

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2007 SEP 20 PM 5:34

To: Office of the City Administrator
Attn: Deborah A. Edgerly
From: Office of the City Clerk
Date: October 2, 2007

Re: Resolution Ratifying Action Taken by the Mayor During the Oakland City Council 2007 Annual Recess in Conformance with Council's Rules of Procedure, Resolution No. 79006 C.M.S., Dated January 4, 2005

SUMMARY

The City Council's Annual Recess began August 1, 2007 and ended September 4, 2007. During the Annual Recess the Mayor was authorized to take such actions that would normally be taken by the City Council during the period of the Annual Recess except for duties reserved to the City Council by the City Charter, pursuant to Rule 21 of the Council's Rules of Procedure, Resolution No. 79006 C.M.S., dated January 4, 2005.

KEY ISSUES AND IMPACTS

The Oakland Municipal Code, Chapter 2, Section 2.04.020 I grants authorization to the City Administrator to take action on procurement of certain supplies and services not to exceed \$500,000 and certain professional services contracts not to exceed \$150,000. During the 2007 Annual Recess, none of the actions taken by the City Administrator exceeded her authorized annual recess expenditure levels.

Pursuant to City Council Resolution No. 79006 C.M.S. the following reports and resolutions were approved by the Mayor during this period:

August 7, 2007 - Mayor's Annual Recess Agenda

No actions taken.

August 14, 2007 - Mayor's Annual Recess Agenda

Oakland City Council Resolution No. 80793 C.M.S.

Item: _____
City Council

OCT 2 2007

August 21, 2007 - Mayor's Annual Recess Agenda

No actions taken.

August 28, 2007 - Mayor's Annual Recess Agenda

Oakland City Council Resolution No. 80794 C.M.S.
Oakland City Council Resolution No. 80795 C.M.S.

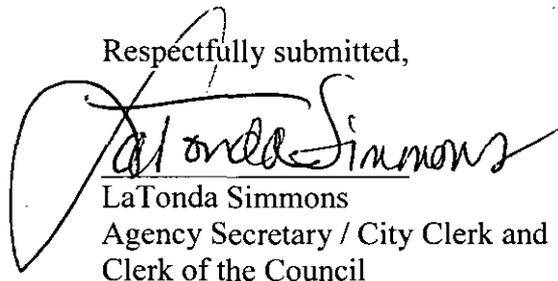
September 4, 2007 - Mayor's Annual Recess Agenda

No actions taken

ACTION REQUESTED OF THE CITY COUNCIL

It is requested that the City Council adopt the proposed resolution specifying the actions taken by the Mayor during the 2007 Annual Recess of the City Council.

Respectfully submitted,


LaTonda Simmons
Agency Secretary / City Clerk and
Clerk of the Council

Attachments

APPROVED AND FORWARDED
TO THE ORA / CITY COUNCIL:


Office of the City Administrator

Item: _____
ORA / City Council
October 2, 2007



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

Office of the Mayor Annual Recess Agenda

August 1, 2007 - September 4, 2007

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

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

Tuesday, August 14, 2007

8:30 AM

Oakland City Hall - 3rd Floor

**Pursuant to the Council's Rules of Procedures Resolution No. 79006 C.M.S., Rule 21, Actions During Council Recess, the Mayor is authorized to take such action as would normally be taken by the City Council during the period of the Annual Recess, including to convene emergency meeting(s) of the Council to take such emergency actions, as may be necessary, for the immediate preservation of the public peace, health or safety. The Mayor's actions must conform with and be limited to the requirements of the City's purchasing requirements as set forth in Chapter 2 of the Oakland Municipal Code.*

- 1 Subject: Sanitary Sewers Emergency Projects
 From: Public Works Agency
 Recommendation: Adopt A Resolution Authorizing Award Of A Construction Contract To Andes Construction, Inc. For The On Call Sanitary Sewers Emergency Projects (Project No. C282861) For The Amount Of Three Hundred Forty-Seven Thousand Dollars (\$347,000.00) (07-0508)

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

ORA - Oakland Redevelopment Agency
S - Supplemental Item

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
CAREY 305
2007 AUG -1 AM 10:40

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Community Economic Development Agency
DATE: August 14, 2007

RE: **Resolution Authorizing Award Of A Construction Contract To Andes Construction, Inc. For The On Call Sanitary Sewers Emergency Projects (Project No. C282861) For The Amount Of Three Hundred Forty-Seven Thousand Dollars (\$347,000.00)**

SUMMARY

A resolution has been prepared authorizing the City Administrator to award a construction contract in the amount of \$347,000.00 to Andes Construction, Inc. for the On Call Sanitary Sewers Emergency Projects (Project No. C282861). The work to be completed under this project is part of the City's sanitary sewer emergency response program and includes emergency sewer main repairs and unscheduled sewer rehabilitation in advance of street resurfacing.

