 4 Ayes

S-10.23-C Subject: Operation Dignity, Inc. - Agreement
C From: Department of Human Service
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Scope Of Services With Operation Dignity, Inc., To Provide Additional Homeless Outreach Services To The City Of Oakland, And To Increase The Agreement In The Amount Of Two Hundred Fifty-Six Thousand Seven Hundred Sixty-Two Dollars (\$256,762), For A Total Agreement Amount Not To Exceed Six Hundred Fifteen Thousand Three Hundred Eighty Two Dollars (\$615,382), For The Period Of July 1, 2007 Through June 30, 2009
[\(07-0966\)](#)

**The March 11, 2008 Life Enrichment Committee approved
recommendations; 4 Ayes**

S-10.24-C Subject: Public Art Annual Plan
C From: Cultural Arts and Marketing
Recommendation: Adopt A Resolution To Adopt The 2008 Public Art Projects Plan
[\(07-0969\)](#)

**The March 11, 2008 Life Enrichment Committee approved
recommendations; 4 Ayes**

S-10.25-C Subject: Oakland Parks Coalition - Presentation
C From: Councilmember Jean Quan
Recommendation: Presentation By Oakland Parks Coalition To Present The Results Of The 2007 "Love Your Parks" Survey Of Oakland Parks
[\(07-1005\)](#)

**The March 11, 2008 Life Enrichment Committee approved
recommendations and requested that OPC change the title of the report to:
"Oakland Parks Coalition Annual Maintenance Survey Of Oakland
Parks" and update the parks report per the redistricting plan; 4 Ayes**

S-10.26-C Subject: Analysis Of Assembly Bill 1984
C From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1984 (Swanson) Providing Voluntary HIV/AIDS Testing For Inmates Upon Release From Prison
[\(07-1088\)](#)

**The March 13, 2008 Rules and Legislation amended the Resolution to add
at the end of the Further Resolved, the following language: "and urge the
State Legislature to allocate funding for this vital program."; 4 Ayes**

S-10.27-C Subject: Analysis Of Assembly Bill 1996
C From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1996 (Swanson) Providing Eligibility Criteria For Drug Felons To Receive Food Stamps

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(07-1089)

**The March 13, 2008 Rules and Legislation Committee approved
recommendations; 4 Ayes**

- 11 An oral report from the Agency Counsel / City Attorney of final decisions made during Closed Session
- 12 A disclosure of non-confidential Closed Session Discussion pursuant to Section 15 of the Sunshine Ordinance

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

- 13 Reconsideration of Ordinances pursuant to Charter Section 216

14. Consideration of items with statutory Public Hearing Requirements:

- 14.1 Subject: ~~Planning Code Amendments~~
From: ~~Community and Economic Development Agency~~
Recommendation: ~~Adopt An Ordinance Amending The Oakland Planning Code To:
(1) Add Chapter 17.73 "CIX 1, CIX 2, IG And IO Industrial Zones", Which Will Create
The Following Four New Zones: Commercial Industrial Mix 1, Commercial Industrial
Mix 2, General Industrial And Industrial Office;
(2) Amend The City's Zoning Maps To Map These Proposed Zones In Areas In The City
That Currently Have The General Plan Land Use Designations Of Business Mix And
General Industrial/Transportation;
(3) Amend Chapter 17.10 "Use Classifications";
(4) Add Chapter 17.100 "S 19 Health And Safety Protection Overlay Zone"; And Amend
Zoning Map To Add Overlay;
(5) Amend Chapter 17.120 "Performance Standards"; And
(6) Amend The "Guidelines For Determining Project Conformity With The General Plan
And Zoning Regulations" To Reflect The New Zones~~

(07-0978)

**The March 11, 2008 Community and Economic Development Committee
continued this item to the April 8, 2008 Committee Meeting**

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

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~~(07-0979)~~

**The March 11, 2008 Community and Economic Development Committee
continued this item to the April 8, 2008 Committee Meeting**

14.3 Subject: Delinquent Transient Occupancy Taxes
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent
Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces
Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The
Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And
Confirming The Recordation Of Liens With Administrative And Assessment Charges As
Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing
The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax
Collector For Collection; Or

