



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

1 Frank H. Ogawa Plaza, Council Chambers, 3rd Floor

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

Tuesday, December 19, 2006

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.

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.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

- 1 Pledge of Allegiance
- 2 Roll Call / ORA & Council
COUNCIL MEMBERS: Jane Brunner, Dist. 1; Patricia Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Vice Mayor Quan, Dist. 4; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Henry Chang, At-Large, and President Ignacio De La Fuente, Dist. 5
- 3 Open Forum / Citizens Comments
(Time Available: 15 minutes)
- 4 Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an item from the Consent Calendar, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.
- 5 Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. (Motion Maker must have voted on prevailing side)
- 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.

SUPPLEMENTAL

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

Tuesday, December 19, 2006

- 7 Approval of the Draft Minutes from the Special and Concurrent Meetings of the Oakland Redevelopment Agency/City Council held on November 14, 2006, November 17, 2006, November 28, 2006 and December 5, 2006

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: Kathryn Hughes - Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Recognizing Kathryn Hughes For Her Seventeen-And-A-Half Years of Service And Dedication To Improving Bicycling, Walking, And Air Quality In The City Of Oakland
(06-0970)
- 8.2 Subject: Patrick Daughton - Recognition
From: Councilmember Jane Brunner
Recommendation: A Proclamation Honoring Patrick Daughton For His Many Contributions To Improving The Lives Of Young People In Oakland
(06-0995)

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
(06-0987)
- 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
(06-0988)
- 10.3-CC Subject: John M. Revelli - Settlement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing Agency Counsel To Compromise And Settle The Case Of Oakland Redevelopment Agency v. John M. Revelli, In The Amount Of \$615,000, As A Result Of An Eminent Domain Action Commenced By The Redevelopment Agency To Facilitate The Uptown Project Development
(06-0959)
- 10.4-CC Subject: Stephen Dunlap - Settlement Agreement
From: Office of the City Attorney

SUPPLEMENTAL

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

Tuesday, December 19, 2006

Recommendation: Adopt A Resolution Authorizing and Directing the City Attorney To Compromise And Settle The Case Of Stephen Dunlap v. City Of Oakland, Et Al., Alameda County Superior Court No. WG05238921, Our File No. 24345, In The Amount Of \$7,000.00 (Public Works Agency-Bicycle Accident)
(06-0989)

This item was not heard in Closed Session

- 10.5-CC Subject: Final Map For Tract 7687
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Conditionally Approving The Final Map For Tract 7687 For The Zephyr Gate Subdivision At 1203-1333 Wood Street And Conditionally Accepting Irrevocable Offers Of Dedication For Public Right-Of-Way And Public Access And Utility Easements; And
(06-0942)
2) A Resolution Conditionally Approving A Subdivision Improvement Agreement With Pulte Home Corporation For The Final Map For Tract 7687 For the Zephyr Gate Subdivision For Construction Of Public Infrastructure Improvements at 1203-1333 Wood Street
(06-0942-1)
- 10.6-CC Subject: Priority Project Funds - District Seven
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Authorizing Immediate Allocation Of \$10,000 From Councilmember Larry E. Reid's Priority Project Funds To Project Outreach
(06-0960)
- 10.7 Subject: Project Priority Funds - Mayor
From: Office of the Mayor
Recommendation: Adopt A Resolution Authorizing Immediate Allocation In The Amount Of \$125,000 From Priority Project Funds Of Oakland Mayor Jerry Brown For Infrastructure Improvements At Oakland's Longfellow Elementary School
(06-0971)
- 10.8-CC Subject: Parking Meter Provisions
From: Finance and Management Agency
Recommendation: Approve The Final Passage(Second Reading) Of An Ordinance Amending Oakland Municipal Code, Title 10, Chapter 10.36, Article 10.36.030 Parking Meter Zones, To Delete Obsolete Parking Meter Fee Provisions
(06-0918)
- Introduction (First Reading) was heard on December 5, 2006; 8 Ayes**
- 10.9-CC Subject: Design Review Procedures
From: Community and Economic Development Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance To Adopt: 1) Amendments To The Zoning Regulations To Revise Design Review

SUPPLEMENTAL

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

Tuesday, December 19, 2006

Procedures And Thresholds Citywide And Make Other Minor Zoning Code Revisions;
And 2) Amendments To The Zoning Maps To Eliminate The S-14, S-18, And S-19
Combining Zone Overlays
(06-0790)