It is recommended that the resolution be approved. This approval is needed during the recess to enable staff to respond to sewer emergencies in a timely manner.

FISCAL IMPACT

There are sufficient funds in the project budget for the work. Funding for this project is available in the sewer service fund (3100); capital project sanitary sewer design organization (92244); sewers account (57417); On Call Sanitary Sewers Emergency Projects (Project No. C282861). These funds were specifically allocated for this project.

BACKGROUND

On October 30, 2006 the City Clerk received one bid for this project in the amount of \$347,000.00, as shown in *Attachment A*. Andes Construction, Inc., the single bidder, meets the L/SLBE and trucking requirement, is deemed responsive and responsible, and therefore is recommended for the award.

This project will provide for emergency repairs of the sanitary sewers; rehabilitation or replacement of sewer structures; and other related work throughout Oakland. The approval of this contract during the recess will enable staff to respond to sewer emergencies in a timely manner.

Under the proposed contract with Andes Construction, Inc., SLBE participation of \$345,000.00 (99.42%) exceeds the City's 20% LBE/SLBE requirement. The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. The L/SLBE information has been verified by the Department of Contracting and Purchasing and is shown in *Attachment B*. The Local Employment Program/Oakland Apprenticeship Program Compliance is also included in this attachment.

KEY ISSUES AND IMPACTS

Construction is scheduled for one calendar year and shall start from the Notice to Proceed. The contract specifies \$1,000.00 in liquidated damages per working day if the contract completion time is exceeded. The On Call contract allows the City to be highly responsive to unplanned and emergency sewer repair needs. The project schedule is shown in *Attachment A*.

SUSTAINABLE OPPORTUNITIES

Economic: The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents.

Environmental: The replacement of the sanitary sewers will eliminate the possibility of sewer leakage and overflows and thus prevent potential harm to groundwater resources and the bay. The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete and asphalt products.

Social Equity: This project is part of the citywide program to eliminate wastewater overflows thereby benefiting all Oakland residents.

DISABILITY AND SENIOR CITIZEN ACCESS

There is no direct impact or benefit to access for seniors or people with disabilities.

RECOMMENDATION AND RATIONALE

It is recommended that the construction contract be awarded to the responsible and responsive bidder, Andes Construction, Inc. in the amount of \$347,000.00 for the On Call Sanitary Sewers Emergency Projects (Project No. C282861). Andes Construction, Inc. has met the LBE/SLBE requirements, and there are sufficient funds in the project account.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

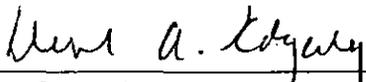


Claudia Cappio
Development Director
Community & Economic Development Agency

Reviewed by:
Michael Neary, P.E.
Deputy Director
Community & Economic
Development Agency

Yader Bermudez, Manager
Engineering Design & Right-of-Way
Management Division

APPROVED AND FORWARDED TO THE
CITY COUNCIL:



Office of the City Administrator

Attachment A

**On Call Sanitary Sewers Emergency Projects
 (Project No. C282861)**

List of Bidders

Company	Proposed Participation	Location	Bid Amount
Andes Construction, Inc.	SLBE	Oakland	\$347,000.00

Project Schedule

ID	Task Name	Start	Finish	2006				2007				2008			
				Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	
1	Project No. C282861	Mon 4/24/06	Fri 8/22/08												
2	Pre-Design	Mon 4/24/06	Fri 4/28/06												
3	Design	Mon 5/1/06	Fri 7/28/06												
4	Bid/Award	Mon 10/30/06	Tue 8/14/07												
5	Construction	Mon 8/27/07	Fri 8/22/08												

Attachment B

Memo



Office of the City Administrator
Contract Compliance & Employment Services Division

To: Gwen McCormick
From: Vivian Inman, Contract Compliance Officer, CC&ES Division
Through: Deborah Barnes *Deborah Barnes*
CC: Kevin Kashi
Date: November 20, 2006
Re: Compliance Analysis: On Call Sanitary Sewers Emergency Projects for FY 06-07

RECEIVED
CONTRACT COMPLIANCE & EMPLOYMENT SERVICES DIVISION
2006 NOV 21 PM 1:25

Contract Compliance & Employment Services reviewed one (1) bid received in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance.

