



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, November 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; 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.
- 5 Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. (Motion Maker must have voted on prevailing side)

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- 6 Requests from Councilmember(s) to schedule an Action Item considered by Committee but not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.
- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on November 3, 2008

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: November 1, 2008 - First Responders - Recognition
From: Vice Mayor Reid
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Honoring Oakland Fire Department Engine Company 2560, Which Includes Captain John Weir, Engineer James Duvall, Firefighter-Paramedic Chris Foley, And Firefighter Nick Sanz For Their Bravery And Heroism As First Responders To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;
[\(07-1815\)](#)

2) A Resolution Honoring Officer Kelly Parker-Bridges For Her Bravery And Heroism As A First Responder To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;
[\(07-1815-1\)](#)

3) A Resolution Honoring Lieutenant Demetrio Lozares II For His Bravery And Heroism As A First Responder To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;
[\(07-1815-2\)](#)

4) A Resolution Honoring Officer Martin Burch For His Bravery And Heroism As A First Responder To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;
[\(07-1815-3\)](#)

5) A Resolution Honoring Acting Sergeant Glenn Hara For His Bravery And Heroism As A First Responder To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;
[\(07-1815-4\)](#)

6) A Resolution Honoring Officer Anthony Souza For His Bravery And Heroism As A First Responder To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;
[\(07-1815-5\)](#)

7) A Resolution Honoring Sergeant James Frugoli For His Bravery And Heroism As A First Responder To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;
[\(07-1815-6\)](#)

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8) A Resolution Honoring Oakland Fire Department Engine Company 2567, Which Includes Captain Donnie Harris, Engineer Tuan Tran, Firefighter-Paramedic Daniel Estrada, And Firefighter Tracy Hatch For Their Bravery And Heroism As First Responders To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;

[\(07-1815-7\)](#)

9) A Resolution Honoring Battalion Chief Eleanor Bolin-Chew For Her Bravery And Heroism As A First Responder To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;

[\(07-1815-8\)](#)

10) A Resolution Honoring Battalion Chief Robert Lipp For His Bravery And Heroism As A First Responder To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;

[\(07-1815-9\)](#)

11) A Resolution Honoring Oakland Fire Department Engine Company 2561, Which Includes Lieutenant Brian Brumfield, Engineer James Gross, Firefighter-Paramedic Chris Colgan, And Firefighter Dave Ybarra For Their Bravery And Heroism As First Responders To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;

[\(07-1815-10\)](#)

12) A Resolution Honoring Oakland Fire Department Truck 2577, Which Includes Lieutenant James Reis, Firefighter Chris Heinrich, Firefighter Lionel Jarreau, And Firefighter Dennis Stock For Their Bravery And Heroism As First Responders To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;

[\(07-1815-11\)](#)

13) A Resolution Honoring Battalion Chief Emon Usher For His Bravery And Heroism As A First Responder To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008;

[\(07-1815-12\)](#)

14) A Resolution Honoring The Oakland Fire Department Swiftwater Rescue Team, Which Includes Captain Richard Chew, Lieutenant Nick Luby, Lieutenant Ryan Mienieke, Engineer Greg Harris, Engineer Zac Fraser, Engineer Manny Mejia, Firefighter-Paramedic Jesse Peterson, Firefighter-Paramedic Mike Troy, Firefighter-Paramedic Jesse Comstock, Firefighter George Freelen, Firefighter Perry Magill, Firefighter Anthony Jones, Firefighter Kalil Loud, Firefighter Noe Rosales, And Firefighter Kevin Moore For Their Bravery And Heroism As First Responders To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008; And

[\(07-1815-13\)](#)

15) A Resolution Honoring Tow Truck Driver Robert Templeton For His Bravery And Heroism As A First Responder To The Fatal Accident Scene At Hegenberger & Hamilton Street On November 1, 2008

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(07-1815-14)

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

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

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

(07-1810)

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

(07-1811)

10.3-CC Subject: New Taxi Cab Medallions
From: Office of the City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Ordinance No. 12880 C.M.S. (Master Fee Schedule) As Amended, To Cover The Cost Of Installing And Maintaining Taxi Stands By Prorating This Cost Across All Oakland Taxi Cabs; And (TITLE CHANGE)