**Introduction (First Reading) was heard on December 5, 2006; 7 Ayes, 1 No
- De La Fuente**

10.10-CC Subject: Central City East And The Oak Knoll Redevelopment Plans Merger
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) Approve The Final Passage (Second Reading) Of An Ordinance Adopting The Third
Amendment To The Central City East Redevelopment Plan To (1) Merge The Central
City East Redevelopment Project Area With The Oak Knoll Redevelopment Project Area
For Fiscal Purposes, And (2) Merge The Affordable Housing Production Requirements
For The Two Project Areas Subject To Limitations And Conditions; And
(06-0725-1)

Introduction (First Reading) was heard on December 5, 2006; 8 Ayes

2) Approve The Final Passage (Second Reading) Of An Ordinance Adopting The Second
Amendment To The Oak Knoll Redevelopment Plan To (1) Merge The Oak Knoll
Redevelopment Project Area With The Central City East Redevelopment Project Area
For Fiscal Purposes, (2) Merge The Affordable Housing Production Requirements For
The Two Project Areas Subject To Limitations And Conditions, (3) Raise The Limits On
Receipt Of Tax Increment Revenues And Bonded Indebtedness, (4) Replace The Land
Use Map With The Current General Plan Land Use Map, (5) Expand The List Of
Authorized Public Improvements, And (6) Make Other Text Changes
(06-0725-3)

Introduction (First Reading) was heard on December 5, 2006; 8 Ayes

10.11-CC Subject: Declaration Of The November 7, 2006 Election Results
From: Office of the City Clerk
Recommendation: Adopt A Resolution Declaring The Results Of The City Of Oakland
General Municipal Election Held On Tuesday, November 7, 2006
(06-0997)

10.12-CC Subject: Parking Meter Zones
From: Public Works Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance
Amending Oakland Municipal Code Title 10, Chapter 10.36, Section 10.36.140 To
Clarify And Comprehensively Set Forth Parking Meter Zones Throughout The City Of
Oakland
(06-0932)

Introduction (First Reading) was heard on December 5, 2006; 8 Ayes

SUPPLEMENTAL

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

Tuesday, December 19, 2006

C From: Public Works Agency
Recommendation: Approve The Introduction (First Reading) Of An Ordinance Adopting The "Standard Specifications For Public Works Construction, 2006 Edition" And Repealing Ordinance No. 12614 C.M.S. And All Resolutions Related Thereto
(06-0913)

**The December 12, 2006 Public Works Committee approved
recommendations; 4 Ayes**

Final Passage (Second Reading) is scheduled for January 16, 2007

S-10.14-C Subject: Zephyr Gate Subdivision
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Pulte Homes Corporation A Revocable And Conditional Permit To Allow Electrical Transformers And Vaults For The Zephyr Gate Subdivision At 1203 - 1333 Wood Street To Encroach Under The Public Sidewalk Along Wood Street, 12th Street, And 14th Street
(06-0941)

**The December 12, 2006 Public Works Committee approved
recommendations; 4 Ayes**

S-10.15-C Subject: Harrison Street/Oakland Avenue Corridor Transportation Plan
C From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Apply For, Accept, And Appropriate Up To One Hundred Eighty-Seven Thousand And Fifty Dollars (\$187,050.00) In Fiscal Year 2007-2008 California Department Of Transportation Community-Based Transportation Planning Grant Funds For The Harrison /Oakland Corridor Community Transportation Plan
(06-0964)

**The December 12, 2006 Public Works Committee approved
recommendations; 4 Ayes**

S-10.16-C Subject: Miller & Van Eaton - Professional Services Agreement
C From: Office of the City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Professional Services Agreement Between The City Of Oakland And Miller & Van Eaton In An Amount Not To Exceed \$80,000 To Represent The City Of Oakland In Cable Television Franchise Renewal Negotiations With Comcast And For Providing Advice To City Council And City Staff Regarding Franchise Renewal Negotiations For The Period January 1, 2006 Through June 30, 2007 With One Option Of One Year To Renew
(06-0944)

