



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

*Rules & Legislation Committee

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

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

Thursday, June 12, 2008

10:30 AM

City Council Chambers - 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.

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.

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.

Roll Call / Call to Order

COMMITTEE MEMBERSHIP:

Jane Brunner, District 1 ; Larry Reid, District 7; Vice Mayor Henry Chang, At-Large; and Chairperson Ignacio De La Fuente, District 5

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of May 29, 2008
- 3 Determination of Schedule of Outstanding Committee Items
([RULES 6-10-08 P L](#))
- 4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of June 17, 2008 (SUPPLEMENTAL)
([06-12 Rules Item 4](#))

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S-4-1 Subject: Oil Spill Contingency Work Reimbursement
 From: Oakland Fire Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator
 Or Her Designee To Apply For, Accept And Appropriate Two Grants In
 The Amount Of Fifty Thousand Dollars (\$50,000.00), From The
 Department Of Fish And Game To Reimburse The City's Costs And Costs
 Of Participating Agencies To Continue To Update And Revise The
 Alameda County Oil Spill Contingency Plan; On The July 8, 2008 Public
 Safety Committee Agenda

[\(07-1445\)](#)

S-4-2 Subject: Gun Buy-Back Program Citizen's Repayment
 From: Oakland Police Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator,
 Or Her Designee, On Behalf Of The City Of Oakland , To Accept And
 Appropriate One Hundred Thousand Dollar (\$100,000) From The Office Of
 Senator Don Perata To The Oakland Police Department For The Purpose
 Of Repaying Citizens Of Oakland Who Participated In The City's Gun
 Buy-Back Program; On The July 8, 2008 Public Safety Committee Agenda

[\(07-1454\)](#)

S-4-3 Subject: Computer Forensics Training And Support
 From: Oakland Police Department
 Recommendation: Adopt Resolutions Authorizing The City Administrator,
 Or Her Designee, To Enter Into Memorandums Of Understanding With The
 Federal Bureau Of Investigations (FBI) And The Silicon Valley Regional
 Computer Forensics Laboratory (RCFL) To Provide Computer Forensic
 Investigator Training And Computer Forensics Laboratory Support To The
 Oakland Police Department (OPD); On The July 8, 2008 Public Safety
 Committee Agenda

[\(07-1455\)](#)

S-4-4 Subject: Raiders Surcharge Revenue And Appropriation
 From: Budget Office
 Recommendation: Adopt A Resolution Increasing Estimated Revenue And
 Offsetting Appropriation From The 2007 Raiders Ticket Surcharge And
 Authorizing A Transfer Of \$174,560.10 From The Non-Departmental
 Citywide Activities Budget To The Office Of Parks And Recreation To
 Benefit Citywide Youth Activities; On The July 8, 2008 Finance And
 Management Committee Agenda

[\(07-1453\)](#)

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- S-4-5 Subject: Patricia Anne "Tricia" Freitas Recognition
From: Office of the City Administrator
Recommendation: Adopt A Resolution Honoring The Achievements Of Patricia Anne "Tricia" Freitas For Forty Years Of Exemplary And Dedicated Service To The City Of Oakland Upon Her Retirement; As A Ceremonial Item On The July 1, 2008 City Council Agenda
[\(07-1463\)](#)
- S-4-6 Subject: Babe Ruth All Star Team Grant
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Authorizing A Grant Of \$750.00 From Councilmember Nancy J. Nadel's Pay-Go Funds To The Oakland California Babe Ruth All Star Team To Sponsor Airfare And Lodging For One At-Risk Teenager To Participate In A College Tour Of Morehouse College And Florida A&M University In November 2008; On The July 1, 2008 City Council Agenda
[\(07-1438\)](#)
- S-4-7 Subject: Jack London District Interim Mixed-Use Parking Program Amendments
From: Councilmember Nancy Nadel
Recommendation: Adopt The Following Pieces Of Legislation:
- (1) An Ordinance Amending Ordinance No.12864, C.M.S., To Modify The Boundaries Of The Jack London District Interim Mixed-Use Permit Parking Program, As Follows: (1) Move The Southern Boundary Of The Permit Area Down One Block, From Embarcadero West To Include The Businesses On The Northern Side Of Water Street, From Franklin Street To Washington Street Only; (2) Move The Northern Boundary Of The Permit Area On One Block Only, Fourth Street Between Washington And Broadway, Up One Block To The Southern Side Only Of Fifth Street Between Washington And Broadway; And
[\(07-1440\)](#)
- (2) An Ordinance Amending Ordinance Number 12809, C.M.S. (Master Fee Schedule), As Amended, To Modify Permit Fees Assessed By The Parking Division For The "Interim Mixed-Use Parking Permit Program For The Jack London District," As Follows: (1) Modify The Cost Of One-Day Permits From One Dollar (\$1) To Ten Dollars (\$10); And (2) Modify The Cost Of Two-Week Permits From Five Dollars (\$5) To Fifty Dollars (\$50), In Order To Make The Program Cost-Neutral; On The June 24, 2008 Finance And Management Committee Agenda
[\(07-1440-1\)](#)

