



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

***Special 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, February 05, 2008

5:00 PM

City Council Chambers - 3rd Floor

**** PLEASE NOTE CHANGE IN TIME ****

- 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)
- 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)
- 4 Modification 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.
- 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 January 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
(07-0990)

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- 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
[\(07-0991\)](#)
- 10.3-CC Subject: Oil Spill - Local Emergency
From: Office of Emergency Services
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The November 7, 2007 Catastrophic Oil Spill In The San Francisco Bay That Occurred When M/V Cosco Busvan, A Container Ship, Side Swiped One Of The Bay Bridge Western Anchorages
[\(07-0992\)](#)
- 10.4-CC Subject: Cosco Busan - Lawsuit
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing The City Attorney To Join The Lawsuit Filed By The City And County Of San Francisco Against Owners And Operators Of Cosco Busan For Causing The Catastrophic Oil Spill In The Oakland-San Francisco Bay On November 7, 2007: City And County Of San Francisco V. Regal Stone, LTD; Fleet Management LTD; Hanjin Shipping Co., LTD; Synergy Management Services; Synergy Marine Limited; John J. Cota, An Individual, And Does One Through 100, San Francisco County Superior Court, Case No. CGC 07469876
[\(07-0993\)](#)
- 10.5-CC Subject: Winter Storms - Local Emergency
From: Oakland Fire Department
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Severe Impacts And Calamities Caused By The Series Of Winter Storms That Commenced On Or About January 3, 2008
[\(07-0972\)](#)
- 10.6-CC Subject: Crystal Smith - Settlement Agreement
From: City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Crystal Ellease Smith V. City Of Oakland; Et Al., Alameda County Superior Court Case No. WG06277827, In The Amount Of \$12,000.00 As A Result Of An Auto Accident Near The Intersection Of Macarthur Blvd And 90th Avenue. (Public Works Services Agency)
[\(07-0959\)](#)
- 10.7-CC Subject: Mercy Properties California - Lease Renewal
From: Department of Human Services
Recommendation: Approve The Final Passage (Second Reading)Of An Ordinance Authorizing The Renewal Of A Lease On A City-Owned Property Located At 1226 - 73rd Avenue To Mercy Properties California To Continue The Long Term Use Of The

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Property For An Additional Five Years, From December 1, 2007 To November 30, 2012
As Housing Under HUD's Shelter Plus Care Program
(07-0793)

**Introduction (First Reading) was approved on January 15, 2008; 7 Ayes, 1
Excused - De La Fuente**

10.8-CC Subject: Amendment To Zone Regulations - S-5 Zone Area
From: Community And Economic Development Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Interim
Ordinance Amending The Zoning Regulations For Three Years Or Until The City
Council Adopts Permanent Regulations To: A) Expand The S-5 Broadway Retail
Frontage Interim Combining Zone (S-5 Zone) On The Zoning Maps To Include The East
Side Of Webster Street Between 30th Street And Hawthorne Avenue And An Area Near
Valdez And 27th Streets And B) Amend The Text Of The S-5 Zone In The Planning
Code To Require New Construction To Contain Ground Floor Commercial Space At
These Expanded Areas
(07-0920)

**Introduction (First Reading) was approved on January 15, 2008; 7 Ayes, 1
Excused - De La Fuente**

10.9 Subject: Cable Franchise Renewal
From: Information Technology Department
Recommendation: Approve The Introduction (First Reading) Of An Ordinance
Amending Ordinance No. 10399 C.M.S. To Extend For Ten Years The Cable Franchise
Held By Comcast Of California/Colorado, LLC To Construct And Operate A Cable
System To Provide Cable Service Within The City Of Oakland; Amending The Terms
And Conditions Of The Franchise; And Establishing Certain Remedies For The
Violation Of The Franchise
(07-0923)

**Introduction (First Reading) was approved on January 15, 2008; 5 Ayes, 1
Excused - De La Fuente, 1 No - Brunner and 1 Recused - Kernighan**

10.10-CC Subject: Protect Access To Reproductive Health Care Facilities - Amendments
From: Office of the City Attorney
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance
Amending Title 8 Of The City Of Oakland Municipal Code By Adding A New Chapter,
8.50, Entitled "Access To Reproductive Health Care Facilities," And New Sections
8.50.010 Through _____, To Protect Access To Reproductive Health Care
Facilities And Creating A Private Right Of Action For Violations Of This Chapter
(07-0922)

**Introduction (First Reading) was approved on January 15, 2008; 7 Ayes, 1
Excused - De La Fuente**

10.11-CC Subject: Firestorm Memorial Garden - Improvements
From: Councilmember Jean Quan

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Recommendation: Adopt A Resolution Waiving City's Competitive Bid Requirements For Small Pay-Go Funded Materials Purchases In The Amount Of Two Thousand Dollars (\$2,000.00) To Improve Firestorm Memorial Garden
[\(07-0933\)](#)

10.12-CC Subject: Joaquin Miller Park Signage - Improvements
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Waiving City's Competitive Bid Requirements For A Small Pay-Go Funded Purchase In The Amount Of Seven Thousand Fourteen Dollars And Thirty Eight Cents (\$7,014.38) For Signage To Improve Joaquin Miller Park
[\(07-0934\)](#)

10.13-CC Subject: Dimond Park Flower Boxes - Improvements
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Waiving City's Competitive Bid Requirements For A Small Pay-Go Funded Purchase In The Amount Of One Thousand Three Hundred Ninety Two Dollars (\$1,392.00) For Flower Boxes To Improve Dimond Park
[\(07-0935\)](#)

