



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, March 31, 2009

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: Patricia Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Jean Quan, Dist. 4; Ignacio De La Fuente, Dist. 5; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Rebecca Kaplan, At-Large, and President Jane Brunner, Dist. 1

- 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 17, 2009

8. PRESENTATION OF CEREMONIAL MATTERS

8.1 Subject: Dezie Woods-Jones Recognition
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution Acknowledging The Honorable Dezie Woods-Jones For Her Years of Dedicated Service to The City of Oakland
(09-0171)

S-8.2 Subject: Oakland Police Officer Recognition
From: The City Council
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Honoring Sergeant Ervin Romans And Extending Our Sincere And Deepest Sympathies And Condolences To His Family, Friends And Co-Workers;
(09-0259)

2) A Resolution Honoring Sergeant Mark Dunakin And Extending Our Sincere And Deepest Sympathies And Condolences To His Family, Friends And Co-Workers;
(09-0259-1)

3) A Resolution Honoring Sergeant Daniel Sakai And Extending Our Sincere And Deepest Sympathies And Condolences To His Family, Friends And Co-Workers; And
(09-0259-2)

4) A Resolution Honoring Officer John Hege And Extending Our Sincere And Deepest Sympathies And Condolences To His Family, Friends And Co-Workers
(09-0259-3)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the March 26, 2009 Rules and Legislation Committee 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 relates to a purely ceremonial or commendatory action.

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

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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
(09-0201)

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
(09-0202)

10.3-CC Subject: Hong Thach - 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 CSAA Insurance Company As Subrogee Of Hong Thach, In The Amount Of Seven Thousand Sixty Six Dollars And Sixty Seven Cents (\$7,066.67), As A Result Of Property Damage Sustained In An Automobile Accident With A City Vehicle On August 24, 2008 (OPD)
(09-0203)

10.4-CC Subject: Travel Authorization - Councilmember Kaplan
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Authorizing Councilmember Rebecca Kaplan To Travel To Portland, Oregon To Attend The National League Of Cities Green Cities Conference And Expo April 18-21, 2009
(09-0197)

10.5-CC Subject: Cypress Mandela Training Center - Pay-Go Grant
From: Council President Jane Brunner
Recommendation: Adopt A Resolution Authorizing A Grant Of \$10,000.00 From Councilmember Jane Brunner's Pay-Go Funds To The Cypress Mandela Training Center To Be Used For The Purchase Of Tools And Equipment For The Green Jobs For Youth Training Program
(09-0229)

10.6-CC Subject: Rehabilitation Of Existing Affordable Housing
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Take Actions To Facilitate The Transfer Of Affordable Housing Properties Owned By Oakland Community Housing, Inc. ("OCHI") Or OCHI Affiliates To New Ownership, Including Foreclosing On City Loans, Acquiring Properties At Foreclosure Sale, Transferring Properties To Affordable Housing Entities, And Assigning City Loans Or Lien Rights To Affordable Housing Entities
(09-0092-13)

ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE

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(SECOND READING) OF THE ORDINANCE

Introduction (First Reading) was approved on March 17, 2009; 8 Ayes

10.7-CC Subject: Revocable And Conditional Permit - 1700 50th Avenue
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A Revocable And Conditional Permit To Allow A Replacement Building For Fire Station No. 18 At 1700 50th Avenue To Encroach Into The Public Right-Of-Way
(09-0147)

The March 24, 2009 Public Works Committee approved recommendations; 3 Ayes, 1 Excused - Brooks

10.8-CC Subject: Franklin 88 Garage Management Agreement
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A Two-Year Agreement With Pacific Park Management, Inc., For Management Of The Franklin 88 Parking Garage At 9th And Franklin Streets In Downtown Oakland
(09-0152)

The March 24, 2009 Finance and Management Committee approved recommendations and directed staff to develop a proposal/strategy to increase the Monthly Parking at an affordable rate. Staff was also directed to look at having just one Parking Manager run the City's parking garages and to take a closer look at the contract and come up with more options to generate increased revenues; 4 Ayes

