

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 Successor Agency and the City
Council**

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

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

Tuesday, December 04, 2012

5:30 PM

City Council Chambers, 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 / City Council

COUNCIL MEMBERS:

Desley Brooks, Dist. 6; Jane Brunner, Dist. 1, Ignacio De La Fuente; Dist. 5; Rebecca Kaplan, At-Large; Pat Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Libby Schaaf, Dist. 4; Council President Larry Reid, Dist. 7

3 Open Forum / Citizens Comments
(Time Available: 15 minutes)

4 ACTIONS ON SPECIAL ORDERS OF THE DAY
(Ceremonial Presentations, Reports/Presentations from the Mayor, Council Acknowledgements/Announcements):

4.1 Subject: Honoring Stephanie Yun
From: Councilmember Schaaf

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Recommendation: Adopt A Resolution Congratulating Stephanie Yun, Lifelong Oakland Resident As The City Of Oakland's First Official Youth Poet Laureate
[\(12-0053\)](#)

4.2 Subject: Congratulating Carmen Martinez
From: Council President Larry Reid
Recommendation: Adopt A Resolution Commending Carmen Martínez, Director Of The Oakland Public Library, For Twelve Years Of Outstanding Service And Congratulating Her On The Occasion Of Her Retirement
[\(12-0163\)](#)

4.3 Subject: Recognizing Ise Lyfe
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Recognizing Ise Lyfe For His Works And Significant Contributions To The City Of Oakland Through Spoken Word And Social Marketing Outreach
[\(12-0171\)](#)

5 APPROVAL OF THE DRAFT MINUTES FROM THE Special City Council Meetings Of October 30, and November 13, 2012

6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests to: Reschedule items from consent to Non-Consent to the next Council Agenda, Speak on Consent Calendar, Register Votes, Change order of Items, Reconsiderations, Pull Items held in Committee):

7. CONSENT CALENDAR (CC) ITEMS:

All items denoted with an "s-" were added pursuant to Rule 28a of Resolution 82580 C.M.S., Council's Rules of Procedures

7.1-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 Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency Syndrome ("AIDS") Epidemic
[\(12-0172\)](#)

7.2-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
[\(12-0173\)](#)

7.3-CC Subject: Settlement Agreement - Ancel
From: Office Of The City Attorney

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Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Marilyn Ancel V. City Of Oakland, Alameda County Superior Court Case No. RG11-608657 In The Amount Of \$6750.00 As A Result Of A Trip And Fall Accident On College Avenue (OPW)
(12-0158)

This Matter Will Be Heard At the December 4, 2012 Closed Session

7.4-CC Subject: Settlement Agreement - Lake Royal Apartments
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Lake Royal Apartments In The Amount Of \$6,328.63, As A Result Of Property Damage Sustained Caused By Tree Roots (Oakland Public Works)
(12-0160)

This Matter Will Be Heard At The December 4, 2012 Closed Session

7.5 Subject: Unlawful Search - Settlement Agreement
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Following Cases (Oakland Police Department - Unlawful Search) In The Aggregate Amount Of Four Million, Six Hundred Thousand Dollars And No Cents (\$4,600,000.00): James Taylor And Robert Forbes V. City Of Oakland, Et Al., United States District Court No. C04-04843 SI; City Attorney's File No. SS26446; Darnell Foster, Rafael Duarte And Yancie Young V. City Of Oakland, Et Al., United States District Court No. C05- 03110 SI; City Attorney's File No. SS02705; Jimmy Rider V. City Of Oakland, Et Al. United States District Court No. C05-03204 SI; City Attorney's File No. SS02719; Tyrone Moore And Deandre Wash V. City Of Oakland, Et Al., United States District Court No. C06-02426SI; City Attorney's File No. SS24386; Jeffrie Miller, Richard Tillman. Jason Cagler, Jomal Reed, Curtis Freeman, Glenn Lovely And Kevin Bradley V. City Of Oakland. Et Al. United States District Court No. C07-01773 SI; City Attorney's File No. SS25571; John Smith, Robert Davis, Meheret Aneteneh, Jamel Parrish, Yusef Morris, Elbert Owens, Raheem Hill And Sherman Dunn V. City Of Oakland. Et Al., United States District Court No. C07-06298 Si; City Attorney's File No. SS25818; David Ward, James Tyson, And Tony Armstrong V. City Of Oakland, Et Al., United States District Court No. C07-04179 Si; City Attorney's File No. SS25880; Terrell Turner, Robert Young, Orlando Moore And Anthony Jackson V. City Of Oakland, Et Al., United States District Court No. C08-03114 SI; City Attorney's File No. SS26556; Lawrence Coley V. City Of Oakland, Et Al., United States District Court No. C08 04255 SI; City Attorney's File No.SS26767; Rahsan Kountz V. City Of Oakland, Et Al, United States District Court No. C09-05316 SI; City Attorney's File No. SS27508; Courtney Brown V. City Of Oakland, Et Al., United States District Court No. C11-04904; City Attorney's File No. SS26767-1; Larry Noble, Jr. V. City Of Oakland, Et Al., United States District Court No. C11-04906 SI; City Attorney's File No. SS26767-2; Nkukwe Okoli V. City Of Oakland, Et Al., United States District Court No. C11-04907