~~(07-1050)~~

2) A Resolution Overruling Protests And Objections And Accepting And Confirming
Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For
Delinquent Transient Occupancy Taxes And Authorizing The Recordation Of Liens
With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24
Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment
Charges Be Turned Over To The County Tax Collector For Collection; Or

~~(07-1050-1)~~

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On
Delinquent Transient Occupancy Taxes And The Recordation Of Liens With
Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of
The Oakland Municipal Code

~~(07-1050-2)~~

14.4 Subject: Delinquent Business Taxes
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent
Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of
Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The
Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming
The Recordation Of Liens, Administrative Charges And Assessment Charges As
Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And
Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The
County For Collection; Or

~~(07-1051)~~

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2) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City Administrator On The Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; Or

[\(07-1051-1\)](#)

3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code

[\(07-1051-2\)](#)

14.5 Subject: Delinquent Mandatory Garbage Fees
From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For July/August/September 2007, Monthly Accounts And October/November/December 2007, Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[\(07-1052\)](#)

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[\(07-1052-1\)](#)

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code

[\(07-1052-2\)](#)

14.6 Subject: Delinquent Real Property Taxes
From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent

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Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

(07-1053)

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

(07-1053-1)

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code

(07-1053-2)

ACTION ON NON-CONSENT ITEMS:

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

~~If Reconsidered, Either To~~

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

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

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

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

~~(07-0610)~~

**This item was withdrawn by the March 13, 2008 Rules and Legislation
Committee.**

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Tuesday, March 18, 2008

- 16 Subject: Approved License Program - Sale Of Tobacco
 From: Councilmember Larry Reid
 Recommendation: Adopt An Ordinance Requiring The Licensure Of Tobacco Retailers
 And Codifying Said Requirements At Oakland Municipal Code Chapter 5.91 And
 Adopting A Tobacco Licensing Application Fee Of \$50.00 And A Tobacco Licensing
 Fee Of \$1,500.00 Annually To Cover Administration, Inspection, Compliance And
 Similar Costs
 [\(07-1029\)](#)

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

Final Passage (Second Reading) has been scheduled for April 1, 2008

- 17 Subject: Tobacco Shop Moratorium - Extension
 From: Councilmember Larry Reid
 Recommendation: Adopt An Urgency Ordinance, Pursuant To California Government
 Code Section 65858, Extending Until May 1, 2008 A Moratorium On The
 Establishment Of Any New Activity Or Facility Selling Tobacco Or Tobacco Related
 Products Or Paraphernalia
 [\(07-1031\)](#)

**Pursuant to California Government Code Section 65858, Introduction and
adoption of this ordinance requires a vote of 4/5 of the members (7
Affirmative Votes). This ordinance is introduced and adopted at the same
meeting and it is in effect immediately until May 1, 2008**

- 18 Subject: Unity Council Contract - Mortgage Counseling
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her
 Designee, To Negotiate And Enter Into A Contract With The Unity Council In An
 Amount Not To Exceed \$100,000 For The Period Of April 1, 2008 To June 30, 2009,
 For Mortgage Delinquency And Default Resolution Counseling To Low Income
 Homeowners In Oakland At Risk Of Losing Their Primary Homes Due To Inability To
 Make Mortgage Payments
 [\(07-1046\)](#)

- 19 Subject: Macias, Gini & O'Connell, LLP - Professional Services Contract
 From: Finance and Management Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Execute A Two (2) Year
Professional Service Contract Between The City Of Oakland And Macias, Gini &
O'Connell, LLP To Provide Audit Services For The Fiscal Year Ending June 30, 2008 In
The Amount Not To Exceed \$694,275, And Fiscal Year Ending June 30, 2009 In The
Amount Not To Exceed \$728,989; And

SUPPLEMENTAL

(07-1039)

2) An Agency Resolution Authorizing The Agency Administrator To Execute A Two (2) Year Professional Service Contract Between The Redevelopment Agency Of The City Of Oakland And Macias, Gini & O'Connell, LLP To Provide Audit Services For The Fiscal Year Ending June 30, 2008 In The Amount Not To Exceed \$89,880, And Fiscal Year Ending June 30, 2009 In The Amount Not To Exceed \$94,374

(07-1039-1)

Pursuant to Resolution 79006 C.M.S. Rule 7(6), A motion was made by Councilmember Brooks, seconded by Councilmember Reid to pull this item from the March 4, 2008 Consent Calendar and place on this agenda as a Non-Consent item.