The L/SLBE findings are as follows:

Company Name	Bid Amount (If Applicable)	Proposed Participation				Preferences			Banked Credits Eligibility?	EBO Compliant? (Y/N)
		Total L/SLBE	LBE	SLBE	Trucking	Total Credited	Adjusted Bid Amount	Points		
1. Andes Construction	\$347,000	99.42%	0%	99.42%	NA	99.42%	0	5	2	Y

As noted above Andes Construction exceeded the 20% L/SLBE participation and is EBO certified.

If you have questions or need additional information, please contact Vivian Inman, Contract Compliance Officer, at 238-6261.

**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM**

PROJECT NO. G282861

PROJECT NAME: On Call Sanitary Sewers Emergency Projects for FY 06-07

CONTRACTOR: Andes Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$240,000.00	\$347,000.00	-\$107,000.00

<u>Bid discounted amount:</u>	<u>Discount Points:</u>
\$0.00	0%

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement YES

a) % of LBE participation 0.00%

b) % of SLBE participation 99.43%

3. Did the contractor meet the Trucking requirement? NA

a) Total trucking participation 0.00%

4. Did the contractor receive bid discount points? NA

(If yes, list the points received)

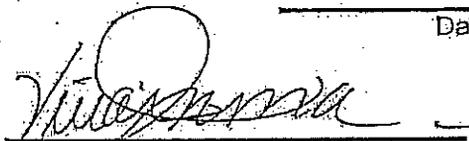
5. Additional Comments:

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

11/20/2006

Date

Reviewing
Officer:



Date: 11/21/06

Approved By



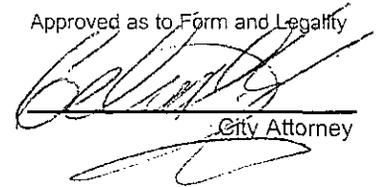
Date: 11/21/06

LBE/SLBE Participation Andes Construction

Project Name: On-Call-Sanitary Sewer's Emergency Project

Project No.:	C282861	Engineers Est.:	240,000.00	Under/Over-Engineers Estimate: -107,000.00.								
Discipline	Prime & Subs	Location	Contract Status	LBE	SLBE	Total LBE/SLBE	Total Dollars	Total Trucking	S/LBE Trucking	Total Trucking	FOR Tracking Only	
PRIME Saw Culling	Andes Construction Bay-Line Construction	Oakland Oakland	CB UB		\$345,000.00	\$345,000.00	\$345,000.00	\$2,000.00		\$345,000.00	H H	\$351,000.00
Project Totals												
				\$0.00 0.00%	\$345,000.00 99.42%	\$345,000.00 99.42%	\$347,000.00	\$0.00	\$0.00	\$347,000.00		\$351,000.00
				LBE 10%	SLBE 10%	TRUCKING 20%	100.00%	100.00%	100.00%	100.00%		101.15%
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.												
Legend LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = Non-Profit Local Business Enterprise NPSLBE = Non-Profit Small Local Business Enterprise UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise												
Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed												

OAKLAND CITY COUNCIL

OFFICE OF THE CITY CLERK
OAKLAND


City Attorney

RESOLUTION No. _____ C.M.S.