(07-0710-1)

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

**Introduction (First Reading) was approved on November 3, 2008; 7 Ayes, 1
Excused - Brunner**

2) Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.64 "Taxicabs" To
A) Specify Requirements For 24/7 Coverage Of All Areas Of The City B) Require
In-Cab Posting Of Medallion Number C) Clarify Taxi Stand Installation, Cost
Calculation And Fee Charge Process D) Remove Badge Requirement For Fleet
Managers And Taxi Drivers (TITLE CHANGE)

(07-0710-1-2)

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(SECOND READING) OF THE ORDINANCE**

**Introduction (First Reading) was approved on November 3, 2008; 7 Ayes, 1
Excused - Brunner**

10.4-CC Subject: Film Industry In Oakland
From: Councilmember Pat Kernighan
Recommendation: Adopt An Ordinance Amending Ordinance No. 12880 C.M.S. (Master
Fee Schedule Adopted For Fiscal Year 2008-2009), To Add A Section For A Film
Parking Permit Fee Of \$15.00 Per Day (Monday-Saturday) For Metered Parking And
\$2.95 Per Day (Monday-Sunday) For Non-Metered Parking And Sunday And Holidays
Metered Parking (TITLE CHANGE)
(07-1561)

**On November 3, 2008 Council amended the Ordinance to reflect the
current daily rate of \$15.00 for metered parking**

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

**Introduction (First Reading) was approved as amended on November 3,
2008; 7 Ayes, 1 Excused - Brunner**

10.5-CC Subject: Salary Policies And Provisions
From: Councilmember Quan
Recommendation: Adopt An Ordinance (1) Amending The Salary Ordinance, (2) Setting
Forth The Council's Compensation Policies And Provisions For City Employees,
Officials And Officers, (3) Memorializing The Authority And Discretion The Council
Has Granted To The City Administrator Regarding Fixing Compensation And (4)
Supplementing Ordinance No. 12187 C.M.S.
(07-1562)

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

**Introduction (First Reading) was approved on November 3, 2008; 5 Ayes, 2
Noes - De La Fuente, Kernighan, 1 Excused - Brunner**

10.6-CC Subject: Nepotism In City Employment
From: Council President De La Fuente
Recommendation: Adopt An Ordinance Amending Title 9 Of The City Of Oakland
Municipal Code By Adding A New Chapter, 2.38, Entitled Anti-Nepotism Policy, To
Prevent Nepotism In Hiring And Administration (TITLE CHANGE)
(07-1563)

Council amended the Ordinance as follows: Section 3(A) All individuals

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who apply for employment with the City of Oakland must disclose all known family relationships, consensual romantic and cohabitant relationships with existing City officials, managers and employees. Information concerning cohabitant and consensual romantic relationships will be treated as confidential and disclosed only on a need-to-know basis. The City's anti-nepotism policy will be communicated to all applicants for City employment at the time of application.

Add Section 7 (D) The Director of Personnel shall provide an annual report to the City Council describing the nature and number of prohibited relationship disclosed, and what actions were taken to make alternate arrangements.

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

Introduction (First Reading) was approved as amended on November 3, 2008; 7 Ayes, 1 Excused - Brunner

10.7-CC Subject: 2010 Limited Public Financing Program Suspension
From: Council President De La Fuente
Recommendation: Adopt An Ordinance Authorizing Transfer Of Funds From The Election Campaign Fund To The General Fund
(07-1783)

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

Introduction (First Reading) was approved on November 3, 2008; 7 Ayes, 1 Excused - Brunner

10.8-CC Subject: Leadership Excellence Grant
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Authorizing A Grant Of \$850.00 From Councilmember Nancy J. Nadel's Pay-Go Funds To Leadership Excellence For The Purchase Of 100 Bus Passes At \$8.50 Per Pass To Be Used As An Incentive For West Oakland Youth Who Participate In A Survey Sponsored By The Teen Planning Committee For The West Oakland Teen Center
(07-1804)

10.9-CC Subject: Emergency Preparedness On-Line Training Expenses
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Authorizing The Transfer Of Councilmember Jean Quan's Pay-Go Funds In The Amount Of \$7,450.00 To The Oakland Fire Department, Office Of Emergency Services To Pay For Consultant Costs Incurred To Develop A Basic Family And Individual Emergency Preparedness On-Line Training Course In Cantonese For The Chinese Community

