



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 02, 2010

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 5:30 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 6:30 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)

SUPPLEMENTAL

- 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 February 16, 2010

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: American Red Cross Month
From: Councilmember Quan
Recommendation: Adopt A Resolution Celebrating March 2010 As American Red Cross Month
(09-1230)

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
(09-1215)
- 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
(09-1216)
- 10.3-CC Subject: 2010 National Developmental Disabilities Month
From: Council President Brunner
Recommendation: Adopt A Resolution Proclaiming March 2010 National Developmental Disabilities Month And Recognizing The Arc Of Alameda County For Its Leadership In Providing Quality Services For People With Intellectual And Developmental Disabilities And Their Families
(09-1209)
- 10.4-CC Subject: 2008-2009 Audit Report
From: Finance and Management Agency
Recommendation: Receive An Informational Report Presenting The Measure Y - Violence Prevention & Public Safety Act Of 2004 Audit And Program Status Report
(09-1067)
- 10.5-CC Subject: 2010 Legislation Session
From: Councilmember De La Fuente

SUPPLEMENTAL

Recommendation: Adopt A Resolution Urging The United States Senate To Introduce And Pass A Fair, Humane And Comprehensive Immigration Reform Bill During The 2010 Legislative Session
(09-1232)

S-10.6-CC Subject: Alameda County Green Business Program
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving The Competitive RFQ/RFP Selection Requirement And Awarding A Two-Year Agreement For An Amount Not-To-Exceed Sixty Thousand Dollars (\$60,000.00) To The Association Of Bay Area Governments Balance Foundation -Alameda County Green Business Program To Provide Green Business Certification For Oakland Businesses
(09-1143)

**The February 23, 2010 Public Works Committee approved
recommendations; 4 Ayes**

S-10.7-CC Subject: Conditional And Revocable Permit - 610 Lancaster Street
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Permit To Lancaster Lofts LLC To Allow A Second Story Bedroom For A New Residence Located At 610 Lancaster Street To Encroach Over The Public Right-Of-Way
(09-1158)

**The February 23, 2010 Public Works Committee approved
recommendations; 4 Ayes**

S-10.8-CC Subject: Eighteen Professional Services Agreements
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreement In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000) With Bruce Jett Associates For As-Needed Landscape Architectural Services Over A Period Of Three Years; And
(09-1165)

2) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreement In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000) Peter Wolfe Landscape Architecture For As-Needed Landscape Architectural Services Over A Period Of Three Years; And
(09-1165-1)

3) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreement In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000) Merrill Morris Partners, Inc. For As-Needed Landscape Architectural Services Over A Period Of Three Years; And
(09-1165-2)

SUPPLEMENTAL

4) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreement In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000) Harris Design For As-Needed Landscape Architectural Services Over A Period Of Three Years; And

[\(09-1165-3\)](#)

5) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreement In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000) Cliff Lowe Associates For As-Needed Landscape Architectural Services Over A Period Of Three Years; And

[\(09-1165-4\)](#)

6) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreement In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000.00) Keller Mitchell And Company For As-Needed Landscape Architectural Services Over A Period Of Three Years; And

[\(09-1165-5\)](#)

7) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreement In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000) Restoration Design Group For As-Needed Landscape Architectural Services Over A Period Of Three Years; And

[\(09-1165-6\)](#)

8) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreement In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000) Urban Design Associates For As-Needed Landscape Architectural Services Over A Period Of Three Years; And

[\(09-1165-7\)](#)

9) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreement In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000) Questa Engineering Corporation, For As-Needed Landscape Architectural Services Over A Period Of Three Years; And

[\(09-1165-8\)](#)

10) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreements In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) With Dillingham Associates For As-Needed Landscape Architectural Services Over A Period Of Three Years; And

[\(09-1165-9\)](#)

11) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreements In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) With Adrienne Wong Associates For As-Needed Landscape Architectural Services Over A Period Of Three Years; And

[\(09-1165-10\)](#)

SUPPLEMENTAL

12) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreements In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) With Design, Community & Environment For As-Needed Landscape Architectural Services Over A Period Of Three Years; And
[\(09-1165-11\)](#)

13) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreement In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) With Stantec Consulting, Inc. For As-Needed Landscape Architectural Services Over A Period Of Three Years; And
[\(09-1165-12\)](#)

14) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreement In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) With Golden Associates For As-Needed Landscape Architectural Services Over A Period Of Three Years; And
[\(09-1165-13\)](#)

15) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreements In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) With Wallace Roberts And Todd; For As-Needed Landscape Architectural Services Over A Period Of Three Years; And
[\(09-1165-14\)](#)

16) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreements In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) With CMG Landscape Architecture, For As-Needed Landscape Architectural Services Over A Period Of Three Years; And
[\(09-1165-15\)](#)

17) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreements In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) With Sasaki Associates Inc., For As-Needed Landscape Architectural Services Over A Period Of Three Years; And
[\(09-1165-16\)](#)

18) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreements In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) With Bottomley Associates For As-Needed Landscape Architectural Services Over A Period Of Three Years
[\(09-1165-17\)](#)

**The February 23, 2010 Public Works Committee approved
recommendations; 4 Ayes**

S-10.9-CC Subject: Nine On-Call Construction Services Contracts
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

SUPPLEMENTAL

- 1) A Resolution Awarding A Construction Contract For On-Call Licensed Construction Work To The Prequalified Firm Of Bay Construction For An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000.00), And Waiving The Open-Market Advertising And Bidding Requirements Of Oakland Municipal Code Chapter 2.04 For Any On-Call Construction Work To Be Let To Said Contractor; And [\(09-1168\)](#)
- 2) A Resolution Awarding A Construction Contract For On-Call Licensed Construction Work To The Prequalified Firm Of Van Every Construction For An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000.00), And Waiving The Open-Market Advertising And Bidding Requirements Of Oakland Municipal Code Chapter 2.04 For Any On-Call Construction Work To Be Let To Said Contractor; And [\(09-1168-1\)](#)
- 3) A Resolution Awarding A Construction Contract For On-Call Licensed Construction Work To The Prequalified Firm Of Turner Group Construction For An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000.00), And Waiving The Open-Market Advertising And Bidding Requirements Of Oakland Municipal Code Chapter 2.04 For Any On-Call Construction Work To Be Let To Said Contractor; And [\(09-1168-2\)](#)
- 4) A Resolution Awarding A Construction Contract For On-Call Licensed Construction Work To The Prequalified Firm Of Rockridge Builders For An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000.00), And Waiving The Open-Market Advertising And Bidding Requirements Of, Oakland Municipal Code Chapter 2.04 For Any On-Call; Construction Work To Be Let To Said Contractor; And [\(09-1168-3\)](#)
- 5) A Resolution Awarding A Construction Contract For On-Call Licensed Construction Work To The Prequalified Firm Of Malachi Construction For An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000.00), And Waiving The Open-Market Advertising And Bidding Requirements Of Oakland Municipal Code Chapter 2.04 For Any On-Call Construction Work To Be Let To Said Contractor; And [\(09-1168-4\)](#)
- 6) A Resolution Awarding A Construction Contract For On-Call Licensed Construction Work To The Prequalified Firm Of Juv, Inc., For An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000.00), And Waiving The Open-Market Advertising And Bidding Requirements Of Oakland Municipal Code Chapter 2.04 For Any On-Call Construction Work To Be Let To Said Contractor; And [\(09-1168-5\)](#)
- 7) A Resolution Awarding A Construction Contract For On-Call Licensed Construction Work To The Prequalified Firm Of DC Construction For An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000.00), And Waiving The Open-Market Advertising And Bidding Requirements Of Oakland Municipal Code Chapter 2.04 For Any On-Call Construction Work To Be Let To Said Contractor; And [\(09-1168-6\)](#)

SUPPLEMENTAL

8) A Resolution Awarding A Construction Contract For On-Call Licensed Construction Work To The Prequalified Firm Of Dan Peters Construction For An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000.00), And Waiving The Open-Market Advertising And Bidding Requirements Of Oakland Municipal Code Chapter 2.04 For Any On-Call Construction Work To Be Let To Said Contractor; And [\(09-1168-7\)](#)