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- S-4-8 Subject: Councilmember Brooks - Travel Authorization
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Attend The "National Black Caucus Of Local Elected Officials Conference From July 23 - July 27, 2008; On The July 15, 2008 City Council Agenda
[\(07-1467\)](#)
- S-4-9 Subject: Councilmember Brooks - Travel Authorization
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Attend The Congressional Black Caucus Legislative Conference September 23 - 27, 2008; On The July 15, 2008 City Council Agenda
[\(07-1468\)](#)
- S-4-10 Subject: Polystyrene Foam Prohibition Report
From: Council President De La Fuente
Recommendation: Receive A One Year Report On The Effectiveness Of Ordinance Number 12747 To Prohibit The Use Of Polystyrene Foam Disposable Food Service Ware And Require The Use Of Biodegradable Or Compostable Disposable Food Service Ware By Food Vendors And City Facilities; On The September 23, 2008 Public Works Committee Agenda
[\(07-1469\)](#)
- S-4-11 Subject: Measure Y Oversight Committee - Appointment
From: Councilmember Kernighan
Recommendation: Adopt A Resolution Appointing Richard Carter To The Measure Y Violence Prevention And Public Safety Oversight Committee To Fill The Vacant District 2 Seat And Complete An Unexpired Term Ending July 5, 2009; On The June 17, 2008 City Council Agenda
[\(07-1470\)](#)
- S-4-12 Subject: Oakland Universal Health Access Initiative
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate \$3,000,000 From The East Bay Community Foundation/Kaiser Permanente Community Grants Program To Launch The Oakland Universal Health Access Initiative And To Execute An Agreement Between The City Of Oakland And The Alameda County Health Care Services Agency In An Amount Not To Exceed \$560,000, And To Execute An Agreement Between The City Of Oakland And The Oakland Unified School District In An Amount Not To Exceed \$75,000 For The Period July 1, 2008 To June 30, 2009, Both With Two Consecutive, Twelve Month Renewal Options; On The July 8, 2008 Life Enrichment Committee Agenda
[\(07-1466\)](#)

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- S-4-13 Subject: Revolution Food, Inc Loan
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The June 24, 2008
Community And Economic Development Committee Agenda The
Following Pieces Of Legislation:
- 1) An Agency Resolution Authorizing The Agency Administrator To Approve A Loan Of Coliseum Redevelopment Revolving Loan Funds In An Amount Not To Exceed \$500,000 To Revolution Food, Inc To Assist The Company's Relocation and Expansion Project; And
[\(07-1254\)](#)
 - 2) A Resolution Authorizing The City Administrator To Approve A Loan Of Enhanced Economic Community Loan Funds In An Amount Not To Exceed \$250,000 To Revolution Food, Inc. To Assist The Company's Relocation And Expansion Project; With No New Date

REASON:

Revolution Foods, Inc. has not been able to attain a lease and is being assisted by CEDA's Business Attraction staff with seeking other locations. Until the company attains a lease and/or acquire an appropriate real estate location for business, Commercial Lending will not be able to continue processing the loan request. When the company has met all requirements to continue with a loan request we will schedule a new date for the agenda item.

