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OFFICE OF THE CITY CLERK  
OAKLAND

2012 SEP 18 PM 2: 17

# AGENDA REPORT

**TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR**

**FROM: Scott P. Johnson  
Assistant City Administrator**

**SUBJECT: Ratification of 2012 Recess Actions**

**DATE: September 4, 2012**

City Administrator  
Approval

*Deanna Santana*

Date

9/17/12

**COUNCIL DISTRICT: City-Wide**

## RECOMMENDATION

Staff recommends that the City Council adopt the Resolution ratifying the actions taken by the Mayor during the 2012 Annual Recess of the City Council.

## EXECUTIVE SUMMARY

During the annual recess the Mayor is authorized to take actions that would normally be taken by the City Council during that period, except for actions reserved to the City Council by Rule 21 of the Council's Rules of Procedure, approved by Resolution No. 82580 C.M.S., passed March 9, 2010.

## OUTCOME

Adoption of this resolution will confirm action taken by the Mayor during the Council/Mayor 2012 Annual Recess Agenda.

## BACKGROUND/LEGISLATIVE HISTORY

Rule 21 of the Council's Rules of Procedures, Resolution No. 82580 C.M.S. passed March 9, 2010 authorizes the Mayor to take such actions as would normally be taken by the Council during the period of the annual recess except for "...matters specifically set forth" therein. The exclusions include the purchase of professional services over \$300,000 and products/supplies or construction over \$500,000, the adoption of an ordinance and the appropriation of funds. Authorizations include purchase of professional services up to \$300,000 and products/supplies or construction up to \$500,000 and the fixing of real and personal property tax rates for voter-approved indebtedness. For actions taken during the recess, the Mayor is required to "make a full and complete report to the City Council...at its first regularly scheduled meeting in October...at which time the City Council may make such findings and confirm said actions of the Mayor, as may be required."

Item: \_\_\_\_\_  
City Council  
October 2, 2012

Item: \_\_\_\_\_  
City Council  
October 2, 2012

**OAKLAND CITY COUNCIL**FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

RESOLUTION NO. \_\_\_\_\_ C.M.S.

2012 SEP 18 PM 2:17  
Introduced by Councilmember \_\_\_\_\_

City Attorney

**RESOLUTION RATIFYING ACTION TAKEN BY THE MAYOR DURING  
THE OAKLAND CITY COUNCIL 2012 ANNUAL RECESS IN  
CONFORMANCE WITH THE COUNCIL'S RULES OF PROCEDURE  
CODIFIED IN RESOLUTION NO. 82580 C.M.S., PASSED MARCH 9, 2010**

**WHEREAS**, the City Council has taken its Annual Recess beginning August 1, 2012 and ending August 31, 2012 ; and

**WHEREAS**, pursuant the Council's Rules of Procedure codified in Resolution No. 82580 C.M.S., passed March 9, 2010, certain authority to take actions on behalf of the City Council is delegated to the Mayor during the Annual Recess, the following action was taken:

- August 14, 2012

Resolution Fixing the Rate of Property Tax and Levying a Tax on Real and Personal Property in the City of Oakland for Fiscal Year 2012-2013 for Voter-Approved Indebtedness

Resolution authorizing the City Administrator or her designee to 1) Enter into a contract with Key Tracer Systems INC. in an amount not to exceed Forty Seven Thousand Three Hundred and Eighty Seven dollars (\$47, 387) for the purchase of an Electronic Key Management System for Tracking and Distributing Police Vehicles for the Oakland Police Department; and 2) Waive the City of Oakland's Local and Small Local Business Enterprise Program Provisions

Resolution authorizing the City Administrator to Amend the Contract with Burke Williams Sorenson, LLP to Complete Additional Investigative Work and Incorporate Additional Investigations of Police Misconduct Claims resulting from Occupy Oakland Protest Incidents, Increasing the Budget by One Hundred and Seventy Five Thousand dollars (\$175,000) for a total contract amount of Two Hundred Seventy Five Thousand dollars (\$275,000)

- August 28, 2012

Resolution authorizing the City Administrator to amend the contract with Renne Sloan Holtzman Sakai, LLP for administrative investigations of police misconduct complaints resulting from *Occupy Oakland* events in the City of Oakland, to increase the contract from one hundred thousand dollars (\$100,000) to one hundred twenty thousand dollars (\$120,000) for significant additional work required to complete the original scope of investigations

now, therefore, be it

**RESOLVED:** That the Oakland City Council does hereby ratify the above mentioned action taken by the Mayor during the City Council Annual Recess commencing August 1, 2012 and ending August 31, 2012

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California