**The December 12, 2006 Finance and Management Committee approved
recommendations; 3 Ayes, 1 Absent - De La Fuente**

S-10.17-C Subject: Acquisition Of Properties Located At 1911 Telegraph Avenue

SUPPLEMENTAL

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

Tuesday, December 19, 2006

C From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A Change In The Source Of Agency Funds For The Acquisition Of Properties Formerly Located At 1911 Telegraph Avenue, 2000-2016 Telegraph Avenue, 490 Thomas L. Berkeley Way, 565 Thomas L. Berkeley Way, 571 Thomas L. Berkeley Way, 1920 San Pablo Avenue, 1954 San Pablo Avenue, 1972 San Pablo Avenue And 610 William Street; And Authorizing A Change In The Source Of Agency Funds To Provide Gap Financing And Pay For Hazardous Materials Remediation Pursuant To A Lease Disposition And Development Agreement Between The Oakland Redevelopment Agency, The City Of Oakland And Uptown Housing Partners, LLC
(06-0914)

The December 12, 2006 Finance and Management Committee approved recommendations; 3 Ayes, 1 Absent - De La Fuente

S-10.18-C Subject: Quality Auto Service - Contract
C From: Finance and Management Agency
Recommendation: Adopt A Resolution Awarding A Contract To Quality Auto Service, A Corporation, For Auto Body Repair And Painting, In An Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000.00) Per Year For The Three Year Period Of November 1, 2006 To October 31, 2009, To The City Of Oakland In Accordance With Specification No. 06-928-01
(06-0974)

The December 12, 2006 Finance and Management Committee approved recommendations; 3 Ayes, 1 Absent - De La Fuente

S-10.19 Subject: Oakland Base Reuse Authority Projects
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To: (1) Accept And Appropriate \$29,303,864 In Funds From The Oakland Base Reuse Authority (OBRA) Budget; And
(06-0901)

2) A Resolution Authorizing The City Administrator To Accept Funds From The Redevelopment Agency For Reimbursement Of Expenses Related To The Implementation Of OBRA Projects
(06-0901-1)

The December 12, 2006 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Absent - De La Fuente

S-10.20-C Subject: Brownfield Cleanup Revolving Loan Fund
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

SUPPLEMENTAL

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

Tuesday, December 19, 2006

1) A Resolution Authorizing A \$120,000 Subgrant To East Bay Habitat For Humanity From City's Brownfield Cleanup Revolving Loan Fund For Environmental Cleanup Of A Site On Edes Avenue For Development Of 26 Single Family Affordable Homes

(06-0925)

2) A Resolution Authorizing The City Administrator To Negotiate And Execute A Loan Agreement With Brush Street Partners For \$150,000 From The City's Brownfield Cleanup Revolving Loan Fund For Environmental Cleanup At 7th And Brush Streets

(06-0925-1)

3) A Resolution Authorizing Acceptance And Appropriating A Grant Of \$385,000 From The United States Environmental Protection Agency For The City's Brownfield Cleanup Revolving Loan Fund ("BCRLF"); Appropriating Any Future Grants From EPA For The BCRLF; And Authorizing The City Administrator Or Designee To Award BCRLF Loans And Grants For Amounts Up To \$200,000 To Eligible Entities Without Returning To The City Council

(06-0925-2)

**The December 12, 2006 Community and Economic Development
Committee approved recommendations; 3 Ayes, 1 Absent - De La Fuente**

S-10.21-C Subject: Sustainable Community Initiative
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland Joining The Mayor In Adopting The Urban Environmental Accords

(06-0965)

**The December 12, 2006 Community and Economic Development
Committee approved recommendations; 3 Ayes, 1 Absent - De La Fuente**

S-10.22-C Subject: Oakland Even Start Program
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept The Even Start Family Literacy Grant For Program Year 2006-2007 From The State Of California Department Of Education In The Amount Of \$172,500 For The City Of Oakland Even Start Program

(06-0854)

**The December 12, 2006 Life Enrichment Committee approved
recommendations; 3 Ayes, 1 Excused - Brooks**

S-10.23-C Subject: Food Policy Council
C From: Office of the Mayor
Recommendation: Adopt A Resolution Authorizing The City Administrator To Allocate \$50,000 From The Williams Energy Settlement Within The City Facilities Energy Conservation Fund (4450) To Provide Startup Funding For The Establishment Of A Food Policy Council For Oakland

(06-0904)