10.9-CC Subject: Rebuilding Oakland Together- Housing Rehabilitation Grant
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A \$50,000 Grant From Central City East Redevelopment Funds And A \$50,000 Grant From Coliseum Redevelopment Funds To Rebuilding Together Oakland To Rehabilitate Houses And/Or Facilities For Low-Income Seniors And/Or Disabled Persons Within The Project Areas
(09-0116)

The March 24, 2009 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused-Reid

10.10-CC Subject: Fitzgerald Park Improvements
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Allocating Redevelopment Funds In An Amount Not To Exceed \$100,000 For Improvements To Fitzgerald And Union Plaza Parks In West Oakland, And Authorizing A Contribution Of Agency Funds To The City Under The Cooperation Agreement For This Purpose; And
(09-0119)

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2) A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$100,000 For Improvements To Fitzgerald And Union Plaza Parks In West Oakland
(09-0119-1)

The March 24, 2009 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused-Reid

10.11-CC Subject: West Oakland Transit Village Project Funding
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Submittal Of Applications To The California Department Of Housing And Community Development (HCD) For Funding Under The Transit Oriented Development Housing (TOD) Program For The Mandela Transit Village Project In An Amount Not To Exceed \$17 Million And The Fruitvale Transit Village Phase II In An Amount Not To Exceed \$15 Million For Each Project And Authorizing Acceptance And Appropriation Of Grant Funds And The Execution Of Standard Agreements With HCD If Selected For Such Funding; And
(09-0149)

2) An Agency Resolution Authorizing The Submittal Of Applications To The California Department Of Housing And Community Development (HCD) For Funding Under The Infill Infrastructure Grant Housing Program For The Mandela Transit Village Project And The Coliseum Transit Village Project Phase II In An Amount Not To Exceed \$20 Million Each And The Fruitvale Transit Village Phase II In An Amount Not To Exceed \$15 Million And The 720 East 11th Street Project In An Amount Not To Exceed \$2,890,000 For These Projects And Authorizing Acceptance And Appropriation Of Grant Funds And The Execution Of Standard Agreements With HCD If Selected For Such Funding
(09-0149-1)

The March 24, 2009 Community and Economic Development Committee approved recommendations and directed staff to include in future reports information on how Transit Village projects compete against each other; 3 Ayes, 1 Excused-Reid

10.12-CC Subject: Ice Resurfacing Machine Purchase
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Agency Administrator To Purchase A Zamboni Ice Resurfacing Machine For The Oakland Ice Center In An Amount Not-To-Exceed \$90,000
(09-0151)

The March 24, 2009 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused-Reid

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- 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: Uptown Project Amendments
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:
- 1) An Agency Resolution Authorizing An Amendment To The Lease Disposition And Development Agreement Between The Redevelopment Agency, The City Of Oakland And Uptown Housing Partners, LP, For The Development Of A Mixed-Use Project In The Central District Redevelopment Project Area, Commonly Known As The Uptown Project (Phase 1), To: (A) Reduce The Agency's Contribution Toward Hazardous Materials Abatement By Up To \$252,000, From \$4,085,600 To \$3,833,600, Resulting From Remediation Cost Savings; And (B) Reallocate Up To \$182,000 Of The Remediation Cost Savings Toward The Construction Of The Public Park In The Uptown Project (Phase 1);
(09-0117)
- 2) A City Resolution Authorizing An Amendment To The Lease Disposition And Development Agreement Between The City Of Oakland, The Redevelopment Agency And Uptown Housing Partners LP For The Development Of A Mixed-Use Project In The Central District Redevelopment Project Area, Commonly Known As The Uptown Project (Phase 1), To: (A) Reduce The Agency's Contribution Toward Hazardous Materials Abatement By Up To \$252,000, From \$4,085,600 To \$3,833,600, Resulting From Remediation Cost Savings; And (B) Reallocate Up To \$182,000 Of The Remediation Cost Savings Toward The Construction Of The Public Park In The Uptown Project (Phase 1);
(09-0117-1)
- ~~3) An Agency Resolution Authorizing The Agency Administrator To Execute A Lease With FC Uptown Parcel 4 Parking, LLC, Or Related Entities, For A Term Of Up To 36 Months To Reconstruct And Operate A Parking Lot At 1911 Telegraph Avenue;~~
(09-0117-2)