9) A Resolution Awarding A Construction Contract For On-Call Licensed Construction Work To The Prequalified Firm Of Beliveau Engineering For An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000.00), And Waiving The Open-Market Advertising And Bidding Requirements Of Oakland Municipal Code Chapter 2.04 For Any On-Call Construction Work To Be Let To Said Contractor [\(09-1168-8\)](#)

The February 23, 2010 Public Works Committee approved recommendations and directed staff to return quarterly with a follow-up report on the progress of the On-Call Contracts and if work was spread evenly amongst the entire pool of contractors; 4 Ayes

S-10.10-C Subject: Worker's Compensation Report
C From: Finance and Management Agency
Recommendations: Receive An Informational Report On The Workers' Compensation Program For Fiscal Year 2008-2009 [\(09-0955\)](#)

The February 23, 2010 Finance and Management Committee received and forwarded the report; 4 Ayes

S-10.11-C Subject: 2009-2010 Second Quarter Revenue & Expenditure Results
C From: Budget Office
Recommendation: Receive A Report On Fiscal Year 2009-2010 Second Quarter Revenue & Expenditure Results & Year-End Projections For Four Selected Funds - General Purpose Fund (1010), Landscape And Lighting Assessment District Fund (2310), Equipment Fund (4100) And Facilities Fund (4400); Overtime Analysis For The General Purpose Fund (1010) And All Funds; The Status Of Implementing The Fiscal Year 2009-2011 Amended Budget; And The Status Of Implementing Revenue Changes Approved By The City Council [\(09-1050\)](#)

The February 23, 2010 Finance and Management Committee approved recommendations and directed staff to research the cost benefits of hiring another Tree Maintenance Worker versus incurring additional overtime cost; 3 Ayes, 1 - Excused Kernighan

S-10.12-C Subject: Oak Knoll Redevelopment Area Funds
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

SUPPLEMENTAL

1) A Resolution Dispensing With Advertising And Authorizing An Alternative Competitive Bidding Process For The Contract For Demolition Of 18 Buildings Located At 4000-4009 Barcelona Street And 9020-9036 Santa Cruz Street At The Former Oak Knoll Naval Hospital Complex, According To Plans And Specifications For The Oak Knoll Demolition Project, And Authorizing The City Administrator To Award The Contract To The Lowest Responsive, Responsible Bidder Without Returning To The City Council In An Amount Not-To-Exceed The Engineer's Estimate Of \$180,000 For Said Demolition Work; And

2) Authorizing The City Administrator To Accept And Appropriate A Contribution Of Oak Knoll Redevelopment Funds Under The Cooperation Agreement In An Amount Not-To-Exceed \$235,830 For All Costs Associated With The Demolition Of 18 Buildings Located At 4000-4009 Barcelona Street And 9020-9036 Santa Cruz Street At The Former Oak Knoll Naval Hospital Complex; And
[\(09-1131\)](#)

3) An Agency Resolution Authorizing The Contribution And Allocation Of Oak Knoll Redevelopment Area Funds To The City Of Oakland Under The Cooperation Agreement In An Amount Not-To-Exceed \$235,830 For All Costs Associated With The Demolition Of 18 Buildings Located At 4000-4009 Barcelona Street And 9020-9036 Santa Cruz Street At The Former Oak Knoll Naval Hospital Complex
[\(09-1131-1\)](#)

**The February 23, 2010 Community and Economic Development
Committee approved recommendations; 3 Ayes, 1 - Excused Kernighan**

S-10.13-C Subject: Condominium Conversion - 939 Martin Luther King Jr. Way
C From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Approving A Final Map For Tract No. 7934 To Convert Seven Rental Housing Units To Condominium Ownership At 939 Martin Luther King Jr. Way
[\(09-1128\)](#)