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SI; City Attorney's File No. SS26767-3; Quincy Smith V. City Of Oakland, Et Al., United States District Court No. C11-04909 SI; City Attorney's File No. SS26767-4; Thomas Romerson V. City Of Oakland, Et Al., United States District Court No. C11-04908 Si; City Attorney's File No. SS27508-1; Stephen Johnson V. City Of Oakland, Et Al., United States District Court No. C11-04905; City Attorney's File No. SS27508-2; B. M., A Minor, By And Through His Next Friend, Felicia Williams V. City Of Oakland, Et Al, United States District Court No. C11-04903 SI; City Attorney's File No. SS27508-3

(12-0174)

This item was placed on this agenda pursuant to Rule 28a of Resolution 82580 C.M.S., Council's Rules of Procedures.

This matter was heard at the November 13, 2012 Closed Session. A motion was made by Councilmember Kernighan, seconded by Council President Reid the motion carried with a vote of 5 Ayes, 1 No - De La Fuente, 1 Abstain - Brooks, 1 Absent - Brooks.

S-7.6 Subject: Architectural Services Agreements
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into Professional Services Agreements In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000.00) Each With 1) Architecture Dimensions, 2) Devi-Dutta-Choudhury, 3) Hibser Yamauchi Architects, And 4) Vargas Greenan Architecture For On-Call Architectural Services Over A Period Of Three Years
(12-0157)

2) A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into Professional Services Agreements In An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00) Each With 1) Byrens Kim Design Works, 2) Dougherty & Dougherty Architects, 3) Group 4 Architects Research, 4) Mve Institutional , Inc., 5) Muller Caulfield Architects, 6) Murakami & Nelson, 7) Noll & Tam Architects, 8) RPR Architects, And 9) Shah Kawasaki Architects For Oncall Architectural Services Over A Period Of Three Years
(12-0157-1)

The November 27, 2012 Public Works Committee approved recommendations; 3 Ayes, 1 Absent - Reid

S-7.7-CC Subject: Metropolitan Transportation Commission Agreement
From: Public Works Agency
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator or Designee To Apply for \$60,000.00 In Pavement Management Technical Assistance Program Grant Funds From The Metropolitan Transportation Commission; 2)

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Appropriate \$50,780.00 From Measure B Funds In Local Match; And 3) Enter Into An Agreement With Metropolitan Transportation Commission To Provide Consulting Services For An Amount Not To Exceed \$50,780.00
(12-0156)

**The November 27, 2012 Public Works Committee approved
recommendations; 3 Ayes, 1 Absent - Reid**

S-7.8-CC Subject: Curb and Sidewalk Repair Project
From: Public Works Agency
Recommendation: Adopt A Resolution: Authorizing The City Administrator, Or His Designee To Award A Construction Contract To Rosas Brother Construction, Inc. The Lowest Responsible, Responsive Bidder, In Accord With Plans And Specifications For Citywide Curb Ramps And Sidewalk Repair Project No. C428011 And Contractor's Bid Therefor, In The Amount Of One Million Seven Hundred Thirty-Three Thousand Two Hundred Sixty-Four Dollars And Sixty Cents (\$1,733,264.60)
(12-0155)