[\(07-1254-1\)](#)

- S-4-14 Subject: Tract 7868 - Final Map
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The June 17, 2008 City
Council Agenda The Following Pieces Of Legislation:
- 1) A Resolution Conditionally Approving A Final Map For Tract No. 7868 For The Tassafaronga Affordable Housing Project At 968 81st Avenue For The Oakland Housing Authority Foundation; And
[\(07-1276\)](#)
 - 2) A Resolution Approving A Subdivision Improvement Agreement With The Oakland Housing Authority Foundation For Deferred Construction Of Public Infrastructure Improvements At 968 81st Avenue For The Final Map For Tract No. 7868 For The Tassafaronga Affordable Housing Project; And Re-Schedule To The July 15, 2008 City Council Agenda

REASON: Oakland Housing Authority has requested that this agenda item be rescheduled

[\(07-1276-1\)](#)

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S-4-15 Subject: Freeway Auto Mall Development
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The July 8, 2008
Community And Economic Development Committee Agenda The
Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To
Negotiate And Execute A Disposition And Development Agreement With
Legend Auto Group, LLC For: (1) The Sale Of Approximately 15 Acres
Within The Former Oakland Army Base For \$17,470,000 For The
Development Of General Motors, Nissan, And Chrysler-Jeep-Dodge Auto
Dealerships; And (2) The Sale Of Up To An Additional 3.7 Acres For
\$5,225,000 To Develop Additional Dealerships; And

[\(07-1280\)](#)

2) A City Resolution Approving The Sale Of Up To Approximately 19 Acres Of Real
Property Located Within The Former Oakland Army Base For The Appraised Fair
Market Value To Legend Auto Group, LLC For Its Development Of General Motors,
Nissan, And Chrysler-Jeep-Dodge Auto Dealerships And Up To Two Additional
Dealerships; And Re-Schedule To The October 14, 2008 Community And Economic
Development Committee Agenda

REASON: Changes to the conditions and terms for the proposed Disposition And
Development Agreement cannot be incorporated in time to meet the current scheduling of
this item.

[\(07-1280-1\)](#)

S-4-16 Subject: East Oakland Sports Center Project
From: Community and Economic Development Agency
Recommendation: A Request To Re-Title The Following: A Resolution
Authorizing The City Administrator, Or Her Designee, To Award A
Construction Manager At Risk Contract To Turner Construction Company
For An Amount Not To Exceed Eleven Million Nine Hundred Thousand
Dollars (\$11,900,000.00) For The East Oakland Sports Center Project; On
The June 24, 2008 Public Works Committee Agenda

SEE TITLE CHANGE BELOW:

Adopt A Resolution Authorizing The City Administrator, Or Her Designee,
To 1) Award A Construction Manager At Risk Contract To Turner
Construction Company For An Amount Not To Exceed Eleven Million
Nine Hundred Thousand Dollars (\$11,900,000.00) For The East Oakland
Sports Center Project; And 2) Appropriate \$8,415,000.00 Of Measure DD
Series B Funds In The Oakland Sports Center Project (C244610)

[\(07-1407\)](#)

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S-4-17 Subject: El Embarcadero And Lakeshore Avenue Improvements
From: Community and Economic Development Agency
Recommendation: A Request To Re-Title The Following: A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract To Gallagher And Burk, Inc., For The Park And Street Improvements Of El Embarcadero And Lakeshore Avenue Project (Option B) In The Amount Of Four Million Four Hundred Forty-Nine Thousand Three Hundred Seventy-Eight Dollars (\$4,449,378.00) In Accordance With The Specifications For The Project And The Contractor's Bid; On The June 24, 2008 Public Works Committee Agenda

SEE TITLE CHANGE BELOW:

Adopt A Resolution Authorizing The City Administrator, Or Her Designee To, 1) Award A Construction Contract To Gallagher And Burk, Inc., For The Park And Street Improvements Of El Embarcadero And Lakeshore Avenue Project (Option B) In The Amount Of Four Million Four Hundred Forty Nine Thousand Three Hundred Seventy Eight Dollars (\$4,449,378.00) In Accordance With The Specifications For The Project And Contractor's Bid; 2) Appropriate \$1,542,750.00 Of Measure DD Series B Funds In The Lakeshore Avenue Path Improvement Project (C242312); And 3) Appropriate \$201,960.00 Of Measure DD Series B Funds In The Systemwide Project (C242112)

[\(07-1417\)](#)

S-4-18 Subject: 7th Street Streetscape Project - West Oakland BART
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Apply For, Accept, And Appropriate Up To Four Hundred Fifty Thousand Dollars (\$450,000.00) In Fiscal Year 2008-2009 Transportation Fund For Clean Air (TFCA) Funds For The 7th Street (West Oakland BART) Streetscape Project; On The July 8, 2008 Public Works Committee Agenda

[\(07-1444\)](#)