**This item was continued to the April 7, 2009 Community and Economic
Development Committee agenda**

- 4) An Agency Resolution Authorizing An Amendment To The Disposition And

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Development Agreement Between The Redevelopment Agency And FC Uptown Parcel 4 LLC, For The Development Of A Mixed-Use Project At 1911 Telegraph Avenue, Commonly Known As The Uptown Project (Phase 2), To: (A) Extend The Date To Purchase The Property By 36 Months; And (B) Place An Amount Of Up To \$70,000 From The Sales Proceeds In Escrow To Reimburse FC Uptown Parcel 4 LLC For Certain Hazardous Materials Abatement Costs To Be Incurred Developing The Project; And

[\(09-0117-3\)](#)

5) A City Resolution Approving An Amendment To The Disposition And Development Agreement Between The Redevelopment Agency And FC Uptown Parcel 4 LLC, For The Development Of A Mixed-Use Project At 1911 Telegraph Avenue, Commonly Known As The Uptown Project (Phase 2), To: (A) Extend The Date To Purchase The Property By 36 Months; And (B) Place An Amount Of Up To \$70,000 From The Sales Proceeds In Escrow To Reimburse FC Uptown Parcel 4 LLC For Certain Hazardous Materials Abatement Costs To Be Incurred In Developing The Project

[\(09-0117-4\)](#)

The March 24, 2009 Community and Economic Development Committee approved recommendations and directed staff to submit a supplemental report with a detailed chart comparing the original language of the Disposition And Development Agreement, the original language of the Lease Disposition And Development Agreement to the language of the proposed current amendments; 3 Ayes, 1 Excused-Reid

14.2 Subject: Defremery Recreation Center Rehabilitation
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of Oak Center Redevelopment Agency Funds To The City Of Oakland Under The Cooperation Agreement In An Amount Not To Exceed \$85,000 For Rehabilitation Of The Defremery House And Tennis Courts At 1651 Adeline Street In The Oak Center Redevelopment Project Area; And

[\(09-0118\)](#)

2) A Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$85,000 For Rehabilitation Of The Defremery House And Tennis Courts At 1651 Adeline Street In The Oak Center Redevelopment Project Area

[\(09-0118-1\)](#)

The March 24, 2009 Community and Economic Development Committee approve recommendations; 3 Ayes, 1 Excused-Reid

14.3 Subject: Consolidated Annual Performance And Evaluation Report
From: Community and Economic Development Agency

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Recommendation: Conduct A Public Hearing And Upon Conclusion Take The Following Actions:

1) Receive A Report Regarding (1) Review Of Oakland's Consolidated Annual Performance And Evaluation Report (CAPER) For Community Development Block Grant, Home, Housing Opportunities For People With Aids And Emergency Shelter Grant Programs Performance For The Year 2007-2008; And

(09-0150)

2) Adopt A Resolution Allocating An Estimated Award Of \$8,326,488 Of Community Development Block Grant (CDBG) Funds For Fiscal Year 2009-2011 Between The Categories Of Administration, Economic Development, Housing, Homeless Services, HUD 108 Loan Repayment And Neighborhood Programs And Allocating An Additional Estimated Amount Of \$670,480 In Program Income To A Revolving Loan Fund For Housing Rehabilitation Activities

(09-0150-1)

The March 24, 2009 Community and Economic Development Committee approved recommendations and directed staff to include in future reports the total allocated amount of the Citywide Funds for homeless programs; 3 Ayes, 1 Excused-Reid

ACTION ON NON-CONSENT ITEMS:

15 Subject: Municipal Code Amendment - Special Elections

From: Office of the City Attorney

Recommendation: Adopt An Ordinance Adding Section 3.08.040 To Chapter 3.08 Of The Oakland Municipal Code, Entitled "Elections", To Authorize The City Council To Call A Special Election On July 21, 2009 (TITLE CHANGE)

(09-0189)

At the March 17, 2009 Council meeting: A motion was made by Councilmember Nadel, seconded by Councilmember Quan to set the election date as July 21, 2009. A substitute motion was then made by Councilmember De La Fuente, seconded by Councilmember Reid to set the election date as June 30, 2009.

