



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, September 16, 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)

SUPPLEMENTAL

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

Tuesday, September 16, 2008

- 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 July 15, 2008

8. PRESENTATION OF CEREMONIAL MATTERS

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
(07-1614)
- 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
(07-1615)
- 10.3-CC Subject: Whistleblower Protection
From: Council President De La Fuente And City Auditor Ruby
Recommendation: Adopt An Ordinance Prohibiting Retaliation Against Employees Who Act As Whistleblowers
(07-1021)

At the July 15, 2008 City Council meeting, staff was directed to return in September with a Resolution for the funding for the Whistle Blower Protection including the number of employees, the funding source and where it is coming from and what is being deleted to fund the program.

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

**Introduction (First Reading) was approved on July 15, 2008; 7 Ayes, 1
Abstain - Brooks**

- 10.4-CC Subject: Jack London District Interim Mixed-Use Parking Program Amendments
From: Councilmember Nancy Nadel
Recommendation: Adopt An Ordinance Amending Ordinance No. 12864 C.M.S., To Modify The Boundaries Of The Jack London District Interim Mixed-Use Permit Parking

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, September 16, 2008

Program Area, In Order To Include All Of The Merchants, Businesses, Employees, And Residents Along The Waterfront And At 401 Broadway Street, As Follows: (A) Extend The Southern Boundary Of The Permit Parking Area South Approximately Two Blocks From Embarcadero West, To The Edge Of The Estuary, Between Oak Street And Washington Street Only, Extending The Eastern Boundary In A Straight Line Down Oak Street To The Water; And (B) Extend The Northern Boundary Of The Permit Parking Area North One Block From Fourth Street, Between Washington Street And Broadway Only, To Include The Southern Side Of Fifth Street Only (TITLE CHANGE)
(07-1440)

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

Introduction (First Reading) was approved on July 15, 2008; 8 Ayes

10.5-CC Subject: Encroachment Permit - 1199 Pine Street
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting PCL Associates LLC A Revocable And Conditional Permit To Allow Portions Of Residential Units In A New Building At 1199 Pine Street To Encroach Over The Public Sidewalk
(07-1503)

The July 22, 2008 Public Works Committee approved recommendations; 3 Ayes, 1 Excused - Brooks

10.6-CC Subject: Lake Merritt And 12th Street Separation Structure Funding
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate \$15,110,000.00 Of Highway Bridge Program (HBP) Funding Including Up To \$13,376,883.00 In Federal Highway Administration (FHWA) Funds And Up To \$1,733,177.00 In State Proposition 1B Local Match Funds To Replace The 12th Street Eastern And Western Grade Separation Structures At Lake Merritt
(07-1504)

The July 22, 2008 Public Works Committee approved recommendations and directed staff to make sure the public was informed about alternative routes that could be used during the project and how they would be impacted by the project; 3 Ayes, 1 Excused - Brooks

10.7-CC Subject: As-Needed Environmental Services Contracts
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Enter Into An Agreement With Geomatrix In An Amount Up To Seven Hundred Fifty Thousand Dollars (\$750,000.00) For As-Needed General Environmental Consulting Services For A Two-Year, Eight-Month Period From November 1, 2008 Through June 30, 2011
(07-1550)

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, September 16, 2008

2) A Resolution Authorizing The City Administrator To Enter Into An Agreement With LFR In An Amount Up To Seven Hundred Fifty Thousand Dollars (\$750,000.00) For As-Needed General Environmental Consulting Services For A Two-Year, Eight-Month Period From November 1, 2008 Through June 30, 2011;

[\(07-1550-1\)](#)

3) A Resolution Authorizing The City Administrator To Enter Into An Agreement With Ninyo & Moore In An Amount Up To Seven Hundred Fifty Thousand Dollars (\$750,000.00) For As-Needed General Environmental Consulting Services For A Two-Year, Eight-Month Period From November 1, 2008 Through June 30, 2011

[\(07-1550-2\)](#)