**The November 27, 2012 Public Works Committee approved
recommendations; 3 Ayes, 1 Absent - Reid**

S-7.9-CC Subject: Bicycle Friendly Community Campaign
From: Public Works Agency
Recommendation: Adopt A Resolution Certifying That The Bicycle Master Plan, Updated December 4, 2007, Is Current And In Compliance With The California Streets And Highways Code Section 891.2; Acknowledging Five Years Of Progress On Plan Implementation; Affirming The Current Priority Lane Conversion Projects; Recommending Solutions That Address Barriers To Plan Implementation; And Establishing The City's 2014 Bicycle Friendly Community Campaign
(12-0154)

**The November 27, 2012 Public Works Committee approved
recommendations; 4 Ayes**

S-7.10-CC Subject: Gallagher & Burke, Inc., Construction Contract
From: Public Works Agency
Recommendation: Adopt A Resolution: Awarding A Construction Contract To Gallagher & Burk, Inc. In Accord With Plans And Specifications For Various Street Resurfacing And Bikeway Facilities No. G427410 And Contractor's Bid Therefor, For Six Million Two Hundred Seventy-Nine Three Hundred Sixty-One Dollars (\$6,279,361.00)
(12-0153)

**The November 27, 2012 Public Works Committee approved
recommendations; 4 Ayes**

S-7.11 Subject: Contract Award For LED Light Replacement
From: Public Works Agency
Recommendation: Adopt A Resolution: (1) Waiving Advertising And Bidding And

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Authorizing The City Administrator To Award Contracts To Suppliers And Contractors Through An Advertised Request For Proposals ("RFP") Selection Process For The Replacement Of Existing HPS Cobra Head Street Lights With LED Street Lights Citywide, Without Return To Council; (2) Awarding Contracts To: (A) Amland Corporation For Three Million, Nine Hundred, Ninety Thousand Dollars (\$3,990,000.00) For The Installation Of The LED Street Lights, For Lighting And Electrical Engineering Services And For Documentation Services For This Project, And (B) Graybar For Ten Million, Eight Hundred And Fifty Two Thousand, Six Hundred And Fifty Dollars (\$10,852,650.00) For The Supply Of LED Street Lights, And (C) Authorizing The City Administrator To Increase Said Contracts By Up To An Amount Not To Exceed Seven And One Half Percent (7.5%) Of The Original Contract Price, Without Returning To Council; And (3) Authorizing The City Administrator To Waive Advertising And Request For Proposal/Qualification Process Requirements And Award A Project Loan Contract For Financing, For An Amount Of \$16,000,000.00, At An Interest Rate Not-To-Exceed Four And One-Tenth Percent (4.10%) For A Term Of Not More Than Twelve (12) Years, To Be Repaid By Energy Savings From Landscape And Lighting Assessment District (LLAD) Funds, Without Return To Council To Amland Corporation, Or To A Lender Selected By The City Administrator Though A Request For Proposal/Qualifications Process, Without Return To Council: And (4) Accepting, Appropriating And Directing Rebates From The Utility Company Estimated At Two Million, Nine Hundred And Twenty-Five Thousand Dollars (\$2,925,000.00) To Be Deposited In The Landscape And Lighting Assessment District Funds (LLAD)
(12-0146)

**The November 27, 2012 Public Works Committee approved
recommendations; 4 Ayes**

S-7.12-CC Subject: Cash Management Report
From: Finance And Management Agency
Recommendation: Receive The Cash Management Report For The Quarter Ended
September 30, 2012
(12-0144)

**The November 27, 2012 Finance and Management Committee received and
forwarded this report; 3 Ayes, 1 Excused - Brunner**

S-7.13-CC Subject: 2011 - 2012 Fourth Quarter Revenue Results
From: Office Of The City Administrator
Recommendation: Receive A Report On Fiscal Year 2011-2012 Fourth Quarter Revenue
And Expenditure Results And Year-End Summaries For Four Selected Funds - General
Purpose Fund (1010), Landscape & Lighting Assessment District Fund (2310),
Equipment Fund (4100) And Facilities Fund (4400); And Overtime Analysis For The
General Purpose Fund (1010) And All Funds
(12-0077)

The November 27, 2012 Finance and Management Committee approved

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recommendations; 3 Ayes, 1 Excused - Brunner