2007 AUG -1 AM 10:41

Introduced by Councilmember _____

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION, INC. FOR THE ON CALL SANITARY SEWERS EMERGENCY PROJECTS (PROJECT NO. C282861) FOR THE AMOUNT OF THREE HUNDRED FORTY-SEVEN THOUSAND DOLLARS (\$347,000.00)

WHEREAS, on October 30, 2006, one bid was received by the Office of the City Clerk of the City of Oakland for the On Call Sanitary Sewers Emergency Projects (Project No. C282861); and

WHEREAS, Andes Construction, Inc. a certified SLBE bidding as a prime, is the only bidder and meets the L/SLBE and Trucking requirement; therefore, is deemed responsive and responsible for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the Sewer Service Fund (3100); Capital Project Sanitary Sewer Design Organization (92244); Sewers Account (57417); On Call Sanitary Sewers Emergency Projects (Project No. C282861) and these funds were specifically allocated for this project; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy or better performance; and

WHEREAS, Andes Construction, Inc. complies with all LBE/SLBE requirements; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That the contract for the On Call Sanitary Sewers Emergency Projects (Project No. C282861) is hereby awarded to Andes Construction, Inc. in accordance with the terms of its bid therefore, dated October 30, 2007, for the amount of three hundred forty-seven thousand dollars (\$347,000.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

1
Mayor's
Recess Agenda
AUG 14 2007

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$347,000.00, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, \$347,000.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to enter into a contract with Andes Construction, Inc. on behalf of the City of Oakland and to execute any amendments or modifications to said agreement within the limitations of the project specifications; and be it

FURTHER RESOLVED: That all other bids are hereby rejected; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

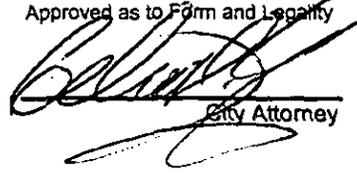
ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

1
Mayor's
Recess Agenda
AUG 14 2007

OFFICE OF THE CITY CLERK
1701 12TH ST
OAKLAND, CA 94612

OAKLAND CITY COUNCIL



City Attorney

RESOLUTION No. 80793 C.M.S.

2007 AUG - 1 AM 10: 41

Introduced by Councilmember _____

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION, INC. FOR THE ON CALL SANITARY SEWERS EMERGENCY PROJECTS (PROJECT NO. C282861) FOR THE AMOUNT OF THREE HUNDRED FORTY-SEVEN THOUSAND DOLLARS (\$347,000.00)

WHEREAS, on October 30, 2006, one bid was received by the Office of the City Clerk of the City of Oakland for the On Call Sanitary Sewers Emergency Projects (Project No. C282861); and

WHEREAS, Andes Construction, Inc. a certified SLBE bidding as a prime, is the only bidder and meets the L/SLBE and Trucking requirement; therefore, is deemed responsive and responsible for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the Sewer Service Fund (3100); Capital Project Sanitary Sewer Design Organization (92244); Sewers Account (57417); On Call Sanitary Sewers Emergency Projects (Project No. C282861) and these funds were specifically allocated for this project; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy or better performance; and

WHEREAS, Andes Construction, Inc. complies with all LBE/SLBE requirements; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That the contract for the On Call Sanitary Sewers Emergency Projects (Project No. C282861) is hereby awarded to Andes Construction, Inc. in accordance with the terms of its bid therefore, dated October 30, 2007, for the amount of three hundred forty-seven thousand dollars (\$347,000.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$347,000.00, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, \$347,000.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to enter into a contract with Andes Construction, Inc. on behalf of the City of Oakland and to execute any amendments or modifications to said agreement within the limitations of the project specifications; and be it

FURTHER RESOLVED: That all other bids are hereby rejected; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, AUG 14 2007, 2007

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

APPROVED DURING CITY COUNCIL RECESS
PURSUANT TO RESOLUTION NO. 79006 CMS
C.M.S. DATED 01-04-05

ATTEST:


LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California



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

Office of the Mayor Annual Recess Agenda

August 1, 2007 - September 4, 2007

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

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

Tuesday, August 28, 2007

8:30 AM

Oakland City Hall - 3rd Floor

**Pursuant to the Council's Rules of Procedures Resolution No. 79006 C.M.S., Rule 21, Actions During Council Recess, the Mayor is authorized to take such action as would normally be taken by the City Council during the period of the Annual Recess, including to convene emergency meeting(s) of the Council to take such emergency actions, as may be necessary, for the immediate preservation of the public peace, health or safety. The Mayor's actions must conform with and be limited to the requirements of the City's purchasing requirements as set forth in Chapter 2 of the Oakland Municipal Code.*