4) A Resolution Authorizing The City Administrator To Enter Into An Agreement With URS In An Amount Up To Seven Hundred Fifty Thousand Dollars (\$750,000.00) For As-Needed General Environmental Consulting Services For A Two-Year, Eight-Month Period From November 1, 2008 Through June 30, 2011

[\(07-1550-3\)](#)

5) An Agency Resolution Authorizing The Agency Administrator To Expend Agency Funds Up To Three Million Dollars Under The Cooperation Agreement For As-Needed General Environmental Consulting Services For Redevelopment Projects Under The City Of Oakland Environmental Services Contracts In Effect From November 1, 2008 Through June 30, 2011

[\(07-1550-4\)](#)

The July 22, 2008 Public Works Committee approved recommendations; 3 Ayes, 1 Excused - Brooks

10.8-CC Subject: Purchase Of Real Property - 5859 Foothill Boulevard
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 5859 Foothill Boulevard, From Community Fund LLC For \$480,000 Less The Cost Of Environmental Site Remediation And Authorizing Up To \$50,000 For Costs For Demolition And Real Estate Closing

[\(07-1422\)](#)

The July 22, 2008 Finance and Management Committee approved recommendations; 4 Ayes,

10.9-CC Subject: Mass Care Shelter Sites - OUSD Agreement
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Acting City Administrator Or His Or Her Designee To Enter Into An Agreement With The Oakland Unified School District Regarding The Use Of Oakland Unified School District School Sites During Emergencies For Temporary Mass Care Shelter Sites

[\(07-1511\)](#)

The July 22, 2008 Public Safety Committee approved recommendations; 4 Ayes

SUPPLEMENTAL

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

Tuesday, September 16, 2008

10.10-CC Subject: Metropolitan Medical Response System
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept A Two Hundred Fifty Eight Thousand One Hundred Forty Five Dollar (\$258,145.00) Metropolitan Medical Response System (MMRS) Grant From The Governors Office Of Homeland Security To Fund The MMRS Program, Planning And Equipment For Oakland Fire Department
(07-1298)

**The July 22, 2008 Public Safety Committee approved recommendations; 4
Ayes**

10.11-CC Subject: POST Certified Emergency Vehicle Training
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute An Agreement With The California Commission On Peace Officer Standards And Training (POST) For The Period Of July 1, 2008 Through June 30, 2009 For The Purpose Of Permitting The Police Department To Present The POST Certified Emergency Vehicle Operations Course (EVOC) To One Hundred Fifty (150) Police Officer Trainees, And To Receive Up To Sixty-Six Thousand Seven Hundred Fifty Dollars (\$66,750) In Reimbursement Funds
(07-1500)

**The July 22, 2008 Public Safety Committee approved recommendations; 4
Ayes,**

10.12-CC Subject: Asset Forfeiture Fund
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or A Designee, To 1) Enter Into A Memorandum Of Understanding, For The Period Of September 30, 2008 Through October 1, 2009 And Renewable Annually, With The US Department Of Justice, Bureau Of Alcohol, Tobacco, Firearms And Explosives (ATF) And The Oakland Police Department (OPD) To Cooperate In The Operation Of A Joint Oakland Firearm And Gang Task Force (Task Force), And 2) Accept And Appropriate Reimbursement Funds From The US Department Of Justice Asset Forfeiture Fund To The Oakland Police Department For Investigator Overtime And Other Asset Forfeiture Fund Authorized Reimbursements In Accordance With The Existing Federal Sharing Agreement
(07-1560)

**The July 22, 2008 Public Safety Committee approved recommendations; 4
Ayes**

10.13-CC Subject: Travel Authorization For Councilmember Brooks
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Attend The African American Caucus Of The League Of Cities Conference From September 21 - 23, In Conjunction With The Previously Authorized Congressional Black

SUPPLEMENTAL

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

Tuesday, September 16, 2008

Caucus Legislation Conference From September 23-27, 2008
(07-1583)

