



# 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>

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Tuesday, April 01, 2008

6:00 PM

Oakland City Hall, 3rd Floor

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#### **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.

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 March 18, 2008

## **8. PRESENTATION OF CEREMONIAL MATTERS**

- 8.1 Subject: City Year And T-Mobile Recognition  
From: Council President De La Fuente  
Recommendation: Adopt A Resolution Honoring City Year And T-Mobile's Service Day Partnership At Manzanita Recreation Center On February 29, 2008  
(07-1146)
- 8.2 Subject: Jeanette Edgerly - Recognition  
From: Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution Honoring Jeanette Blair Edgerly For 32 Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Her On Her Retirement  
(07-1194)
- 8.3 Subject: Oakland Black Firefighters Association - Recognition  
From: Council President De La Fuente  
Recommendation: Adopt A Resolution Honoring The Oakland Black Firefighters Association For Their Contribution To Manzanita Recreation Center  
(07-1197)

## **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  
(07-1158)
- 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  
(07-1159)
- 10.3-CC Subject: Priority Project Funds - District Seven  
From: Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of \$10,000

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From Vice Mayor Larry E. Reid's Priority Project Funds To The Oakland  
African-American Chamber of Commerce For Operating Expenses  
(07-1145)

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 Merritt College/Study Abroad Program In The  
Amount Of \$2,000 To Help Fund An Educational Trip During Spring Break 2008  
(07-1147)

10.5-CC Subject: 10031 MacArthur Boulevard - 18 Condominium Unit  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Approving In Part And Denying In Part The  
Appeal So As To Allow The Major Rehabilitation Of A Former Motel As 18  
Condominium Units, At 10031 MacArthur Boulevard  
(07-1148)

10.6-CC Subject: Priority Project Funds - District Two  
From: Councilmember Pat Kernighan  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$1,500.00 From  
Councilmember Pat Kernighan's Priority Project Funds To The Oakland, California Babe  
Ruth League For Expenses Associated With Two Team Members Of Its All Star Team  
Participating In the 2008 College Tour (TITLE CHANGE)  
(07-1152)

10.7-CC 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)

**Introduction (First Reading) was approved as amended to specify in the ordinance that the Tobacco License Fee will not apply to Bars and Off-sale Liquor Establishments that already participate in the Deemed Approved Alcohol Program on March 18, 2008; 6 Ayes, 1 Abstained - Quan, 1 No - De La Fuente**

**ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE OF THIS ORDINANCE**

10.8-CC Subject: Babe Ruth League Grant  
From: Councilmember Henry Chang  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$1500 From  
Councilmember Henry Chang's Pay-Go Funds To The Oakland, California Babe Ruth

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League For Expenses Associated With Two Members Of The All Star Team  
Participating In The 2008 College Tour  
(07-1189)

- 10.9-CC Subject: Samson Yiu - 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 Samson Yiu In The Amount Of Twenty Two  
Thousand One Hundred Forty Dollars And No Cents (\$22,140.00), As A Result Of  
Property Damage Sustained Due To A Sewer Flood Caused By A Failed City Sewer  
Main On January 7, 2008. (Public Works Agency)  
(07-1199)

**This item was not discussed in Closed Session.**

- 10.10-CC Subject: Analysis Of Senate Bill 1508  
From: Councilmembers Jean Quan and Nancy Nadel  
Recommendation: Adopt A Resolution To Support And Sponsor Senate Bill 1508  
(Corbett) Related To Seismic Safety Standards; Cripple Walls  
(07-1129)

**The March 20, 2008 Rules and Legislation Committee approved  
recommendations and directed staff to submit a supplemental report  
providing the following information: whether or not the seismic retrofit  
would be required and or mandated by the passing of this bill; 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: Measure DD Implementation Project  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution  
Denying The Appeal And Upholding The City Planing Commission's Certification Of  
The Environmental Impact Report For The City Of Oakland Trust For Clean Water, Safe  
Parks Bond Measure (Measure DD) Implementation Project (For Case Number  
ER06-0017)  
(07-1116)
- 14.2 Subject: Tobacco Oriented Activities - Municipal Code Amendment

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From: Councilmember Larry Reid  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending The Oakland Planning Code To: (1) Amend Chapter 17.09 "Definitions" To Define Tobacco Oriented Activities As Those That Sell Any Amount Of Tobacco Or Tobacco Related Products With The Exception Of Stores Over 10,000 Square Feet Or Those Associated With a Gasoline Service Station; And (2) Amend Chapter 17.134 "Conditional Use Permit Procedures" To Require A Major Conditional Use Permit For Establishing A New Tobacco Oriented Activity  
(07-1028)

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

**Final Passage (Second Reading) has been scheduled for April 15, 2008**

**ACTION ON NON-CONSENT ITEMS:**

15 Subject: Equal Access Ordinance Implementation  
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)

**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 18, 2008 Consent Calendar and place on this agenda as a Non-Consent item.**

**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 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**

16 Subject: Housing, Residential Rent And Relocation Board - Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Rochelle Anguiano And Chanee Franklin, As Members Of The Housing, Residential Rent And Relocation Board  
(07-1200)

17 Subject: Parks And Recreation Advisory Commission - Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Victor Arceneaux As A Member Of The Parks And Recreation Advisory Commission

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[\(07-1201\)](#)

18        Subject:     Citizen's Police Review Board - Appointment  
              From:        Office of the Mayor  
              Recommendation: Adopt A Resolution Re-Appointing Cara Kapowski, As A Member  
              Of The Citizen's Police Review Board

[\(07-1202\)](#)

19        Subject:     Commission On Aging - Appointment  
              From:        Office of the Mayor  
              Recommendation: Adopt A Resolution Appointing Robert E. Chatmon, As A Member  
              Of The Commission On Aging

[\(07-1203\)](#)

20        Subject:     Budget Advisory Committee Appointment  
              From:        Councilmember Jean Quan  
              Recommendation: Adopt A Resolution Appointing Sara Wynne, As A Member Of The  
              Budget Advisory Committee

[\(07-1204\)](#)

21        Subject:     Hanson Bridgett LLP - Waiver  
              From:        Office of the City Attorney  
              Recommendation: Adopt A Resolution Authorizing Waiver Of Any Potential Conflict  
              Of Interest That The Law Firm Of Hanson Bridgett LLP May Have As A Result Of The  
              Firm's Representation Of Yellow Cab In Its Challenge To The City's Decision To  
              Revoke Taxi Medallions, To Allow The Firm To Provide Specialized Legal Assistance  
              In The Oak To Ninth Project Litigation

[\(07-1168\)](#)

## **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)**

NOTE:        Americans With Disabilities Act  
              If you need special assistance to participate in Oakland City Council and Committee  
              meetings please contact the Office of the City Clerk. When possible, please notify the  
              City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to  
              ensure accessibility. Also, in compliance with Oakland's policy for people with  
              environmental illness or multiple chemical sensitivities, please refrain from wearing  
              strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit  
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(TDD)

THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR  
OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO  
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