Upon call of the roll on the substitute motion, the motion tied: Ayes: Councilmembers Brooks, De La Fuente, Kaplan, Reid -4; Noes: Councilmembers Kernighan, Nadel, Quan President Brunner -4;

Upon call of the roll on the original motion, the motion passed: Ayes: Councilmembers Kaplan, Kernighan, Nadel, Quan, President Brunner-5; Noes: Councilmembers Brooks, De La Fuente, Reid-3.

Because there was a tie vote on the substitute motion, the vote on the original motion is void.

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Pursuant to Rule 29 of the Council's Rules of Procedure, Resolution No. 79006 C.M.S. and City Charter Section 200 this item was continued to the March 31, 2009 City Council meeting.

Pursuant to City Charter Section 200, which provides that "the Mayor shall have a vote on the Council if the councilmembers are evenly divided", and Rule 29 of the Council's Rules of Procedure, Resolution No. 79006 C.M.S. this item was continued to the Council's next regularly scheduled meeting solely for the purpose of allowing the Mayor to cast the tie breaking vote on the motion.

Rule 29 provides the following regarding the procedure: "Council and public discussion is permitted on the item to be voted on by the Mayor; however, Council members cannot change their vote unless the item has been properly noticed for reconsideration. The Mayor must appear at the Council meeting to cast his vote."

If the Mayor does not cast the tie breaking vote, Council will return to the original motion.

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

Final Passage (Second Reading) has been scheduled for April 21, 2009

16 Subject: Charter Amendment To Section 1300 On Kids First
From: Councilmembers Jean Quan and Patricia Kernighan
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) (OPTION A-Set Aside of 2.5% of Actual Unrestricted General Purpose Fund City Revenue for Programs for Children and Youth)
A Resolution Submitting, On The City Council's Own Motion, To The Electors At The Next Special Municipal Election, That Is Not Less Than 88 Days And No More Than 150 Days After The Date The Council Passses This Resolution, A Measure (1) To Repeal Charter Section 1300 On Kids First! Oakland Fund For Children And Youth Adopted By The Voters On November 4, 2008 (Measure OO) And (2) Readopt Charter Section 1300 On Oakland Fund For Children And Youth Adopted By The Voters On November 7, 1996 (Measure K) As Amended To, Among Other Things, Set Aside Two And One-Half Percent (2.5%) Of The Actual Unrestricted General Purpose Fund City Revenue For Programs For Children And Youth And (3) Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With Applicable Legal Requirements
(09-0103)

2) (OPTION D - Set Aside of 3.5% of Actual Unrestricted General Purpose Fund City

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Revenue for Programs for Children and Youth)

A Resolution Submitting, On The City Council's Own Motion, To The Electors At The Next Special Municipal Election, That Is Not Less Than 88 Days And No More Than 150 Days After The Date The Council Passses This Resolution, A Measure (1) To Repeal Charter Section 1300 On Kids First! Oakland Fund For Children And Youth Adopted By The Voters On November 4, 2008 (Measure OO) And (2) Readopt Charter Section 1300 On Oakland Fund For Children And Youth Adopted By The Voters On November 7, 1996 (Measure K) As Amended To, Among Other Things, Set Aside Three And One-Half Percent (3.5%) Of The Actual Unrestricted General Purpose Fund City Revenue For Programs For Children And Youth And (3) Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With Applicable Legal Requirements (TITLE CHANGE)

(09-0103-1)

At the March 17, 2009 Council meeting Councilmember Kernighan proposed an amendment to Measure OO, (Option D-2) which has the same setaside formula as Option D (3.5% of the actual unrestricted general purpose fund revenue) and keeps the baseline year the same as in Option D (1995-96). The difference with this option is that most of the remaining language would remain the same as Measure OO, rather than Measure K. It is entitled: A Resolution submitting, on the City Council's Own Motion, to the Electors at the next Municipal Election, a Measure (1) to Amend Charter Section 1300 on Kids First! Oakland Fund for Children and Youth adopted by the voters on November 4, 2008 (Measure OO) to, among other things, set aside Three and One-half percent (3.5%) of the Actual Unrestricted General Purpose Fund City Revenue for Programs for Children and Youth and (2) Directing the City Clerk to Fix the Date for Submission of Arguments and provide for notice and publication in accordance with applicable legal requirements.