10.14-CC Subject: Bay Area Blues Society - Grant
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2,000 From Councilmember Nancy J. Nadel's Pay-Go Funds To The Bay Area Blues Society To Offset Expenses Incurred For The City-Sponsored 12th Annual 'Home Grown Blues Festival'
[\(07-0974\)](#)

S-10.15-C Subject: Project Priority Funds - District Five
C From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing Two Grants From Councilmember De La Fuente's Priority Project Funds, One To The Oakland Unified School District In The Amount Of \$8,450 And One To The Unity Council In The Amount Of \$784.75 To Fund The After School Sports Program At Cesar Chavez Education Center
[\(07-1010\)](#)

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

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**AT THE CONCLUSION OF THE CONSENT CALENDAR, DEPENDING UPON THE
HOUR, COUNCIL WILL BEGIN HEARING THE DISCUSSION (NON-CONSENT) ITEMS.
THE PUBLIC HEARINGS WILL COMMENCE AT 7 PM OR AS SOON AS REASONABLY
PRACTICAL THEREAFTER**

14. Consideration of items with statutory Public Hearing Requirements:

14.1 Subject: Oakland Army Base-Freeway Auto Mall
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Execution Of A Disposition And Development Agreement With Argonaut Holdings, Inc. For The Sale Of Approximately 6.3 Acres Within The Former Oakland Army Base For The Appraised Fair Market Value (\$7,180,000) For The Development Of A General Motors Dealership; (TITLE CHANGE) And
(07-0600-1)

2) An Agency Resolution Authorizing An Up To \$1.5 Million Forgivable Loan To Argonaut Holdings, Inc. For The Development Of A General Motors Dealership, To Be Funded From Land Sales Proceeds From The Sale Of 6.3 Acres Within The Former Oakland Army Base; And
(07-0600-2)

3) A City Resolution Approving The Sale Of Approximately 6.3 Acres Of Real Property Located Within The Former Oakland Army Base For The Appraised Fair Market Value (\$7,180,000) To Argonaut Holdings, Inc. For Its Development Of A General Motors Dealership (TITLE CHANGE)
(07-0600-3)

The January 22, 2008 Community and Economic Development Committee approved recommendations and directed staff to provide a thorough analysis and/or breakdown of the \$1.5 million and to also provide specific language detailing the critical mass of dealerships; 3 Ayes, 1 No - Brunner

14.2 Subject: Montclair Business Improvement District
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Annual Report Of The Montclair Business Improvement District Advisory Board And Levying The Annual Assessment For The Montclair Business Improvement District For Fiscal Year 2008/2009
(07-0987)

14.3 Subject: Rockridge Business Improvement District
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Annual Report Of The Rockridge Business Improvement District Advisory Board And Levying The Annual Assessment For The Rockridge Business

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Improvement District For Fiscal Year 2008/2009
(07-0988)

ACTION ON NON-CONSENT ITEMS:

15 Subject: Oakland Park Rangers' Association - Agreements
From: Finance and Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Two (2) Year Extension Of The Memorandum Of Understanding Between The City Of Oakland And The Oakland Park Rangers' Association, Representing Employees In Representation Unit R01, Covering The Period Of July 1, 2006 To June 30, 2008 Which Includes An Increase In Wage Of Four Percent (4%) Per Fiscal Year In Parity With All Units Except Police
(07-0937)

2) Approve The Introduction (First Reading) Of An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Increase The Salaries Of Employees In Representation Unit R01 By 4% For Fiscal Year 2006-2007 And 2007-2008, Pursuant To The Recently Approved Two (2) Year Extension Of The Memorandum Of Understanding For The Oakland Park Rangers' Association
(07-0937-1)

Final Passage (Second Reading) has been scheduled for February 19, 2008

16 Subject: Update On Instant Run-Off Voting
From: Office of the City Clerk
Subject: Receive An Update On The Implementation Of Instant Run-Off Voting And Adopt The Following Pieces Of Legislation:

1) A Resolution Declaring That The City Of Oakland Is Unable To Use Ranked Choice Voting For The 2008 Elections; And
(07-0985)

2) Approve The Introduction (First Reading) Of An Ordinance Conforming The City Of Oakland's Tuesday, June 3, 2008 Municipal Nominating Election With The Statewide Direct Primary Election
(07-0985-1)

Final Passage (Second Reading) has been scheduled for February 19, 2008

17 Subject: Oakland Community Housing, Inc - Grants
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Amending Resolution No. 2007-44 C.M.S. To Authorize An Additional \$500,000 In Operating Funding, In The Form Of Grants, For A Total Operating Funding Amount Of \$1.5 Million, To The Following Affordable Rental

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Projects: The California Hotel (3501 San Pablo Avenue); Drasnin Manor (2530 International Boulevard); Eldridge Gonaway Commons (115 3rd Avenue); Foothill Plaza (6311 Foothill Boulevard); James Lee Court (690 15th Street); Kenneth Henry Court (6455 Foothill Boulevard); Marin Way Court (2000 International Boulevard); Nueva Vista (3700 International Boulevard); The Oaks Hotel (587 15th Street); San Antonio Terrace (1485 E 22nd Street); Slim Jenkins Court (700 Willow Street); And Reallocating Low And Moderate Income Housing Funds For This Purpose
(07-0893)

2) An Agency Resolution Allocating \$300,000 To Cahon Associates As A Grant For Rehabilitation And Conversion Of The California Hotel, Located At 3501 San Pablo Avenue, For Permanent Support Housing Units For Homeless Individuals And Households
(07-0893-1)

The January 22, 2008 Community and Economic Development Committee approved recommendations and directed staff to come back in 90 days with a status and action report; 4 Ayes

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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Office of the City Clerk - Agenda Management Unit

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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