10.14-CC Subject: United States Tennis Association Northern California
From: Vice Mayor Larry E. Reid
Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of \$2,202.95
Of Vice Mayor Larry E. Reid's Priority Project Funds To The United States Tennis
Association Northern California For Elmhurst Youth Tennis Center Members To Attend
The 87th Annual Pacific Coast Championships
(07-1607)

10.15-CC Subject: Chinatown Chamber Of Commerce - Priority Project Funds
From: Councilmember Pat Kernighan
Recommendation: Adopt A Resolution Authorizing Allocation Of \$500 Of
Councilmember Patricia Kernighan's Priority Project Funds To The Chinatown Chamber
Of Commerce For The Community Celebration Of The Completion Of The Revive
Chinatown Pedestrian Safety Improvements At Four Chinatown Intersections
(07-1610)

10.16-CC Subject: Priority Project Funds - District Six
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Use Of \$4591.96 From
Councilmember Desley Brooks' Priority Project Funds To Pay For Custom Screen
Printed T-Shirts Promoting The "So You Think You Can Hoop" Event Organized By
Councilmember Desley Brooks' Office (TITLE CHANGE)
(07-1618)

10.17-CC Subject: United States Tennis Association-Northern California
From: Councilmember Henry Chang
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2,000.00 From The
At-Large Councilmember Henry Chang, Jr.'s Pay-Go Funds To The United States Tennis
Association Northern California For Elmhurst Youth Tennis Center Members To Attend
The 87th Annual Pacific Coast Championships
(07-1619)

10.18-CC Subject: John And Jean Bouey - 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 John And Jean Bouey v. City Of Oakland,
Alameda County Superior Court Case No. RG07307959 In The Amount Of \$7,500.00.
This Action Arises From Flooding Of Plaintiffs' Property Located At 9312 Skyline
Boulevard Around December 2005, Allegedly Because Of The Discharge Of Surface
Water From Skyline Boulevard. The Settlement Was Approved By The City Council At
Closed Session On July 15, 2008 (Public Works Agency)
(07-1626)

11 An oral report from the Agency Counsel / City Attorney of final decisions made during
Closed Session

SUPPLEMENTAL

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

Tuesday, September 16, 2008

- 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: 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
[\(07-1599\)](#)

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
[\(07-1599-1\)](#)

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
[\(07-1599-2\)](#)

- 14.2 Subject: Delinquent Mandatory Garbage Fees
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For January/February/March 2008, Monthly Accounts And April/May/June 2008, 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

SUPPLEMENTAL

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

Tuesday, September 16, 2008

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

[\(07-1600\)](#)

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

[\(07-1600-1\)](#)

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

[\(07-1600-2\)](#)

14.3

Subject: Delinquent Real Property Transfer 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

[\(07-1601\)](#)

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

[\(07-1601-1\)](#)

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

[\(07-1601-2\)](#)

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, September 16, 2008

ACTION ON NON-CONSENT ITEMS:

- 15 Subject: Property Improvements - 8603 & 8701 Hillside Street
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing An Owner Participation Agreement With Pineview Partners, LLC, And Lenin Anne For The Rehabilitation Of 8603 & 8701 Hillside Street In The Central City East Redevelopment Project Area, Including Agency Funding In An Amount Not To Exceed \$275,000
(07-1451)

The July 22, 2008 Community and Economic Development Committee amended the resolution to add a Further Resolved that would require the Pineview Partners, LLC to sign the City Attorney's Office Compliance Plan before any funds are disbursed; 3 Ayes, 1 Abstain - Reid

From: The Office of the City Attorney
Recommendation: Receive A Supplemental Report On Agency Resolution Authorizing An Owner Participation Agreement For 8603 And 8701 Hillside Street
(07-1451-1)

The July 22, 2008 Community and Economic Development Committee recieved and forwarded this report; 4 Ayes

- 16 Subject: 16th Street Train Station
From: Community and Economic Development Agency
Recommendation: Action On A Report On The Status Of The Rehabilitation And Reuse Of The Historic 16th Street Train Station In West Oakland; And Adopt The Following Pieces of Legislation:

1) A Resolution Approving A Non-Profit Corporation To Be Created By The Train Station Partnership And Build To Oversee The Rehabilitation And Reuse Of The 16th Street Train Station In West Oakland

(07-1506)

The July 22, 2008 Community And Economic Development Committee amended the resolution to determine that the "Board" be comprised of 3 representatives from the Train Station Partnership, 2 representatives from BUILD West Oakland and 1 unknown representative with significant development experience to be confirmed by the Council; 3 Ayes, 1 No - De La Fuente

2) An Agency Resolution Authorizing A Predevelopment Loan With Deferred Repayment To The Train Station Entity For Rehabilitation Of The 16th Street Train Station In West Oakland In An Amount Not To Exceed \$400,000 (TITLE CHANGE)

(07-1506-1)

The July 22, 2008 Community And Economic Development Committee amended the resolution to make it a "non-forgivable" loan and directed

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, September 16, 2008

staff to provide more detail regarding how the \$400,000 would be spent to reflect the benchmarks; 3 Ayes, 1 No - De La Fuente

- 17 Subject: Ventures, LLC Loan - 1396 5th Street
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of 1396 Fifth Street (Former Red Star Yeast Factory) In West Oakland From 1396 Fifth Street LLC For A Purchase Price Not To Exceed \$2,750,000 Less Environmental Remediation Costs, Plus Closing Costs In An Amount Of \$60,000 (TITLE CHANGE)
(07-1507)

The July 22, 2008 Community And Economic Development Committee requested that staff be able to tell Council the purchase price paid by the current owner; 4 Ayes

- 18 Subject: Master Developer For The Former Oakland Army Base - RFP
From: Community and Economic Development Agency
Recommendation: Action On A Supplemental Report On Actions And Recommendations Regarding The Selection Of A Master Developer For A 108-Acre Portion Of The Former Oakland Army Base
(07-1359-1)

At the July 15, 2008 City Council meeting Council approved staff recommendations and directed staff to strike the following language from the RFP "However, destination retail would be inappropriate for the site due to access constraints;" and to specify in the RFP that work done on the land should be done by local small businesses; 8 Ayes

- 19 Subject: Rescinding Ordinance No. 12818 C.M.S. Plastic Bag Ban
From: Public Works Agency
Recommendation: Adopt An Ordinance Rescinding Ordinance No. 12818 C.M.S., Which Banned The Use Of Non-Biodegradable Plastic Carry-Out Bags At Point Of Sale By Certain Retail Establishments
(07-1597)

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

Final Passage (Second Reading) has been scheduled for October 7, 2008

- 20 Subject: Shepherd Canyon Park Parking Lot Project
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To 1) Waive Advertising And Authorize Direct Solicitation Of Competitive Bids For The Shepherd Canyon Park Parking Lot Project (B246741); And 2) Award A Construction Contract To The Lowest Responsive, Responsible Bidder For The Shepherd Canyon Park Parking Lot Project (B246741) In An Amount Not-To-Exceed \$110,000.00 Without Returning To Council

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, September 16, 2008

(07-1602)

- 21 Subject: The Shepherd Canyon Park Parking Lot - Donation Agreements
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Donations And Other Funds For Improvements To The Shepherd Canyon Park Parking Lot As Follows: A Donation Of \$30,000.00 From The Montclair Soccer Club, A Donation Of \$6,732.00 From The Friends Of Oakland Parks & Recreation, And A Donation Of \$5,000.00 From The Montclair Safety & Improvement Council

(07-1603)

- 22 Subject: Demolition Of Unsafe Structures For Wallace Street Properties
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Agency Resolution Contributing Central City East Redevelopment Funds In The Amount Of \$800,000.00 To The City Of Oakland Under The Cooperation Agreement, Of Which \$600,000.00 Will Be Allocated For Engineering And Slope Stabilization And \$200,000.00 Will Be Allocated For Demolition Of Unsafe Structures For Properties Located At 2621, 2631, And 2633 Wallace Street; And

(07-1604)