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(07-1808)

10.10-CC Subject: Emergency Preparedness On-Line Training Payment
From: Councilmember Patricia Kernighan
Recommendation: Adopt A Resolution Authorizing The Use Of Pay-Go Funds In The Amount Of \$7,450.00 From Councilmember Patricia Kernighan's Pay-Go Account To Pay For Non-Capital Costs Incurred In The Development Of A Basic Family And Individual Emergency Preparedness On-Line Training Course In Cantonese For The Chinese Community

(07-1813)

10.11-CC Subject: Travel Authorization
From: Councilmembers Larry Reid And Jean Quan
Recommendation: Adopt A Resolution Authorizing Councilmembers Larry Reid And Jean Quan To Travel To Orlando, Fl On November 11-15, 2008 To Attend The National League Of Cities, Congressional City Conference

(07-1809)

10.12-CC Subject: Bryan Thomas - 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 Bryan Thomas v. City Of Oakland, Alameda County Superior Court Case No. RG08-374477 In The Amount Of \$14,000.00. This Action Arises From A Two-Car Collision. (Police Services Agency)

(07-1814)

10.13-CC Subject: Vacating 3207 Mandela Parkway
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Summarily Vacating A Remnant Portion Of The Public Right-Of-Way Adjacent To 3207 Mandela Parkway (Formerly Beach Street) And Authorizing Its Disposal As Surplus Property

(07-1724)

The November 12, 2008 Public Works Committee approved recommendations; 4 Ayes

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

10.14-CC Subject: Inner Harbor Bay Trail Segment - Oakland Waterfront Trail
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Apply For, Accept And Appropriate Up To Seven Hundred Thousand Dollars (\$700,000.00) In Grant Funds From The California Department Of Parks And Recreation Recreational Trails Program For The Fruitvale Avenue To High Street Bridge - Inner Harbor Bay Trail Segment Of The Oakland Waterfront Trail

(07-1755)

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The November 12, 2008 Public Works Committee approved recommendations; 4 Ayes

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

10.15-CC Subject: Purchase Of Three Landlocked Parcels
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The Purchase Of Three Landlocked Parcels Behind Leimert Boulevard And Adjacent To Dimond Park (APN 029A-1353-011-2; 029A-1353-013-2 And APN 029A-1354-001-1) From The Alameda County Treasurer-Tax Collector For A Total Price Not To Exceed \$27,000, Plus Interest (07-1725)

The November 12, 2008 Finance and Management Committee approved recommendations; 3 Ayes, 1 Excused - Quan

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

ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION (FIRST READING) OF THE ORDINANCE

Final Passage (Second Reading) has been scheduled for December 9, 2008

10.16-CC Subject: Streetscape Improvement Projects Funding
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Contributing \$175,000 Of Coliseum Redevelopment Project Funds To The City Of Oakland Under The Cooperation Agreement For The Final Design And Implementation Of The Fruitvale Alive Streetscape Project;
(07-1729)

2) A Resolution Accepting And Appropriating \$2,000,000 In Metropolitan Transportation Commission (MTC) Transportation For Livable Communities Funds, \$619,700 In MTC Housing Incentive Funds, Allocating \$50,000 In Pledged District 4 "Pay-Go" Funds And \$50,000 In Pledged District 5 "Pay-Go" Funds, And Accepting And Allocating A Contribution Of Redevelopment Agency Funds In An Amount Not To Exceed \$175,000 Under The Cooperation Agreement, For The Final Design And Implementation Of The Fruitvale Alive Streetscape Project;
(07-1729-1)

3) An Agency Resolution Allocating And Contributing Up To \$91,000 In Redevelopment Agency Funds To The City Of Oakland Under The Cooperation Agreement As Matching Funds For A Metropolitan Transportation Commission Housing Incentive Program Grant To Fund The 66th Avenue Streetscape Improvement Project;

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And

(07-1729-2)

4) A Resolution Accepting And Appropriating \$700,000 Of Federal Surface Transportation Funds Through The Metropolitan Transportation Commission's Housing Incentive Program For The 66th Avenue Streetscape Improvement Project, Stating The Assurance Of The City Of Oakland To Complete The Project, And Accepting A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement Of \$91,000 And Allocating The \$91,000 As The Local Match