The February 26, 2008 Finance and Management Committee approved recommendations; 4 Ayes

- 20 Subject: Discontinue Oil Spill Emergency
From: Oakland Fire Department
Recommendation: Adopt A Resolution Proclaiming The End Of The Local Emergency Declared By Resolution No. 80932 C.M.S. Due To The November 7, 2007 Catastrophic Oil Spill In The San Francisco Bay
(07-1120)
- 21 Subject: Discontinue Winter Storms Emergency
From: Oakland Fire Department
Recommendation: Adopt A Resolution Proclaiming The End Of A Local Emergency In The City Of Oakland Due To Winter Storms That Commenced On Or About January 3, 2008 Which The City Administrator Declared By Proclamation On January 11, 2008, And The City Council Ratified On January 15, 2008 By Passing Resolution No. 81044 C.M.S.
(07-1121)
- 22 Subject: Alameda County Waste Management - Settlement Agreement
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Settlement Agreement With Waste Management Of Alameda County (WMAC) To Provide The City Eight Million Two Hundred Thirty Thousand Dollars (\$8,230,000.00) In Additional Services And Customer And City Reimbursements In Lieu Of Liquidated Damages And All Other Claims By The City, And Dismissing Related Pending Litigation Against WMAC, In Connection With The Recycling And Garbage Service Disruption In July 2007
(07-1128)
- 23 Subject: Appointments - Commission on Aging
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Donna Griggs Murphy, Wade

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- Sherwood, And Re-Appointing Annie McCoy As Members Of The Commission On Aging
[\(07-1130\)](#)
- 24 Subject: Appointments - Library Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Steve Tidrick, Marilyn Citron, And Billie Wooldridge As Members Of The Library Advisory Commission
[\(07-1131\)](#)
- 25 Subject: Appointments - Oakland Museum Of California Foundation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming Steven J. Anderson, Brian Cherry, Ralph Clark, Quinn Delany, Virginia Further, Joseph M. Hurwich, Gerald E. Johnston, Harold P. Jones, Anita I. Martinez, John L. McDonnell Jr. And Steven M. Read As Trustees Of The Oakland Museum Of California Foundation Board
[\(07-1132\)](#)
- 26 Subject: Appointment - Parks And Recreation Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Benjamin Scott As A Member Of The Parks And Recreation Advisory Commission
[\(07-1133\)](#)
- 27 Subject: Appointments - Cultural Affairs Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Jacqueline Boggan, Joyce Gordon, Marcel Diallon And Lolita Ratchford As Members Of The Cultural Affairs Commission
[\(07-1134\)](#)
- 28 Subject: Appointments - Citizen's Police Review Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Risha Jamison, Renee Harwood, And Matthew Hudson, As Members Of The Citizen's Police Review Board
[\(07-1135\)](#)
- 29 Subject: Appointment - Public Ethics Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Alaric Degrafinried As A Member Of The Public Ethics Commission
[\(07-1136\)](#)
- 30 Subject: Appointment - Business Tax Board Of Review
From: Office Of The Mayor
Recommendation: Adopt A Resolution Reappointing Chip Conradi As A Member Of The Business Tax Board Of Review
[\(07-1137\)](#)

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- 31 Subject: Appointment - Landmarks Preservation Advisory Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Reappointing Rosemary Muller As A Member Of
 The Landmarks Preservation Advisory Board
 [\(07-1138\)](#)
- 32 Subject: Appointment - Police And Fire Retirement Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Walter Johnson As A Member Of
 The Police And Fire Retirement Board
 [\(07-1139\)](#)
- 33 Subject: Appointments - Housing, Residential Rent And Relocation Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Judy Lackey, And Reappointing
 Rochelle Anguiano As Members Of The Housing, Residential Rent And Relocation
 Board
 [\(07-1140\)](#)
- 34 Subject: Appointment - Oakland Housing Authority Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Esther Pruviz As A Member Of The
 Oakland Housing Authority Board
 [\(07-1141\)](#)
- 35 Subject: Appointment - Civil Service Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Dee Dee Brantley And Judith
 Bodehausen As Members Of The Civil Service Board
 [\(07-1142\)](#)
- 36 Subject: Appointment - Budget Advisory Committee
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Barbara Armstrong As A Member Of
 The Budget Advisory Committee
 [\(07-1143\)](#)
- 37 Subject: Appointment - Budget Advisory Committee
 From: Councilmember Quan
 Recommendation: Adopt A Resolution Appointing Margaret Salazar As A Member Of
 The Budget Advisory Committee
 [\(07-1144\)](#)
- S-38 Subject: Sidewalk Repair Report
 From: Community and Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