- 1 Subject: 2007-2008 Real And Personal Property Tax
 From: Finance And Management Agency
 Recommendation: Adopt A Resolution Fixing The Rate Of Property Tax And Levying A Tax On Real And Personal Property In The City Of Oakland For Fiscal Year 2007-2008 For Voter-Approved Indebtedness (07-0509)

- 2 Subject: McKillop Roadway - Landslide Damage
 From: Public Works Agency
 Recommendation: Adopt A Resolution Renewing And Continuing The Local Emergency Due To Landslide Damage To McKillop Roadway First Proclaimed By The City Of Oakland On October 17, 2006 (07-0510)

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

ORA - Oakland Redevelopment Agency
S - Supplemental Item

CITY OF OAKLAND

AGENDA REPORT

OFFICE OF THE CITY CLERK
2007 AUG 14 AM 10:55

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Finance & Management Agency
DATE: August 28, 2007

RE: **A Resolution Fixing the Rate of Property Tax and Levying a Tax on Real and Personal Property in the City of Oakland For Fiscal Year 2007-2008 for Voter-Approved Indebtedness**

SUMMARY

A resolution has been prepared to set the property tax rates for fiscal year (FY) 2007-2008 for voter-approved indebtedness, including the City's general obligation bonds and pension obligation bonds. The proceeds generated from these property tax rates will be used towards paying debt service on the City's voter-approved indebtedness.

The resolution is submitted during summer recess in order to meet the schedule for property tax rate submittal established by the County of Alameda (County). All tax rates must be submitted to the County by August 31, 2007 for inclusion in FY 2007-2008 property tax bill.

FISCAL IMPACT

Passage of this resolution will permit the City to collect the FY 2007-2008 revenues included in the FY 2007-09 Adopted Policy Budget for the payment of debt service for the outstanding general obligation and pension obligation bonds.

BACKGROUND

In order to provide for the debt service for the City's general obligation and pension obligation bonds, the City must annually set levy rates based on the assessed valuation subject to taxation, and must inform the County of Alameda of these rates by August 31 for inclusion on that year's property tax bill.

The resolution has been prepared pursuant to California Government Code and Article VIII, Section 802, of the Oakland City Charter, setting the FY 2007-2008 property tax rate for voter-approved indebtedness. Article XIII A of the California Constitution (Proposition 13) precludes the adoption of a City-wide property tax rate. A County-wide one percent (1%) property tax rate is assessed by Alameda County and apportioned to cities and special districts in accordance with state law.

Item: 1

Mayor's Summer Recess Agenda
August 28, 2007

KEY ISSUES AND IMPACTS

For the City's general obligation bonds, the levy rates are calculated each year to yield the necessary debt service amount based on the assessed valuation of property within the City.

The following property tax rates are required to satisfy the City of Oakland's 2007-2008 voter-approved indebtedness for the indicated general obligation bond series, based upon the current assessed valuation as reported by the County of Alameda:

Bond Issue	Property Tax Rate
\$38,000,000 General Obligation Bonds (Measure G) Series 2002A	0.00596%
\$71,450,000 General Obligation Bonds (Measure DD) Series 2003A	0.01042%
\$122,476,014 General Obligation Refunding Bonds Series 2005	0.02524%
\$21,000,000 General Obligation Bonds (Measure G) Series 2006	0.00321%

For the City's Police and Fire pension liability, the property tax rate required to satisfy the City's 2007-2008 voter-approved indebtedness for the indicated pension obligation bonds is 0.1575%. This rate is constant from the prior year.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

Social Equity: There are no social equity opportunities associated with this report.

DISABILITY AND SENIOR CITIZEN ACCESS

There are no disability or senior citizen access issues contained in this report.

RECOMMENDATION(S) AND RATIONALE

Staff recommends passage of this resolution as it is required to generate the revenues needed to pay debt service on the City's general obligation and pension obligation bonds.

Item: _____
Mayor's Summer Recess Agenda
August 28, 2007

Item: 
Mayor's Summer Recess Agenda
August 28, 2007

OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. _____ C.M.S.