2) A Resolution Accepting And Appropriating Central City East Redevelopment Funds In The Amount Of \$800,000.00 From The Redevelopment Agency, Authorizing Allocation Of \$600,000.00 Of Said Funds To Engineering And Slope Stabilization, And Waiving Advertising And Authorizing Direct Solicitation Of Competitive Bids For And Award Of A Construction Contract To The Lowest Responsible, Responsive Bidder For Demolition Of Unsafe Structures Located At 2621, 2631, And 2633 Wallace Street (Project No. To Be Determined) In A Not-To-Exceed Amount Of \$200,000.00 Without Return To Council

(07-1604-1)

- 23 Subject: Measure M Performance Audit
From: Office of the City Auditor
Recommendation: Receive The Measure M Performance Audit: The City Used Emergency Medical Services Funds Appropriately

(07-1612)

- 24 Subject: Measure N Performance Audit
From: Office of the City Auditor
Recommendation: Receive The Measure N Performance Audit: The City Used Paramedic Services Funds Appropriately

(07-1613)

- 25 Subject: Whistleblower Program Funding
From: City Auditor Ruby/Council President De La Fuente/Councilmember Kernighan
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf

SUPPLEMENTAL

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

Tuesday, September 16, 2008

Of The City Of Oakland, To Appropriate To The Office Of The City Auditor \$330,000 In Fiscal Year 2008-2009 And \$330,000 In Fiscal Year 2009-2010 In General Purpose Funds For The Purpose Of Funding Administration Of The City Auditor's Whistleblower Program

[\(07-1616\)](#)

- 26 Subject: Amicus Brief - Nordyke v. King
 From: Office of the City Attorney
 Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Sign Onto An Amicus (Friend Of The Court) Brief In The Case Of Nordyke v. King Tasking The Court To Uphold Alameda County's Ordinance Banning The Possession Of Firearms And Ammunition On County Property
[\(07-1617\)](#)
- 27 Subject: Hiring Practices Audit - Funding
 From: Council President De La Fuente
 Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal Process For Hiring Audit Services In The Amount Of \$150,000.00 To Be Added To The Existing Agreement With Sjoberg Evashenk Consulting For A Total Contract Amount Of \$235,000.00, And Appropriating Funds In The Amount Of \$150,000.00 To The City Auditor's Budget To Pay For The Work
[\(07-1621\)](#)
- 28 Subject: City Planning Commission Appointments
 From: Office of the Mayor
 Recommendation: Adopt A Resolution Appointing Ada Chan And Reappointing Douglas Boxer, As Members Of The City Planning Commission
[\(07-1493\)](#)
- 29 Subject: Children's Fairyland Board - Appointment
 From: Office of the Mayor
 Recommendation: Adopt A Resolution Appointing Georgia Richardson As Member Of The Children's Fairyland Board
[\(07-1622\)](#)
- 30 Subject: Mayor's Designee - Police And Fire Retirement Board
 From: Office of the Mayor
 Recommendation: Adopt A Resolution Approving The Mayor's Designation Of The City Administrator To Serve In The Mayor's Place And Stead As A Member Of The Police And Fire Retirement Board
[\(07-1623\)](#)
- 31 Subject: Cultural Affairs Commission - Appointments
 From: Office of the Mayor
 Recommendation: Adopt A Resolution Reappointing/Appointing Brian Vejby, Lori Zook, Terry Hill And Matais Pouncil As Members Of The Cultural Affairs Commission
[\(07-1624\)](#)

SUPPLEMENTAL

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

Tuesday, September 16, 2008

S-32 Subject: Tattoo Parlor Moratorium
From: Councilmember Desley Brooks
Recommendation: Adopt An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Establishing A Temporary Moratorium On The Establishment Or Expansion Of An Activity Or Facility That Involves Tattooing, Body Piercing, And/Or Permanent Cosmetics To Take Effect Immediately Upon Adoption
(07-1625)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made to place this item on the agenda for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting

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

Pursuant to 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 until 45 days from its adoption.

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)

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

Phone: (510) 238-6406

Fax: (510) 238-6699

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(TDD)

SUPPLEMENTAL

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

Tuesday, September 16, 2008

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