S-10.14-C Subject: Oakland Business Development Corporation
C From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Authorize An Increase In Funding For The Oakland Business Development Corporation In An Amount Not To Exceed \$95,800 Of Economic Development Initiative Funds For Fiscal Year 2009-2010, And To Accept A Contribution From The Oakland Redevelopment Agency Under The Cooperation Agreement In An Amount Not To Exceed \$140,912 For Fiscal Year 2009-2010, For A New Total Contract Amount Not To Exceed \$468,552, For Commercial Loan Underwriting Services; And
[\(09-1129\)](#)

2) An Agency Resolution Authorizing A Contribution Of \$140,912 To The City Of

SUPPLEMENTAL

Oakland Under The Cooperation Agreement, In The Amount Of \$100,000 Of Coliseum Redevelopment Project Area Funds And \$40,912 Of Central City East Redevelopment Project Area Funds To Increase The Funding For Oakland Business Development Corporation For A New Total Contract Amount Not To Exceed \$468,552 For Fiscal Year 2009-2010, For Commercial Loan Underwriting Services
(09-1129-1)

The February 23, 2010 Community and Economic Committee approved recommendations and directed Staff to return with a future report on the following; 1) Analysis of the administrative costs of the Commercial Loan Underwriting Services; 2) A federal government definition for Small Business; 3) What businesses are contributing by year; 4) What is the City's default rates by each year; 5) Who received loans in the last 3 years (split by year and funding source); and 6) How much does the City spend on administering the loans vs. how much money is loaned out (each year for the last 3 years); 3 Ayes; 1 - Excused Kernighan

S-10.15-C Subject: Sustainability Incentive Program
C From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Adopting The Central City East Sustainability Incentive Program, Allocating \$100,000 From Central City East Redevelopment Project Funds To The; Program, And Authorizing Grant Contracts Under The Program Without Returning To The Agency;
(09-1044)

2) An Agency Resolution Adopting The Central City East Infill Development Incentives Program, Allocating \$100,000 From Central City East Redevelopment Area Funds To The Program, And Authorizing Grant Contracts Under The Program Without Returning To The Agency; And
(09-1044-1)

3) An Agency Resolution Adopting The Central City East Tough On Blight Program, Allocating \$75,000 From Central City East Redevelopment Project Funds To The Program, And Authorizing Contracts Under The Program Up To \$50,000 Without Returning To The Agency
(09-1044-2)

The February 23, 2010 Community and Economic Development Committee agenda approved recommendation; 3 Ayes, 1- Excused Kernighan

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

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, March 02, 2010

**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: Amending The Planning Code And Zoning Maps
From: Community And Economic Development Agency
Recommendation: An Ordinance Adopting Various Planning Code Text And Map Amendments [Removal Of The S-16, Industrial-Residential Transitional Overlay Zone And Rezoning Of The Southeast Corner Of 24th Street And Webster Street From C-40, Community Thoroughfare Commercial Zone, S-5, Broadway Retail Frontage Interim Combining Zone To C-40, S-4 Design Review Overlay Zone], Including: A) Adding Consumer Service Activities As A Permitted Activity To The CIX2 Zone And As A Conditionally Permitted Activity In The Lo Zone; B) Require Landscaping For Nonresidential Facilities Where Currently Not Required; C) Require Screening Of All New Open Parking, Loading, And Storage Areas In Commercial And Industrial Zones; D) Create Master Sign Program Provisions; E) Expand Exceptions To 1000' Separation Requirement For Alcohol Sales To Include Off-Site Sales Of Alcohol In The Jack London Square Area; F) Delete Additional Parking Requirements For One-Family Dwellings In R-1 Through R-30 Zones On Street Without On-Street Parking; And F) Various Amendments Which Codify Administrative Practice, Update References, Clarify Language, And Other Changes
(09-1160)

ACTION ON THIS ITEM WILL RESULT IN AN INTRODUCTION OF THE ORDINANCE.

Final Passage (Second Reading) is scheduled for March 16, 2010.

The February 23, 2010 Community and Development Economic Development committee approved recommendations and amended the Ordinance to include that the aggregate sign areato remain at 200 feet.