S-4-19 Subject: Revocable And Conditional Permit - Jack London Square Investors
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Jack London Square Investors II, LLC, A Revocable And Conditional Permit For A Pedestrian Bridge To Encroach Over Embarcadero And Connect 255 2nd Street With 65 Harrison Street; On The July 8, 2008 Public Works Committee Agenda

[\(07-1447\)](#)

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- S-4-20 Subject: Traffic Signal - Mountain Boulevard At La Salle Avenue
From: Community and Economic Development Agency
Recommendation: Receive A Follow Up Report Concerning The Proposed
Traffic Signal At The Intersection of Mountain Boulevard At LaSalle
Avenue In The Montclair District; On The July 8, 2008 Public Works
Committee Agenda
[\(07-1448\)](#)
- S-4-21 Subject: Hausrath Economics Group - Agreement
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A Professional Services
Agreement With Hausrath Economics Group In An Amount Not To Exceed
\$131,460 Including Contingency To Prepare An Updated Blight Study And
Provide Other Services For An Amendment To The Coliseum
Redevelopment Plan Extending The Eminent Domain Time Limits, And
Allocating A Contract Compliance Fee To The City Under The Cooperation
Agreement In The Amount Of \$3,540; On the June 24, 2008 Community
and Economic Development Committee Agenda
[\(07-1450\)](#)
- S-4-22 Subject: Property Improvements - 8603 & 8701 Hillside Street
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency
Administrator To Enter Into An Owner Participation Agreement With
Pineview Partners, LLC To Fund Necessary Exterior Improvements To
Properties Located At 8603 & 8701 Hillside Street From Central City East
Redevelopment Funds In An Amount Not To Exceed \$275,000; On The
July 8, 2008 Community And Economic Development Committee Agenda
[\(07-1451\)](#)

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Subject: Fox Theater Project
From: Community and Economic Development Agency
Recommendation: Adopt Redevelopment Agency And City Resolutions
Regarding The Fox Theater Project Including:

- (1) Authorizing The Agency Administrator To Enter Into A Bridge Loan Between The Agency And Fox Oakland Theater Inc (FOT), A Non-Profit Entity, In An Amount Not To Exceed \$7,450,000 To Fund The Completion Of The Fox Theater Renovation Project; And
- (2) Authorizing The Agency Administrator To Enter Into A Grant Agreement Between The Agency And Fox Theater Landlord LLC In An Amount Not To Exceed \$2,000,000, To Fund The Completion Of The Fox Theater Renovation Project; And
- (3) Authorizing The Agency Administrator To Enter Into A Loan Agreement Between The Agency And Another Planet Entertainment Inc. In An Amount Not To Exceed \$2,400,000 To Fund Needed Tenant Improvements In The Fox Theater; And
- (4) Authorizing The Agency Administrator To Enter Into A Loan Agreement Between The Agency And The Oakland School For The Arts In An Amount Not To Exceed \$2,300,000 To Fund The Tenant Improvements In The New Wrap-Around Portion Of The Building; And
- (5) Authorizing The Agency Administrator To Apply For, Accept And Appropriate Grant Funds From The Following: (1) California Cultural And Historical Endowment Grant In An Amount Not To Exceed \$1,400,000; (2) Department Of Housing And Community Development Infill Infrastructure Grant In An Amount Not To Exceed \$3,000,000; And A Federal Housing And Urban Development Grant In An Amount Not To Exceed \$3,000,000; And
- (6) Authorizing The Agency Administrator To Accept And Appropriate \$68,750 In Historic Mitigation Funds; On The July 8, 2008 Community And Economic Development Committee Agenda

[\(07-1464\)](#)

S-4-24

Subject: Civicorps Schools - Agreement Amendment
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute An Amendment To An Existing Agreement With Civicorps Schools (Formerly Known As East Bay Conservation Corps) Increasing The Contract By Forty-Three Thousand Dollars (\$43,000.00) For A Total Contract Amount Not To Exceed One Hundred Ninety-Three Thousand Dollars (\$193,000.00) To Deliver Educational Materials And Perform Additional Work Authorized In The Existing Contract Scope Of Services; On The July 8, 2008 Public Works Committee Agenda

[\(07-1452\)](#)