(07-1729-3)

The November 12, 2008 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Absent - Reid

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

10.17-CC Subject: Toler Heights Estates LLC - Sales Amendment
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending Ordinance No. 12726 C.M.S., Which Authorized The Sale Of City-Owned Properties To Toler Heights Estates LLC, To Authorize A Price Reduction For 9724 And 9745 Thermal Street From \$416,000 To Eighty-Five Percent Of The Sales Price Minus The First Mortgage To Allow The Completion Of Two Market-Rate Homes

(07-1708)

The November 12, 2008 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Abstention - Brunner

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

ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION (FIRST READING) OF THE ORDINANCE

Final Passage (Second Reading) has been scheduled for December 9, 2008

10.18-CC Subject: City Of Oakland Housing Element Report
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Post, Buckley, Schuh & Jernigan, Inc. (PBS&J) For Preparation Of The Oakland 2009 Housing Element Environmental Impact Report, In An Amount Not To Exceed Three Hundred Thirty-Nine Thousand, Eight-Hundred And Seven Dollars (\$339,807), And Allocating Ten Thousand, One Hundred And Ninety-Three Dollars (\$10,193) For Contract Compliance Fees, For A Total Project Amount Not To Exceed Three Hundred, Fifty Thousand Dollars (\$350,000)

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(07-1709)

The November 12, 2008 Community and Economic Development Committee approved recommendations and amended the Resolution to allocate the appropriation for the Contract Compliance Review; 4 Ayes

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

- 11 An oral report from the Agency Counsel / City Attorney of final decisions made during Closed Session
- 12 A disclosure of non-confidential Closed Session Discussion pursuant to Section 2.20.130 of the Sunshine Ordinance

**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: West Oakland Redevelopment Project
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces of Legislation:
 - 1) An Agency Resolution Adopting The 2008 - 2013 Implementation Plan For The West Oakland Redevelopment Project; And
 - (07-1683)
 - 2) A Resolution Authorizing A One Year Extension Of The Project Area Committee For The West Oakland Redevelopment Project To November 18, 2009
 - (07-1683-1)

The October 28, 2008 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - Brunner

- 14.2 Subject: 2008-2009 Consolidated Plan Amendment
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
 - 1) Adopting A Substantial Amendment To The Consolidated Plan Annual Action Plan For Housing And Community Development For Fiscal Year 2008-2009;
 - 2) Authorizing The City Administrator To Submit The Amendment To The U.S. Department Of Housing And Urban Development;
 - 3) Authorizing The City Administrator To Accept And Appropriate Funds Totaling \$8,250,668 To The HUD-CDBG Fund To Develop And Administer The Neighborhood Stabilization Program;
 - 4) Authorizing The Community And Economic Development Agency To Issue A Request For

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Proposal/Qualifications For The Neighborhood Stabilization Program; And 5)
Authorizing The Reallocation Of Funds From The Existing Neighborhood Housing
Revitalization Program As Needed For The Neighborhood Stabilization Program
(07-1772)

14.3 Subject: Revolution Foods Relocation And Expansion Loan Agreement
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing 1) A Coliseum Redevelopment Revolving Loan In
An Amount Not To Exceed \$170,500, And 2) A Coliseum Commercial Tenant
Improvement And Facade Improvement Grant In An Amount Not To Exceed \$90,000,
To Revolution Foods, Inc. For The Company's Relocation And Expansion; And
(07-1686)

**The November 12, 2008 Community and Economic Development
Committee approved recommendations and amended the Agency
Resolution as follows: 1) Change the 10th Whereas to a Resolved
concerning the 27 permanent jobs and 2) Include in the Further Resolved
the completion of the CEQA environmental review and exemption of their
loans and grants; 4 Ayes**

2) A Resolution Authorizing The Loan Of Enhanced Enterprise Community Loan Funds
In An Amount Not To Exceed \$249,500 To Revolution Foods, Inc. To Assist The
Company's Relocation And Expansion
(07-1686-1)