A motion was made by Councilmember Kernighan, seconded by Councilmember Nadel to place Option D-2 to Measure OO (Attached) on the ballot.

A substitute motion was made by Vice Mayor De La Fuente, seconded by Councilmember Reid to place Option D-2 to Measure OO on the ballot with the following amendments: 1) funding to remain at 2.5% of the unrestricted general fund and 2) adding the following language to Section 9 (e) "Funding recommendations will be presented to the City Council no later than April 15th of each year" and to Section 9 (f) "An independent evaluation shall be done each year for the contracts for the period from July 1st to June 30th of the preceding year. The evaluation will be available to the Children's Fund Planning and Oversight Committee for review in October and presented to the City Council prior to the Committee's funding recommendations. Additionally, fund recipients that receive poor

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evaluations for two consecutive years will not be eligible for funding in the next year's funding cycle." (Attached)

Upon call of the roll on the substitute motion, the motion tied: Ayes: Councilmembers Brooks, De La Fuente, Reid, President Brunner -4; Noes: Councilmembers Kaplan, Kernighan, Nadel, Quan -4.

Pursuant to Rule 29 of the Council's Rules of Procedure, Resolution No. 79006 C.M.S. and City Charter Section 200 this item was continued to the March 31, 2009 City Council meeting.

Pursuant to City Charter Section 200, which provides that "the Mayor shall have a vote on the Council if the councilmembers are evenly divided", and Rule 29 of the Council's Rules of Procedure, Resolution No. 79006 C.M.S. this item was continued to the Council's next regularly scheduled meeting solely for the purpose of allowing the Mayor to cast the tie breaking vote on the motion.

Rule 29 provides the following regarding the procedure: "Council and public discussion is permitted on the item to be voted on by the Mayor; however, Council members cannot change their vote unless the item has been properly noticed for reconsideration. The Mayor must appear at the Council meeting to cast his vote."

If the Mayor does not cast the tie breaking vote, Council will return to the original motion.

- 17 Subject: 2009 Lighting, Parks, Trees, Heath and Safety Emergency - Ballot Measure
From: Councilmember Quan
Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion, To The Electors At The Next Special Municipal Election, That Is Not Less Than 88 Days And No More Than 150 Days After The Date The Council Passses This Resolution, A Proposed Ordinance Creating The 2009 Lighting, Parks And Trees Emergency Health And Safety Measure And Parcel Tax; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The Next Municipal Special Election
(09-0104)

The March 10, 2009 Finance and Management Committee directed staff to write a supplemental report addressing the following: 1) What is baseline number of FTE's that should be doing LLAD activities? 2) Language on passing this on to renters - sharing cost with tenants; and 3) A revision to the minimum standards; 3 Ayes, 1 No - De La Fuente

- 18 Subject: American Recovery And Reinvestment Act Grants Progress
From: Council President Jane Brunner
Recommendation: Receive A Status Report On The City's Progress In Preparing Projects

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For Funding And Identifying And Applying For Grants From The American Recovery
And Reinvestment Act Of 2009

(09-0187)

- 19 Subject: T.Y. Lin International - Contract Amendment No. 3
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Waiving The Request For Proposal/Request For
Qualification Competitive Selection Process Requirements And Authorizing
Amendment No. 3 To The Professional Services Contract With T.Y. Lin
International/Earthtech, Joint Venture For The Replacement Of Embarcadero Bridge
Over Lake Merritt Channel (Project No. G121810) Increasing The Scope Of Work And
The Contract Amount By Six Hundred Eighty Thousand Dollars (\$680,000.00) For A
Total Contract Amount Not To Exceed One Million Nine Hundred Eighty Thousand
Two Hundred Forty-Four Dollars (\$1,980,244.00)

(09-0088)

The March 10, 2009 Public Works Committee approved recommendations and directed staff to write a supplemental report and include all of the original DBE contract federal documents and all related Request For Proposal/Request For Qualification process documents for T.Y. Lin International/Earthtech, Joint Venture to confirm all percentages and original obligations; 3 Ayes, 1 Abstention - Brooks