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency/City Council

Tuesday, December 19, 2006

**The December 12, 2006 Life Enrichment Committee approved
recommendations; 3 Ayes, 1 Excused - Brooks**

- 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

14. Consideration of items with statutory Public Hearing Requirements:

- 14.1 Subject: Traffic Impact Program
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:
- 1) Approve The Introduction (First Reading) Of An Ordinance Amending The Oakland Municipal Code Title 10, Adding Chapter 70, Establishing A Traffic Impact Program (TIP) Pursuant To California Government Code Sections 66000 Through 66025- (Mitigation Fee Act) For The Southeast Portion Of The City Of Oakland, Including Procedural Requirements For The Adoption, Imposition, And Adjustment Of Traffic Impact Fees (TIF); And
(06-0807)
- 2) A Resolution Establishing A Traffic Impact Fee (TIF) Pursuant To Adoption And Implementation Of The Traffic Impact Program (TIP) For The Southeastern Portion Of The City Of Oakland, Including The Adoption And Imposition Of Traffic Impact Fees (TIF) And Designated Projects For Fiscal Year 2007-2009
(06-0807-1)
- 14.2 Subject: Mixed-Use Development Appeal - 4700 Telegraph Avenue
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal And Sustaining The Decision Of The Planning Commission Approving Construction Of A New Mixed-Use Development Consisting Of 51 Residential Units And 5,000 Square Feet Of Commercial Space Located at 4700 Telegraph Avenue (Case File Number(s) A06-379; CMDV06-188; & TPM9164
(06-0728)

This item was continued from the December 5, 2006 City Council meeting

**The Council designated Councilmember Brunner to facilitate meetings
between the city, the developer and the community in an attempt to resolve**

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency/City Council

Tuesday, December 19, 2006

the issues regarding this project

ACTION ON NON-CONSENT ITEMS:

- 15 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
 [\(06-0990\)](#)
- 16 Subject: Park Capital Improvement Projects
 From: Public Works Agency
 Recommendation: Adopt A Resolution Adopting A Park Project Prioritization List For
 City Of Oakland Park Capital Improvement Projects
 [\(06-0935\)](#)
- 17 Subject: Oakland Garden Hotel, LLC - Agreement
 From: Community and Economic Development Agency
 Recommendation: Adopt the Following Pieces Of Legislation:
- 1) An Agency Resolution Pursuant To Section 4.9.2 And 11.2 Of The Disposition And
 Development Agreement Between The Oakland Redevelopment Agency And Oakland
 Garden Hotel LLC, Authorizing The Agency Administrator To Approve The Transfer Of
 Ownership Of The Oakland Garden Hotel To The CIM Group; And
 [\(06-0961\)](#)
- 2) A Resolution Pursuant To Section 10. Of The Hyatt Regency Oakland Hotel Ground
 Lease Between The City Of Oakland And Oakland Renaissance Associates Authorizing
 The City Administrator To Approve The Assignment Of The Ground Lease And The
 Sale Of The Marriott Hotel To The CIM Group, And To Accept All Payments Due The
 City
 [\(06-0961-1\)](#)
- 18 Subject: Rent Adjustment Program Amendment
 From: Community and Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:
- 1) Approve The Introduction (First Reading) Of An Ordinance Amending O.M.C.
 Chapter 8.22, Rent Adjustment Program, To Provide A Set Date For Implementing The
 Consumer Price Index (CPI) Based Rent Adjustment And New Procedures For Rental
 Property Owners To Obtain A Certificate Of Exemption; And,
 [\(06-0788\)](#)

**The November 14, 2006 Community and Economic Development
Committee approved recommendations as amended to include in the
ordinance language on the following issues: 1) Tenants must be notified**

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency/City Council

Tuesday, December 19, 2006

when building owner has applied for exemption; and 2) prospective tenants must be notified that the unit they are moving into is exempt; 4 Ayes

Final Passage (Second Reading) has been scheduled for January 2, 2007

2) A Resolution Approving Amendments To The Rent Adjustment Regulations To Clarify How Rental Property Owners May Take Banked Rent Increases And To Implement The Certificate Of Exemption Process
(06-0788-1)

This item was withdrawn from the December 5, 2006 City Council Agenda by the November 30, 2006 Rules and Legislation Committee