**The November 12, 2008 Public Works Committee approved
recommendations and amended the Resolution as follows: 1) Change the
3rd Whereas to a Resolved concerning the 27 permanent jobs and 2)
Include in the 5th Whereas the completion of the CEQA environmental
review and exemption of their loans and grants; 4 Ayes**

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

ACTION ON NON-CONSENT ITEMS:

15 Subject: Entitlement Extensions
From: Council President De La Fuente
Recommendation: Adopt A Resolution Extending For One Year The Expiration Date Of
Permits Issued Under The Authority Of Title 17 Of The Oakland Municipal Code
(Planning Code) And Creek Protection Permits Issued Under The Authority Of Chapter
13.16 Of The Oakland Municipal Code That Expire Prior To January 1, 2010 Upon
Request And Payment Of Administrative Fee (TITLE CHANGE)
(07-1569)

On November 3, 2008 a motion was made by Councilmember Quan,

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seconded by Councilmember Nadel to require that developers request an administrative extension and pay a fee of \$300. The motion passed with the following vote Ayes: Brooks, Kernighan, Nadel, Quan -4; Noes: Chang, Reid, De La Fuente -3.

Staff was directed to return to the next Council Meeting with a new resolution reflecting the language of the passed amendment

- 16 Subject: Status Report On The Crime Fighting Strategic Plan
From: Councilmember Jane Brunner
Recommendation: Receive A Follow-Up Report From The Chief Of Police On The Department's Crime Fighting Strategic Plan, Including The Department's Top Priorities, And Stategies To Address Them, The Proposed Timeline For Implementation Of The Top Priorities And Strategies, And The Processes Used To Measure Effectiveness
(07-1643)

This item was forwarded from the November 3, 2008 City Council agenda

- 17 Subject: Billboard Relocation Agreement - CBS Outdoor
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Billboard Relocation Agreement With CBS Outdoor, Inc. (CBS Outdoor), Allowing CBS Outdoor To Remove And Waive Its Rights To Compensation, Including All Real Property And Personal Property Interests, For A Number Of Billboards At Various Locations In Exchange For Reconstruction Of A Billboard Located At 185 98th Avenue (At The Intersection Of Bigge Avenue And 98th Avenue)
(07-1682)

This item was forwarded from the November 3, 2008 City Council agenda

- 18 Subject: 2009 State Legislative Agenda
From: City Council
Recommendation: Action On A Report Requesting Approval Of The Proposed 2009 State Legislative Agenda For The City Of Oakland
(07-1752)

The November 6, 2008 Rules and Legislation Committee received and forwarded the report and proposed the following:

City Sponsored Legislative Proposals

Foreclosures Develop legislation to expand the moratorium on foreclosures and/or to place a moratorium on the re-setting of Adjustable Rate Mortgages (ARMs) to minimize the number of families displaced due to foreclosures.

Home Financing Develop legislation to require banking institutions that have received federal aid from the \$700 billion bail out to expand their lending in areas impacted by the foreclosure crisis. Banks are currently making very few loans. The lack of available financing is one of the biggest obstacles to homeownership for Oakland residents.

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Solar Energy Develop legislation that promotes greater access to and implementation of solar energy systems, including but not limited to:

- **Supporting a 33% renewable portfolio standard**
- **Allowing virtual net metering for multi-unit commercial and residential solar projects to capture economies of scale.**
- **Expanding the cap on net metering for solar power projects beyond the current 2.5% limit.**

Recommended language change under Sustainable City (on page 4).
Green Building: Support incentives for retrofitting existing homes installing renewable energy systems and/or energy efficiency measures on existing residential and commercial buildings.

- 19 Subject: Wallace Street Project - Re-Bid Authorization
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Rejecting All Bids For The Demolition Of Unsafe Structures Located At 2621, 2631, And 2633 Wallace Street Project, Authorizing Re-Bid Of The Project, Waiving Advertising, And Authorizing The City Administrator Or Designee To Award The Construction Contract In A Not-To-Exceed Amount Of \$200,000.00 For The Demolition Of Unsafe Structures Located At 2621, 2631, And 2633 Wallace Street Project To The Lowest Responsible, Responsive Bidder, Or To Negotiate With The Bidders If Bids Are Deemed Non-Responsive Or Non-Responsible, Without Return To Council
(07-1771)
- 20 Subject: Anti-Nepotism Policy Amendment
From: Councilmember Nancy Nadel
Recommendation: Adopt An Ordinance Amending Title 9 Of The City Of Oakland Municipal Code By Adding A New Chapter, 2.38, Entitled Anti-Nepotism Policy, To Prevent Nepotism And Cronyism In Hiring And Administration
(07-1812)

**ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION
(FIRST READING) OF THE ORDINANCE**

Final Passage (Second Reading) has been scheduled for December 9, 2008

- 21 Subject: Oakland Bay Trail - Change Order Limit Increase
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or The City Administrator's Designee, To Increase The Change Order Limit By Two Hundred Eighty Thousand Dollars (\$280,000.00) On The Construction Contract With Mcguire And Hester For The Oakland Bay Trail: Mandela Parkway Project For A Total Contract Amount Not To Exceed One Million Five Hundred Sixty-Nine Thousand Three Hundred Six Dollars (\$1,569,306.00)
(07-1770)

The November 12, 2008 Public Works Committee approved

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recommendations; 4 Ayes

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

22 Subject: Pay-Go Policy
From: Council President De La Fuente
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Sections 2.04.017, Pay-Go Grants-Policy And Requirements, And 2.04.018, Pay-Go Funded Purchase Of Services, Goods And Materials-Conditions For Exemption From Council Approval, To Codify The City Council Pay-Go Policy (TITLE CHANGE); And
(07-1762)

The November 12, 2008 Finance and Management Committee directed staff to amend the Ordinance to broaden the language as to not limit funds from being given to private non-profits, Parent Teacher Associations or Business Improvement Districts as long as the funds are used for capital improvements on city owned property; 3 Ayes, 1 Excused - Quan

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

ACTION ON THIS ITEM WILL RESULT IN THE INTRODUCTION (FIRST READING) OF THE ORDINANCE

Final Passage (Second Reading) has been scheduled for December 9, 2008

2) A Resolution Amending Resolution No. 80777 C.M.S., Which Established Policies For Reallocation Of Personnel Funds, Reporting Of Travel Expenditures And For Expenditure Of Priority Project And Pay-Go Funds, To Delete Pay-Go Expenditure Provisions
(07-1762-1)

The November 12, 2008 Finance and Management Committee approved recommendations; 3 Ayes, 1 Excused - Quan

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

23 Subject: 2008-2009 Click It Or Ticket Mini-Grant 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 Seventy-Seven Thousand Five Hundred Forty-One Dollars (\$77,541.00) From The State Of California, Office Of Traffic Safety, To Be Administered Through

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, November 18, 2008

The University Of California-Berkeley Traffic Safety Center, To The Oakland Police Department Participation In The Implementation Of The California Seat Belt Compliance Campaign "Click It Or Ticket" Mini-Grant Program For Local Law Enforcement Agencies For The Program Periods Of November 17 - 30, 2008 And May 18 - 31, 2009

(07-1780)

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

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

- 24 Subject: Petroleum Storage Act Program Grant
From: Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Apply, Accept And Appropriate An Aboveground Petroleum Storage Act (APSA) Program Grant From The California Environmental Protection Agency In The Amount Sixty Five Thousand Two Hundred And Sixty Nine Dollars And Seventy Nine Cents (\$65,269.79) To The Oakland Fire Department

(07-1510)

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

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

- 25 Subject: FBI Narcotic Investigation - Reimbursement
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee To Accept And Appropriate Reimbursement Funds In An Amount Not-To-Exceed Fifteen Thousand Dollars (\$15,000) In Federal Funds From The Department Of Justice (DOJ), Federal Bureau Of Investigation (FBI) Operating Within The Organized Crime Drug Enforcement Task Forces (OCDETF) To The Oakland Police Department (OPD) In Overtime Costs For Six (6) Police Officers And One (1) Sergeant, For The Period Of October 1, 2008 Through October 1, 2009 For Work Associated With A FBI Narcotic Investigation

(07-1757)

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

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

Continuation of Open Forum

SUPPLEMENTAL

**Concurrent Meeting of the Oakland
Redevelopment Agency / City Council**

Tuesday, November 18, 2008

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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(...)

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

ORA - Oakland Redevelopment Agency

S - Supplemental Item