S-7.14-CC Subject: The Savoy Project Units
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Amending Resolution Nos. 82914 And
2011-0096 C.M.S. (Authorizing Development Loans) And Resolution No. 2010-0095
C.M.S. (Approving Replacement Housing Plan) To Reduce The Number Of Units From
102 To 101 At The Savoy Project (Formerly Jefferson Oaks Apartments) Located At
1424 Jefferson Street
(12-0097)

**The November 27, 2012 Community and Economic Development
Committee approved recommendations; 3 Ayes, 1 Excused - Brunner**

S-7.15-CC Subject: 2013-2014 Rockridge Business Improvement District Assessment
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For
Fiscal Year 2013/2014 For The Rockridge Business Improvement District, Approving
The Annual Report Of The Rockridge Business Improvement District Advisory Board
(12-0139)

**The November 27, 2012 Community and Economic Development
Committee approved recommendations; 3 Ayes, 1 Excused - Brunner**

S-7.16-CC Subject: 2013-2014 Montclair Business Improvement District Assessment
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For
Fiscal Year 2013/2014 For The Montclair Business Improvement District, Approving
The Annual Report Of The Montclair Business Improvement District Advisory Board
(12-0138)

**The November 27, 2012 Community and Economic Development
Committee approved recommendations; 3 Ayes, 1 Excused - Brunner**

S-7.17-CC Subject: 1-C Grant Pass Through - Streetscape And Infrastructure Improvements
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Oakland Redevelopment Successor Agency Resolution (1) Authorizing A
Passthrough Grant To The City In An Amount Up To \$9,403,000 From The Uptown
Proposition 1-C Grant Under The California Department Of Housing And Community
Development's Infill Infrastructure Grant Program For Streetscape And Infrastructure
Improvements In The Central Business District, And (2) Authorizing A Grant In The
Amount Of \$500,000 To Harrison Street Senior Housing Corporation Or Affiliated
Entity From The Uptown Proposition 1-C Grant For The Development Of Parking At
The Harrison Senior Housing Project At 1633 Harrison Street; And
(12-0166)

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2) A Resolution (1) Accepting A Pass-Through Grant From The Oakland Redevelopment Successor Agency In An Amount Up To \$9,403,000 From The Uptown Proposition 1-C Grant Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program, And Appropriating The Funds For Streetscape And Infrastructure Improvements In The Central Business District, And (2) Rescinding Resolution No. 83855 C.M.S. Granting \$500,000 To Oakland Housing Initiatives And Christian Church Homes Of Northern California For The Harrison Senior Housing Project At 1633 Harrison Street
(12-0166-1)

**The November 27, 2012 Community and Economic Development
Committee approved recommendations; 3 Ayes, 1 Excused - Brunner**

S-7.18-CC Subject: Mills Act Contracts
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Approving Four (4) Mills Act Contracts Between The City Of Oakland And The Properties At 818 Trestle Glen Road (Estimated - \$2,036/Year Property Tax Reduction), 1550 5th Avenue (Estimated - \$747/Year Property Tax Reduction), 3627 Majestic Avenue (Estimated - \$935/Year Property Tax Reduction), And 3635 Majestic Avenue (Estimated - \$709/year Property Tax Reduction) Pursuant To Ordinance No. 12987 C.M.S., To Provide These Owners With Property Tax Reductions In Exchange For Their Agreement To Repair And Maintain Their Historic Property In Accordance With Submitted Work Programs.
(12-0165)

**The November 27, 2012 Community and Economic Development
Committee approved recommendations; 3 Ayes, 1 Excused - Brunner**

S-7.19-CC Subject: 2012-2013 Cultural Services Grants
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Seventy-Nine (79) Cultural Services Grants To Sixty-Nine (69) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2012-2013 In A Total Amount Not To Exceed \$950,001
(12-0140)

**The November 27, 2012 Life Enrichment Committee approved
recommendations; 4 Ayes**

S-7.20-CC Subject: Professional Services Agreement - 12th Street Reconstruction Project
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Professional Services Agreement With Artist John Colle Rogers For Public Art Design And Fabrication Services For The 12th Street Reconstruction Project To (1) Extend The Termination Date To December 31, 2013, And (2) Increase The Contract For

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A Total Amount Not To Exceed One Hundred Thirty Thousand Five Hundred Dollars
(\$130,500) In Measure DD Series B Bond Funds
(12-0142)