The November 14, 2006 Community and Economic Development Committee approved recommendations and directed staff to meet with representatives from both groups to work out the banking issues and to report to full Council with results and clarified language; 4 Ayes

19 Subject: African American Cultural Center
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Amending Resolution No. 74402 C.M.S. And Resolution No. 77943 C.M.S. To Change The Location Of The African American Cultural Center From 5714 Martin Luther King Jr. Way To 815 51st Street, And To Change The Term Of The Lease Agreement With Children's Hospital Of Oakland From A Ten Year Lease To A Not To Exceed Eighteen Month Lease, With An Option To Purchase The Property For One Dollar; And Authorizing the City Administrator To Exercise The Option To Purchase
(06-0820)

This item was withdrawn from the December 5, 2006 City Council Agenda by the November 30, 2006 Rules and Legislation Committee

The November 14, 2006 Community and Economic Development Committee approved recommendations; 4 Ayes

20 Subject: 2005-2006 Final Evaluation Report-Oakland Fund For Children And Youth
From: Department Of Human Services
Recommendation: Adopt A Resolution Adopting The Oakland Fund For Children And Youth Final Evaluation Report For Fiscal Year 2005 - 2006
(06-0764)

This item was withdrawn from the December 5, 2006 City Council Agenda by the November 30, 2006 Rules and Legislation Committee

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency/City Council

Tuesday, December 19, 2006

The November 14, 2006 Life Enrichment Committee approved recommendations; 3 Ayes, 1 Excused - Chang

- 21 Subject: Latham Square And Telegraph Avenue Streetscape
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The Design Of The Latham Square And Telegraph Avenue Streetscape Improvement Project (Estimated Construction Cost Of \$8,600,000), On Telegraph Avenue Between Broadway And 20th Street, Including Reducing The Travel Lanes Between 16th And 20th Street
(06-0819)

This item was withdrawn from the December 5, 2006 City Council Agenda by the November 30, 2006 Rules and Legislation Committee

The November 28, 2006 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Abstention - Brunner

- 22 Subject: Utility Boxes
From: Councilmember Jane Brunner
Recommendation: Action On A Report And Recommendations Regarding The Design Of Utility Boxes Installed In The Public Right Of Way In The City Of Oakland, Including The Consideration Of Undergrounding And Designs Appropriate To Residential Neighborhoods
(06-0928)

This item was placed on this agenda by the November 30, 2006 Rules and Legislation Committee

The December 12, 2006 Public Works Committee approved the urgency moratorium ordinance submitted by the Office of Councilmember Brunner with the following amendments: 1) The moratorium ending date noted in Section 6 to be revised from February 28, 2006 to February 5, 2006; and 2) option to resolve installation issues by administrative review. The Committee directed staff on the following issues: 1) look at the planning guidelines used by San Francisco; 2) more information from other City staff besides CEDA and PWA; 3) staff to send more information to other departments for additional public noticing; 4) strict guidelines on how citizens can work on getting something better; 5) notification of Councilmembers when permits are issued in their district; 6) more detailed design review process; 7) undergrounding when feasible and provide a means by which the applicant can prove otherwise; 8) if project goes to design review, then all players to be at the table for discussion; 9) Councilmember Brunner staff to work with CEDA staff on installation

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency/City Council

Tuesday, December 19, 2006

issues; and 10) initiate the same design review process for City owned facility boxes; 4 Ayes

- 23 Subject: Moratorium On Utility Or Equipment Boxes
From: Councilmember Jane Brunner
Recommendation: Adopt An Urgency Ordinance, Pursuant To Government Code Section 65858, Establishing A Temporary Moratorium On The Construction, Modification, Placement Or Approval Of Applications For Above-Ground Utility Or Equipment Cabinets Within The Public Right Of Way
(06-0996)

Pursuant to California Government Code Section 65858, Introduction and adoption of this ordinance requires a vote of 4/5 of the members (7 Affirmative Votes). This ordinance is introduced and adopted at the same meeting and it is in effect immediately for a 45 day period upon adoption.