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S-4-25 Subject: On-Call Bridge Maintenance
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract To Ray's Electric For The On-Call Bridge Maintenance Services Fiscal Year 2008-2009 Project (C321710) For An Amount Not To Exceed Four Hundred Fifty Thousand Dollars (\$450,000.00); On The July 8, 2008 Public Works Committee Agenda
[\(07-1465\)](#)

5 A review of the Council Committees' actions from June 10, 2008 and determination of scheduling to the ORA/City Council meeting of June 17, 2008 or future dates (MATRIX)
[\(06-12 Rules Item 5\)](#)

6 A review of the Agendas for the Council Committees for the meeting(s) of June 24, 2008 and the Rules and Legislation Committee for the meeting of June 26, 2008
[\(06-12 Rules Item 6\)](#)

7 Action On The City Council's State Legislative Proposals And Agenda

Subject: Opposition To State Initiative 07-0094 - The Runner Initiative
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Opposing California State Initiative 07-0094, The Runner Initiative, A Proposed Ballot Measure That Would Annually Shift Half A Billion Dollars In State Resources From Education And Crime And Violence Prevention Services To Increase Funding For Criminal Justice Programs That Will A) Facilitate The Prosecution Of More Youth As Adults; B) Increase Penalties For Drug Offenses And Offenses Alleged To Be "Gang" Related; C) Create Mandatory Criminal Background Checks For Housing Subsidy Recipients; And D) Prohibit Bail For Undocumented Immigrants Charged With "Gang Related" Felonies
[\(07-1334\)](#)

Subject: Mortgage Lending Bills
From: Community And Economic Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Support Assembly Bill 69 (Lieu) To Expand Reporting Requirements By Mortgage Lenders And Servicers To Include Information About Defaults, Foreclosures And Loan Modifications;
[\(07-1388\)](#)

2) A Resolution To Support Assembly Bill 1830 (Lieu) To Reform Mortgage Lending Practices For High-Cost, Subprime And Nontraditional Loans;
[\(07-1388-1\)](#)

3) A Resolution To Support Assembly Bill 2359 (Jones) To Prohibit Mortgage Lending Terms That Require Borrowers Of High-Cost, Subprime And Nontraditional Loans To Waive Their Legal Rights, Remedies, Obligations Or Procedures, And To Provide For Assignee Liability For Affirmative Claims Or Defences That A Borrower Could Have

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Asserted Against The Original Lender Of A High-Cost Loan;
(07-1388-2)

4) A Resolution To Support Assembly Bill 2740 (Brownley) To Regulate The Charging Of Fees By Servicers Of Home Loans And Require Prompt Response To Borrower Requests For Information And Dispute Resolution;
(07-1388-3)

5) A Resolution To Support Assembly Bill 2880 (Wolk) To Clarify That Mortgage Brokers Operate As Fiduciaries For Borrowers, Require Certain Standards For And Prohibit Certain Practices By Mortgage Brokers, And Prohibit Compensation Of Mortgage Brokers For Steering Borrowers Into Overly Costly Loans; And
(07-1388-4)

6) A Resolution To Support Senate Bill 1137 (Perata) To Modify And Establish New Processes For Home Loan Foreclosure Procedures
(07-1388-5)

Subject: Support Of Assembly Bill 31
From: Community And Economic Development
Recommendation: Adopt A Resolution Declaring Council Support For Assembly Bill No. 31, Which Would Establish Legislative Intent To Make \$400 Million Available For The Acquisition And Development Of Urban Parks, Recreational Areas And Facilities Through Competitive Grants Under The Urban Parks Act Of 2006, Changes The Target Community Definition From "Heavily Urbanized County" To "Critically Underserved Community" And Establishes Priority Grant Award Criteria
(07-1389)

Subject: Support For Internet Radio
From: Councilmembers Jane Brunner and Nancy Nadel
Recommendation: Adopt A Resolution In Support Of The Internet Radio Equality Act (H.R. 2060, S. 1353) And Pandora, A Free Online Radio Station Located In Oakland's Uptown Area Enterprise Zone
(07-1446)

In accordance with Rule 28 of the Council's Rules of Procedure Resolution 79006 C.M.S., this item was place on this agenda.

This item requires an urgency finding pursuant to Section 2.20.808 E(2) of the Sunshine Ordinance requiring a 2/3 majority vote

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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

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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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[\(TDD\)](#)

- * In the event a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however, no final City Council action can be taken.

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

ORA - Oakland Redevelopment Agency

S - Supplemental Item