RESOLUTION RENEWING AND CONTINUING THE LOCAL EMERGENCY DUE TO LANDSLIDE DAMAGE TO McKILLOP ROADWAY FIRST PROCLAIMED BY THE CITY OF OAKLAND ON OCTOBER 17, 2006

WHEREAS, Ordinance No. 11467 C.M.S. of the City of Oakland empowers the City Administrator to confirm the existence or threatened existence of a local emergency when said City is affected by a public calamity; and

WHEREAS, the City Administrator proclaimed the existence of a local emergency on October 15, 2006 due to the imminent hazard to McKillop Road resulting from recent landslide activity; and

WHEREAS, the City Council found that conditions of extreme peril to the safety of persons and property had arisen as a result of continued movement of a slide that imperils the roadway; and

WHEREAS, the City ratified the October 15, 2006 proclamation of a local emergency under Resolution No. 80212 C.M.S. on October 17, 2006 as required by California Government Code Section 8630; and

WHEREAS, California Government Code Section 8630 also requires that the governing body shall review, at its regularly scheduled meetings until the local emergency is terminated, the need for continuing the local emergency; now, therefore be it

RESOLVED: that the City Council hereby confirms the continued existence of the local emergency declared on October 17, 2006 on and around the McKillop Roadway in the City of Oakland; and be it

FURTHER RESOLVED: that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, and the charter, ordinances, resolutions, and approved plans of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

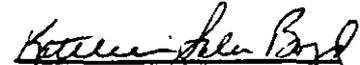
ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California



Mayor s
Recess Agenda
AUG 28 2007


City Attorney

OFFICE OF THE CITY CLERK
OAKLAND

2007 AUG 14 AM 10:56

OAKLAND CITY COUNCIL

RESOLUTION NO. 80794 C.M.S.

RESOLUTION FIXING THE RATE OF PROPERTY TAX AND LEVYING A TAX ON REAL AND PERSONAL PROPERTY IN THE CITY OF OAKLAND FOR FISCAL YEAR 2007-2008 FOR VOTER-APPROVED INDEBTEDNESS

WHEREAS, the City of Oakland must annually set property tax levy rates, based on the assessed valuation subject to taxation, and must inform the County of Alameda of these rates by August 31st for inclusion on that year's property tax bill; and

WHEREAS, passage of this resolution will permit the City of Oakland to collect the Fiscal Year 2007-2008 revenues for the payment of debt service for the outstanding voter approved general obligation and pension obligation bonds; and now therefore be it

RESOLVED: that a tax of 0.1575% is hereby fixed and levied for Fiscal Year 2007-2008 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for payments to the Police and Fire retirement systems as approved by the voters of the City of Oakland; and be it

FURTHER RESOLVED: that an estimated tax of 0.00596% is hereby fixed and levied for Fiscal Year 2007-2008 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2002A, as approved by the voters of the City of Oakland; and be it

FURTHER RESOLVED: that an estimated tax of 0.01042% is hereby fixed and levied for Fiscal Year 2007-2008 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2003A, as approved by the voters of the City of Oakland; and be it

FURTHER RESOLVED: that an estimated tax of 0.02524% is hereby fixed and levied for Fiscal Year 2007-2008 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Refunding Bonds, Series 2005, as approved by the voters of the City of Oakland; and be it

FURTHER RESOLVED: that an estimated tax of 0.00321% is hereby fixed and levied for Fiscal Year 2007-2008 on taxable property, real and personal, within the corporate limits of the City of Oakland, and the tax so levied and the money arising therefrom, when collected, shall be and is hereby identified and expended for debt service payments related to the City of Oakland, General Obligation Bonds, Series 2006, as approved by the voters of the City of Oakland; and be it

FURTHER RESOLVED: that if the estimated General Obligation Bond rates of 0.00596%, 0.01042%, and 0.02524%, and 0.00321% for Series 2002A, 2003A, 2005 and 2006, respectively, need to be adjusted to reflect the actual figures for the assessed valuations, the City Administrator or her designee is hereby authorized to make the necessary adjustments; and be it

FURTHER RESOLVED: that this Resolution shall take effect immediately upon its passage.

IN COUNCIL, OAKLAND, CALIFORNIA, AUG 28 2007, 2007

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

APPROVED DURING CITY COUNCIL RECESS
PURSUANT TO RESOLUTION NO. 79006CMS
C.M.S., DATED 01-04-05

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

OAKLAND CITY COUNCIL

[Signature]
City Attorney

RESOLUTION No. 80795 C.M.S.