- 20 Subject: Central City East And Coliseum Project Areas Security
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A Professional Services
Agreement For An Amount Not To Exceed \$180,000 With International Services
Incorporated Or DTM Corporation To Provide Armed Security Patrol Services In The
Central City East And Coliseum Redevelopment Areas, And Allocating A Contract
Compliance Fee To The City Under The Cooperation Agreement In The Amount Of 3%
Of The Contract Amount

(07-1778-1)

This item was continued from the March 17, 2009 City Council Agenda

The March 10, 2009 Community and Economic Development Committee approved recommendations; 2 Ayes, 1 No - Kernighan, 1 Absent - Brunner

- 21 Subject: Budget Changes
From: The Budget Office
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing A Balancing Proposal To Address The Fiscal Year
2008-2009 Projected \$8.22 Million Deficit In The General Purpose Fund; And

(09-0226)

2) An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule),
As Amended, To Establish, Modify, And Delete Fees Assessed By The Office Of Parks

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And Recreation
(09-0226-1)

At the March 17, 2009 Council meeting staff was directed to come back to the March 31, 2009 City Council meeting with a resolution and a report including the following: 1) An analysis of policing costs (i.e. overtime costs versus costs for more officers); 2) An analysis of the other items that might potentially be eligible for competitive grant funds; 3) The number of vacancies in and the revenue through February 28, 2009 for Fund 2415; 4) The balance in the Geological Hazard Abatement District Fund; 5) Whether or not the City can charge BART for the cost of covering the demonstrations; 6) Analysis of increasing the fees for the City Pools; 7) More information on the proposed cuts in IT and the impacts of those cuts; and 8) Whether or not the City is collecting the Cigarette Tax as prescribed in Municipal Code Section 4.12.

Staff was also directed to: 1) Provide to the full council a list of every police officer injured and/or on administrative leave; and 2) Remove the following items from the "cut" list: Oakland History Room, Hardy Park and the Redlight Camera Enforcement

Staff was further directed to come back in April with a status report on the cuts made last year during the budget process and to include what department/agency the positions are cut from

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

Final Passage (Second Reading) has been scheduled for April 21, 2009

- 22 Subject: Wildfire Prevention Assessment Board Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Appointing Douglas Wong As A Member Of
The Wildfire Prevention Assessment District Advisory Board
(09-0236)
- 23 Subject: Community Policing Advisory Board - Appointments
From: Office of the Mayor
Recommendation: Adopt A Resolution Re-Appointing Pat K. Frick, Deborah Taylor,
Robert Vaughn, And Josephine Lee As Members Of the Community Policing Advisory
Board
(09-0237)
- 24 Subject: 2009 American Recovery And Reinvestment Act Grant
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

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1) A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate American Recovery And Reinvestment Act Of 2009 (ARRA) Funds Of Approximately Five Million Nine Hundred And Sixty-Eight Thousand Dollars (\$5,968,000.00) For The Purpose Of Street Resurfacing, Curb Ramp Installation, And Sidewalk Repair; And
(09-0148)

2) A Resolution Authorizing The Filing Of An Application For Federal American Recovery And Reinvestment Act Of 2009 (ARRA) Funding And Stating The Assurance To Complete The Project
(09-0148-1)

**The March 24, 2009 Public Works Committee approved
recommendations; 3 Ayes, 1 Excused-Brooks**

25 Subject: COPS Grant For New Officers
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Grant Funds From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS), COPS Hiring Recovery Program (CHRP), To Fund The Entry-Level Salary And Fringe Benefit Costs Of Police Officers For A Thirty-Six (36) Month Period, And Appropriate Said Funds To The Police Department
(09-0180)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the March 26, 2009 Rules and Legislation Committee 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.

26 Subject: Professional Services Agreement - Dakota Warren
From: Cultural Arts Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Dakota Warren For Public Art Design, Fabrication And Installation Services For The Fremont Pool Project In An Amount Not To Exceed Sixty Thousand Dollars (\$60,000)
(09-0199)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the March 26, 2009 Rules and Legislation Committee 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

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, March 31, 2009

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.

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)

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(TDD)

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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