The committee further directed staff return with a future report with more information on providing exceptions to the Planning Code in regards to the following: 1) Development of New Categories on Consumer Services zones; 2) Detached Accessory structures ; and 3) Enforcement of applying for “re-use” as the same-use (i.e. Liquor Store criteria) for non-confirming Commercial uses on the corridors that go out of business; 3 Ayes; 1 Excused Kernighan

14.2 Subject: 500 Hegenberger Road - Major Conditional Use Permit
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying the Appeal (A09-264), Thereby Upholding The Planning Commission Decision

SUPPLEMENTAL

To Approve A Major Conditional Use Permit At 500 Hegenberger Road To Re-establish A Hotel (Transient Habitation) That Has Been Closed for Greater Than One Year
(09-1102)

- 14.3 Subject: Alcoholic Beverage Sales at 5007 Bancroft Avenue
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And, Upon Conclusion, Adopt A Resolution Denying The Appeal Of Lue R. Bells (Case # A 09-273) And Upholding The Planning Commission's Revocation Of The Deemed Approved Status For Alcoholic Beverage Sales At 5007 Bancroft Avenue
(09-1221)

ACTION ON NON-CONSENT ITEMS:

- 15 Subject: Ranked Choice Voting Implementation Progress Report
From: Offices of the City Attorney and City Clerk
Recommendation: Action On A Report And Recommendation On The Draft Voter Outreach And Education Plan And Timeline And Responses To Questions Regarding The Implementation Of Ranked Choice Voting
(09-1142)

This item was rescheduled from the February 2, 2010 City Council agenda

- S-15.1 Subject: Mid Year Review Of FY 2009-2010
From: The Budget Office
Recommendation: Adopt A Resolution Amending The City Of Oakland's Fiscal Year ("FY") 2009-10 Adopted Budget, Which Was Amended Pursuant To Resolution No. 82519 C.M.S., To Approve Balancing Measures For The Anticipated Fiscal Year 2009-10 Shortfalls In The Measure B Fund (Transportation Sales Tax) And Development Services Fund
(09-1247)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the February 25, 2010 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 (2/3 majority vote) pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance, prior to discussion.

- S-15.2 Subject: 12th Street Reconstruction Project- McGuire & Hester
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To McGuire & Hester For The 12th Street Reconstruction Project (Project No. C241610) In

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency / City Council

Tuesday, March 02, 2010

Accordance With The Project Plans And Specifications And Contractor's Bid In The Amount Not-To-Exceed Thirty Two Million Thirty-Six Thousand Four Hundred Eighteen Dollars and Fourteen Cents (\$32,036,418.14)
(0.09-1132)

The February 23, 2010 Public Works Committee approved recommendations and directed staff to include the Voluntary Local Hire Program Requirements language (attached with deletion of all “purpose” language) provision within the contract, unless the additional requirements were determined to be non-compliant with State and Federal Law funding guidelines.

The Committee further directed staff report back on informing State and Federal Grant contacts (i.e. Caltrans) about the inclusion of the Voluntary Local Hire Program requirements to confirm that there are no conflicts and legal acceptance; 3 Ayes, 1 Abstention- Kernighan

S-15.3 Subject: Amendments To The Council's Rules Of Procedure
From: Council President Brunner and Councilmembers De La Fuente, Kaplan and Kernighan
Recommendation: Adopt A Resolution Amending The Council's Rules Of Procedure Currently Set Forth In Resolution No. 79006 C.M.S. To Among Other Things (1) Provide That Regular City Council Meetings Will Commence At 5:30 P.M. And Adjourn At Midnight Unless The Council Passes A Motion Extending The Time For The Meeting; (2) Change The Order Of Business At Council Meetings To Provide That The Council Will Consider The Consent Items Calendar Immediately After The Council Considers Modifications To The Consent Calendar; (3) Establish Additional Regulations To Govern Public Comment On Agenda Items, And (4) Setting Forth The Council's Rules Of Procedure, As Amended, In Their Entirety
(09-1195)