The December 12, 2006 Public Works Committee approved the urgency moratorium ordinance submitted by the Office of Councilmember Brunner with the following amendments: 1) The moratorium ending date noted in Section 6 to be revised from February 28, 2006 to February 5, 2006; and 2) option to resolve installation issues by administrative review. The Committee directed staff on the following issues: 1) look at the planning guidelines used by San Francisco; 2) more information from other City staff besides CEDA and PWA; 3) staff to send more information to other departments for additional public noticing; 4) strict guidelines on how citizens can work on getting something better; 5) notification of Councilmembers when permits are issued in their district; 6) more detailed design review process; 7) undergrounding when feasible and provide a means by which the applicant can prove otherwise; 8) if project goes to design review, then all players to be at the table for discussion; 9) Councilmember Brunner staff to work with CEDA staff on installation issues; and 10) initiate the same design review process for City owned facility boxes; 4 Ayes

- 24 Subject: ~~Legislative Priorities~~
From: ~~City Council~~
Recommendation: ~~Action On A Report And Recommendations From Townsend Public Affairs, State Lobbyist For The City Of Oakland, To Adopt The City's State Legislative Priorities For 2007~~
(06-0903)

This item was withdrawn by the December 14, 2006 Rules and Legislation Committee

- 25 Subject: EastSide Arts And Housing LLC Agreement
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing An Owner Participation

SUPPLEMENTAL

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

Tuesday, December 19, 2006

Agreement With EastSide Arts And Housing LLC To Provide A Residual Receipts Loan In An Amount Not To Exceed \$249,000 For Permanent Financing Of The EastSide Arts And Housing Project, A Mixed-Use Development At 2277-2289 International Boulevard
(06-0782)

Pursuant to Resolution 79006 C.M.S. Rule 7, subpart 8 of the Council Rules and Procedures Councilmember Kernighan made a motion seconded by Councilmember Brunner to pull this item from the November 14, 2006 Community and Economic Development Committee Agenda and place on the December 19, 2006 City Council Agenda as a Non-Consent item

- 26 Subject: Lobbyist Registration Act Amendment
From: Public Ethics Commission
Recommendation: Approve The Introduction (First Reading) Of An Ordinance Amending Chapter 3.20 Of The Oakland Municipal Code (AKA "The Lobbyist Registration Act") To Provide 1) A Restriction On Elected Officials From Acting As Professional Lobbyists For One Year After Leaving Office; 2) A Limitation On The Amount Of Gifts Lobbyists Can Give To City Officials, Staff And Their Immediate Families; 3) Quarterly Disclosure Of A Lobbyist's Campaign Fundraising Activities; 4) Quarterly Disclosure Of Any Employment Relationship Among Lobbyists, City Officials And Staff; 5) Disclosure Of The Names And Titles Of The Persons Whom A Lobbyist Attempts To Influence; And 6) Misdemeanor Prosecution For Knowing And Willful Violations Of The Act And A One-Year Practice Ban Upon Conviction
(06-0863)

The November 16, 2006 Rules and Legislation Committee approved recommendations as amended to add department heads, and the classifications of City Administrator, City Clerk and Budget Director, to the positions restricted by the ordinance; 4 Ayes

Final Passage (Second Reading) has been scheduled for January 2, 2007

- 27 Subject: Restructure Of The City Council's Office
From: Vice Mayor Jean Quan and Council President Ignacio De La Fuente
Recommendation: Adopt A Resolution To Restructure The City Council's Office Of The Legislative Analyst, Which Currently Has Two Legislative Analysts, To Include An Additional Four (4) Analysts To Provide One Professional Analyst To Each Of The City Council's Six Standing Committees, For A Total Additional Cost Of \$485,000 For The Annual Salaries And Benefits Of The Four Additional Analysts
(06-0993)
- 28 Subject: Oakland-Alameda County Coliseum Authority Board Appointment
From: Council President Ignacio De la Fuente
Recommendation: Adopt A Resolution Re-Appointing Laurence E. Reid And Ignacio De La Fuente As Members Of The Oakland-Alameda County Coliseum Authority Board Of Commissioners For New Two Year Terms Beginning January 1, 2007 And Ending December 31, 2008

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency/City Council

Tuesday, December 19, 2006

(06-0994)

- 29 Subject: City Planning Commission - Appointment
From: The Mayor
Recommendation: Adopt A Resolution Appointing Paul Garrison As A Member Of The City Planning Commission

(06-0998)