RESOLUTION RENEWING AND CONTINUING THE LOCAL EMERGENCY DUE TO LANDSLIDE DAMAGE TO MCKILLOP ROADWAY FIRST PROCLAIMED BY THE CITY OF OAKLAND ON OCTOBER 17, 2006

WHEREAS, Ordinance No. 11467 C.M.S. of the City of Oakland empowers the City Administrator to confirm the existence or threatened existence of a local emergency when said City is affected by a public calamity; and

WHEREAS, the City Administrator proclaimed the existence of a local emergency on October 15, 2006 due to the imminent hazard to McKillop Road resulting from recent landslide activity; and

WHEREAS, the City Council found that conditions of extreme peril to the safety of persons and property had arisen as a result of continued movement of a slide that imperils the roadway; and

WHEREAS, the City ratified the October 15, 2006 proclamation of a local emergency under Resolution No. 80212 C.M.S. on October 17, 2006 as required by California Government Code Section 8630; and

WHEREAS, California Government Code Section 8630 also requires that the governing body shall review, at its regularly scheduled meetings until the local emergency is terminated, the need for continuing the local emergency; now, therefore be it

RESOLVED: that the City Council hereby confirms the continued existence of the local emergency declared on October 17, 2006 on and around the McKillop Roadway in the City of Oakland; and be it

FURTHER RESOLVED: that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, and the charter, ordinances, resolutions, and approved plans of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, AUG 28 2007, 2007

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES- APPROVED DURING CITY COUNCIL RECESS

ABSENT- PURSUANT TO RESOLUTION NO. 79006 CMS

ABSTENTION- C.M.S. DATED 01-04-05

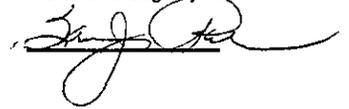
ATTEST:

[Signature]
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

2007 SEP 20 PM 5:46

OAKLAND CITY COUNCIL

Approved as to
Form and Legality



RESOLUTION NO. _____ C.M.S.

RESOLUTION RATIFYING ACTION TAKEN BY THE MAYOR DURING THE OAKLAND CITY COUNCIL 2007 ANNUAL RECESS IN CONFORMANCE WITH RESOLUTION NO. 79006 C.M.S., DATED JANUARY 4, 2005

WHEREAS, the City Council has taken its Annual Recess August 7, 2007, and ending September 4, 2007, pursuant to Resolution No. 79006 C.M.S., dated January 4, 2005 and

WHEREAS, pursuant to City Council Resolution No. 79006 C.M.S., passed January 4, 2005 delegating certain authority to the Mayor during the Annual Recess of the City Council, the following actions were taken:

August 7, 2007
No Actions Taken

August 14, 2007

1) Oakland City Council Resolution Number 80793 C.M.S.

A Resolution Authorizing Award Of A Construction Contract To Andes Construction, Inc. For The On Call Sanitary Sewers Emergency Projects (Project No. C282861) For The Amount Of Three Hundred Forty-Seven Thousand Dollars (\$347,000.00)

August 21, 2007
No Actions Taken

August 28, 2007

1) Oakland City Council Resolution Number 80794 C.M.S.

A Resolution Fixing The Rate Of Property Tax And Levying A Tax On Real And Personal Property In The City Of Oakland For Fiscal Year 2007-2008 For Voter-Approved Indebtedness

2) Oakland City Council Resolution Number 80795 C.M.S.

A Resolution Renewing And Continuing The Local Emergency Due To Landslide Damage To McKillop Roadway First Proclaimed By The City Of Oakland On October 17, 2006

September 6, 2007

No Actions Taken

NOW THEREFORE, be it resolved that the Oakland City Council does hereby ratify the above-mentioned actions taken by the Mayor during the Oakland City Council Annual Recess commencing August 2, 2005 through September 6, 2005.

In Council, Oakland, California,

PASSED BY THE FOLLOWING VOTE -

AYES - Brooks, Brunner, Chang, Kernighan, Nadel, Quan, Reid and President De La Fuente

NOES -

ABSENT -

ABSTENTION -

Attest:

LaTonda Simmons
City Clerk and Clerk of the Council of the City
of Oakland, California