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1) A Resolution Adopting A Sidewalk Repair Prioritization Policy For The City Of Oakland's Sidewalk Repair Program
(07-1025)

The March 11, 2008 Public Works Committee approved recommendations and directed staff to provide the following information in a future report: 1) criteria for prioritization, 2) look at methods to make it easier for property owners to pay for services, and 3) look at other Cities to see whether homeowner property insurance rates increased as a result of this type of program. Staff was also directed to return to Committee in late Spring; no date specified; 3 Ayes, 1 Abstained - Brooks

2) A Resolution Authorizing The City Administrator To Transfer \$300,000.00 Of Available Fiscal Year 2007-2008 Sidewalk Repair Funds In Project C269160 To A Project To Be Determined To Enforce The Repair Of Private Sidewalk Damage; And
(07-1025-1)

The March 11, 2008 Public Works Committee approved recommendations and directed staff to provide a supplemental report with the following information: 1) how much has the city paid out in the last 2 years, 2) how much was paid back into fund, 3) how much could not be recovered, 4) provide a breakdown and utilization of funds; from the highest priority and whether City owned or private property; 4 Ayes

3) A Resolution Authorizing Award Of A Construction Contract To AJW Construction For On-Call Citywide Sidewalk Repair Fiscal Year 2007-2008 Contract B - Council Districts 4, 5, 6, And 7 (Project C269160) In The Amount Of Eight Hundred Forty-Nine Thousand Nine Hundred Seventy-Five Dollars (\$849,975.000)
(07-1025-2)

The March 11, 1008 Public Works Committee approved recommendations and directed staff to include in future reports the criteria sheets and evaluations of contractors; 4 Ayes

S-39

Subject: Landscaping And Lighting Assessment District - Levy

From: Public Works Agency

Recommendation: Adopt A Resolution For The 1) Initiation Of And Intention To Levy The Landscaping And Lighting Assessment District Pursuant To Articles XIII C And D Of The California Constitution; 2) Accepting The Fiscal Year 2008-2009 Preliminary Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District; 3) Setting The Date For A Public Hearing; 4) Authorizing The Preparation And Mailing Of Notices And Ballots Seeking Property-Owner Approval Of A Proposed Rate Increase And Assessment Of Public Agencies; And 5) Executing A Contract With Francisco And Associates For An Amount Not To Exceed \$85,000 For Prop 218 Election Services; And 6) Authorizing The Expenditure Up To \$100,000 For Postage
(07-1030)

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The March 11, 2008 Finance and Management Committee amended the Resolution to include specific Performance Measures and directed staff to update the LLAD website and educational brochures; 4 Ayes

S-40 Subject: Oakland Commerce Corporation - Professional Services Agreement
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Professional Services Agreement For Fiscal Year 2007-2008 In An Amount Not To Exceed \$300,000 With The Oakland Commerce Corporation For Ongoing Business Retention And Expansion Services To Businesses In Oakland And Operation And Management Of The Business Alert Crime Prevention Program In The Coliseum Area; And Authorizing An Amount Not To Exceed \$9,000 (3%) For Contract Compliance
(07-0872)

The March 11, 2008 Community and Economic Development Committee approved and directed staff to: 1) approve the contract for June 07 - June 08, 2) prepare an RFP to include performance evaluation measures; and 3) return to the June 24, 2008 Committee meeting. The Committee also directed staff to submit a report to the Council on the total number of OCC staff members; and how their tasks are different from CEDA staff tasks; 4 Ayes

Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

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

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ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.

(...)

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

ORA - Oakland Redevelopment Agency
S - Supplemental Item