**The November 27, 2012 Life Enrichment Committee approved
recommendations; 4 Ayes**

S-7.21-CC Subject: Professional Services Agreement - Roloff
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend
The Professional Services Agreement With Artist John Roloff For Public Art Design And
Fabrication Services For The Lake Merritt - Oakland Estuary Channel Project To (1)
Extend The Termination Date To December 31, 2016, And (2) Increase The Contract For
A Total Amount Not To Exceed Three Hundred Twenty-Six Thousand Nine Hundred
Forty Dollars (\$326,940) In Measure DD Series B Bond Funds
(12-0141)

**The November 27, 2012 Life Enrichment Committee approved
recommendations; 4 Ayes**

S-7.22-CC Subject: Oakland Youth Court Program Agreement
From: Oakland Police Department
Recommendation: Adopt A Resolution Amending Resolution Number 83756 C.M.S.,
Which Accepted And Appropriated State Of California Corrections Standards Authority
Title II Formula Grant Program Funds (Title II Grant Funds) In The Amount Of One
Hundred Seventy Two Thousand One Hundred Forty One Dollars (\$172,141) For The
Oakland Youth Court And Authorized A Professional Services Agreement With
McCullum Youth Court Corporation To Administer And Operate The Program, To: 1)
Authorize A Services Agreement With Centerforce Corporation (Centerforce), In An
Amount Not To Exceed Eighty Three Thousand Six Hundred And Thirty Eight Dollars
(\$83,638) For The Period July 20, 2012 Through December 31, 2012 For The
Administration And Operation Of The Oakland Youth Court Program; And 2) Waive The
Advertising And Request For Proposals/Qualifications (RFP/Q) Process For The
Proposed 2012 Centerforce Agreement
(12-0150)

**The November 27, 2012 Public Safety Committee approved
recommendations; 4 Ayes**

S-7.23-CC Subject: Sobriety Checkpoint Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf
Of The City Of Oakland, To Accept And Appropriate Grant Funds In The Amount Of
Fifty Five Thousand Dollars (\$55,000.00) From The Regents Of The University Of
California, Berkeley, School Of Public Health, Traffic Safety Center, Serving As The
Fiscal Agent For The State Of California, Office Of Traffic Safety, For The 2012-2013
Sobriety Checkpoint Program To Be Conducted By The Police Department. The

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Department Also Requests A Waiver Of The Central Overhead Charges
(12-0149)

**The November 27, 2012 Public Safety Committee approved
recommendations; 4 Ayes**

S-7.24-CC Subject: Oakland Housing Authority MOU - Shotspotter
From: Oakland Police Department
Recommendation: Adopt A Resolution: Authorizing The City Administrator Or Her
Designee To 1) Enter Into An MOU With The Oakland Housing Authority (OHA) To
Establish And Define The Working Relationship And Shared Responsibilities Between
The Oakland Police Department (OPD) And The Oakland Housing Authority Police
Department (OHAPD). 2) Accept \$150,000 From OHAPD For The OPD For A Joint
Planned Expansion Of Shotspotter (SST) And For OHAPD To Have Access To The
System And Its Data
(12-0164)

**The November 27, 2012 Public Safety Committee approved
recommendations; 4 Ayes**

S-7.25 Subject: 2nd Generation Early Warning System
From: Department Of Information Technology
Recommendation: Adopt A Resolution For Awarding A Contract To Sierra Systems Inc.
In An Amount Not To Exceed Nine Hundred Thousand Dollars (\$900,000.00) For A Two
Year Term For As-Needed Technical And Project Management Services In The
Implementation Of A Second Generation Early Warning System For The Oakland Police
Department
(12-0148)

**The November 27, 2012 Public Safety Committee approved
recommendations; 4 Ayes**

S-7.26 Subject: Oakland Army Base Environmental Review Services Agreement
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute
An Amendment To The Professional Services Agreement With LSA Associates, Inc. To
Increase The Contract By An Amount Not To Exceed \$66,606 For A Total Contract
Amount Of \$426,606 For Additional Environmental Review Services For The 2012
Oakland Army Base Project
(12-0132)

**The November 27, 2012 Public Works Committee approved
recommendations; 4 Ayes.**

8 Oral Report of Final Decisions Made During Closed Session & Disclosure of
Non-Confidential closed session discussions

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**COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE
THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