16 Subject: ~~Voting Outreach And Education Campaign Fund-~~
From: ~~Councilmembers De La Fuente and Kaplan~~
Recommendation: ~~Adopt An Ordinance Suspending For The 2010 Municipal Election- The City Of Oakland's Limited Public Financing Program (Chapter 3.13 Of The Oakland Municipal Code) And Authorizing The Transfer Of \$100,000 From The Election Campaign Fund To The Instant Run-Off Voting (IRV) Outreach And Education Campaign Fund For The November 2010 Municipal Election. And Authorizing The City Administrator To Issue An Expedited RFQ Within 30 Days, To Community Non Profit Organizations With Demonstrated Ability, Expertise And Successful History Of Reaching And Working Effectively In And With Low Voter Propensity Communities, In A Culturally Competent Manner For The Purposes Of Targeted Ranked Choice Voting (RCV)/Instant Run Off Voting (IRV) Outreach And Education (TITLE CHANGE)~~
(09-1186)

This item was withdrawn at the February 25, 2010 Rules and Legislation Committee meeting and rescheduled to the March 16, 2010 City Council

SUPPLEMENTAL

agenda

- 17 Subject: Oakland Golf LLC - Rent Relief
From: Office Of Parks And Recreation
Recommendation: Adopt A Resolution To Approve Fifty Percent (50%) Of The Minimum Rent Relief To Oakland Golf LLC For The Operation Of The Metropolitan Golf Links During Fiscal Year July 1, 2009 Through June 30, 2010 As Authorized In The First Sublease And Operating Agreement Approved By Resolution No. 81241 (C.M.S.) On May 6, 2008
(09-1011)

This item was rescheduled from the February 2, 2010 City Council agenda

- 18 Subject: Amending Oakland Municipal Codes
From: City Attorney's Office
Recommendation: Adopt An Ordinance Deleting Municipal Code (OMC) Section 3.08.140 (Election Of Candidates), Amending Section 3.08.150 (Order Of Candidates Names); Deleting Section 3.12.210 (Time Periods For Expenditures); Amending 3.12.040 (Interpretation Of This Act), To Make The OMC Consistent With Ranked Choice Voting Sometimes Referred To As Instant Runoff Voting
(09-1145)

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

Introduction (First Reading) was heard February 16, 2010; 8 Ayes.

- 19 Subject: U.S. Department Of Commerce's Broadband Grant
From: Office of the Mayor
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 American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") For Up To \$40 Million From The U.S. Department Of Commerce's Broadband Technology Opportunities Program Grant For The Purpose Of Providing Broadband Infrastructure Support And Expansion For Public And Community Institutions
(09-1206)

- 20 Subject: Neighborhood Stabilization Program
From: Community And Economic Development Agency
Recommendation: Action On A Report Regarding The Oakland Community Land Trust In Obtaining Additional Project And Operational Financing And A Recommendation To Continue The Neighborhood Stabilization Program Funding Allocation To The Oakland Community Land Trust To Acquire And Rehabilitate Foreclosed Homes
(09-1220)

- S-21 Subject: Misuse Or Abuse Of Distinguishing Placards And Special License Plates
From: Finance & Management Agency

SUPPLEMENTAL

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

Tuesday, March 02, 2010

Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Sections 10.48.010 "Schedule Of Parking Fines" To Add Or Increase A City Of Oakland Fine For California State Vehicle Code Sections 4461. 4463 "Misuse Or Abuse Of Distinguishing Placards And Special License Plates" To \$1,100 (One Thousand One Hundred Dollars), And Section 22507.8 " Disabled Person Parking Space" To \$368 (Three Hundred Sixty-Eight Dollars) And Section 22522 "3 Feet From Sidewalk Access Ramp" To \$313 (Three Hundred Thirteen Dollars)
(09-1135)

The February 23, 2010 Finance and Management committee approved the ordinance as amended to read "To \$1,010 (One Thousand Ten Dollars) throughout the ordinance; 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)

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.

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(TTD)

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM

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(...)

SUPPLEMENTAL

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

Tuesday, March 02, 2010

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

ORA - Oakland Redevelopment Agency
S - Supplemental Item