- 30 Subject: Board Of Port Commissioners - Appointment
From: Mayor Brown
Recommendation: Adopt A Resolution Appointing Mark McClure As A Member Of The Board Of Port Commissioners

(06-0999)

- S-31 Subject: Rajappan & Meyer - Contract Amendment
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Contract With Rajappan & Meyer Consulting Engineers Inc. To Add Additional Design And Engineering Services For The 12th Street Reconstruction Project And To Increase The Contract From Four Million Seven Hundred Thousand Dollars (\$4,700,000.00) To A Total Contact Amount Not-To-Exceed Five Million Five Hundred Thousand Dollars (\$5,500,000.00), And Waive The RFP Requirement For The New Work

(06-0963)

The December 12, 2006 Public Works Committee forwarded with no recommendation and directed staff to report on the percentage of dollars to be received by outside firms and local firms in the contract. The Committee also directed staff to consult with the contractor urging them to utilize local subcontractors. The Committee further directed staff to look at how to circulate dollars within the City by using local subcontractors

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the December 14, 2006 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.

- S-32 Subject: International Contact Incorporated - Professional Services Contract
From: Office of the City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency/City Council

Tuesday, December 19, 2006

Into A Professional Services Contract With International Contact, Inc. For The Provision Of Translation And Interpretation Services To The City Of Oakland For An Initial Two (2) Year Term In The Amount Not To Exceed Two Hundred Seventeen-Thousand Two Hundred And Fifty Dollars (\$217,250.00) Per Year With An Option To Extend The Original Contract For Up To A Maximum Of Two (2), One (1) Year Terms Without Return To Council

(06-0966)

The December 12, 2006 Finance and Management Committee approved recommendations and requested a supplemental report on the following: 1) Why staff chose this bid when there was a lower bidder; 2) The hourly rates for the different services to be provided; 3) How many hours of interpretation/translation service did the city pay for last year and was that sufficient; and 4) The differences between the overall packages of the highest and lowest bidder; 3 Ayes, 1 Absent - De La Fuente

S-33 Subject: Oakland Community Action Partnership
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Agreements For A Second Year With Oakland's Community Action Partnership's Anti-Poverty Service Providers For Calendar Year 2007 In Accordance With Resolution No. 79739 C.M.S.

(06-0813)

The December 12, 2006 Life Enrichment Committee approved recommendations and requested that future reports include the number of people being served by the programs by geographical area; 3 Ayes, 1 Excused - Brooks

S-34 Subject: MacArthur Transit Village
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Execute A Non-Binding Letter Of Intent With MacArthur Transit Community Partners, LLC, Towards An Owner Participation Agreement For The MacArthur Transit Village Project At The MacArthur BART Station, And Authorizing A Predevelopment Grant For This Project For An Amount Not To Exceed \$1.5 Million

(06-0940)

The December 12, 2006 Community and Economic Development Committee approved recommendations as amended to revise the "Term" sheet; 3 Ayes, 1 Absent - De La Fuente

S-35 Subject: Oakland School For The Arts
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A Grant Not To Exceed \$1,700,000 To The Oakland School For The Arts (OSA) To Pay For The Interim Relocation Of A Portion Of The OSA Campus To The San Pablo Avenue Right-Of-Way To Allow For The Construction Of The Fox Courts Affordable Housing Project

SUPPLEMENTAL

Concurrent Meeting of the Oakland
Redevelopment Agency/City Council

Tuesday, December 19, 2006

(06-0962)

**The December 12, 2006 Community and Economic Development
Committee approved recommendations; 3 Ayes, 1 Absent - De La Fuente**

S-36 Subject: Gang Prevention And Intervention Services
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute
Agreements Between The City Of Oakland And Project Re-Connect For An Amount Not
To Exceed \$85,000 And The Oakland Unified School District Office Of Alternative
Education For An Amount Not To Exceed \$255,000 To Provide Gang Prevention And
Intervention Services In Accordance With The Violence Prevention And Public Safety
Act Of 2004 For The Period Of January 1, 2007 To December 31, 2007 With A One
Year Option To Renew

(06-0930)

**The December 12, 2006 Public Safety Committee approved
recommendations; 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.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451

(TDD)

THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR
OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO
ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.

(...)

SUPPLEMENTAL

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

Tuesday, December 19, 2006

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

ORA - Oakland Redevelopment Agency
S - Supplemental Item