**9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:**

9.1 Subject: Delinquent Mandatory Garbage Fees
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The
Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The
Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And
Confirming The Recordation Of Liens With Administrative And Assessment Charges As
Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing
The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax
Collector For Collection; Or

[\(12-0125\)](#)

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On
Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative
And Assessment Charges As Necessary-Pursuant To Chapter 8.28 Of The Oakland
Municipal Code

[\(12-0125-1\)](#)

3) A Resolution Overruling Protests And Objections And Accepting And Confirming
Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For
Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With
Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of
The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment
Charges Be Turned Over To The County Tax Collector For Collection

[\(12-0125-2\)](#)

9.2 Subject: Delinquent Real Property Transfer Taxes
From: Office of the City Administrator
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent
Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces
Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The
Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes
And Confirming The Recordation Of Liens With Administrative And Assessment
Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And
Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County
Tax Collector For Collection; Or

[\(12-0124\)](#)

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2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary-Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or

[\(12-0124-1\)](#)

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

[\(12-0124-2\)](#)

9.3

Subject: Delinquent Business Taxes

From: Office of the City Administrator

Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or

[\(12-0122\)](#)

2) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code; Or

[\(12-0122-1\)](#)

3) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City Administrator On The Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection

[\(12-0122-2\)](#)

9.4

Subject: Assessment Of Liens - Transient Occupancy Taxes

From: Office of the City Administrator

Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces

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Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[\(12-0123\)](#)

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Transient Occupancy Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary-Pursuant To Chapter 4.24 Of The Oakland Municipal Code; Or

[\(12-0123-1\)](#)

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

[\(12-0123-2\)](#)

9.5 Subject: Oakland Energy And Climate Action Plan

From: Public Works Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Adopting The Oakland Energy And Climate Action Plan And Authorizing The City Administrator Or His Or Her Designee To Administratively Update The Energy And Climate Action Plan Appendix Consistent With The Energy And Climate Action Plan Without Returning To The City Council

[\(12-0162\)](#)

9.6 Subject: Central District Redevelopment Five-Year Plan

From: Office Of Neighborhood Investment

Recommendation: Conduct a Public Hearing On The Report Providing Mid-Term Review Of The Five-Year Implementation Plans (2009-2014) For The Broadway/MacArthur/San Pablo, Central District, Coliseum And Stanford/Adeline Redevelopment Project Areas; And Upon Conclusion Adopt the Following Pieces Of Legislation:

[\(12-0135\)](#)

**The November 27, 2012 Community and Economic Development
Committee received and forwarded this report; 3 Ayes, 1 Excused -
Brunner**

1) An Oakland Redevelopment and Successor Agency Resolution Adopting An

SUPPLEMENTAL

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Amendment To The Five Year Implementation Plan, 2009-2014, For The Central District Redevelopment Project To Add The Following Projects: 1800 San Pablo Avenue, 2330 Webster And 2315 Valdez Street, City Center T-5/6 (1114 Clay Street And 498 11th Street), Henry J. Kaiser Convention Center (1000 Oak Street), 12th Street Remainder Parcel, Uptown Parcel 4 (1901 Telegraph Avenue), And The Telegraph Plaza Garage (2100 Telegraph Avenue); And
[\(12-0135-1\)](#)

2) An Oakland Redevelopment Successor Agency Resolution Adopting An Amendment To The Five Year Implementation Plan, 2009-2014, For The Central City East Redevelopment Project To Add The Following Projects: Seminary Point, 27th Avenue And Foothill Boulevard, 36th Avenue And Foothill Boulevard, Eastmont, Foothill Square, And Melrose Ford; And
[\(12-0135-2\)](#)

3) An Oakland Redevelopment Successor Agency Resolution Adopting An Amendment To The Five Year Implementation Plan, 2009-2014, For The Coliseum Redevelopment Project To Add The Following Projects: Coliseum City, Fruitvale Transit Village Phase II, 66th Avenue And San Leandro Street, Hill-Elmhurst, Melrose Ford, And Clara Street And Edes Avenue
[\(12-0135-3\)](#)

**The November 27, 2012 Community and Economic Development
Committee approved recommendations; 3 Ayes, 1 Excused - Brunner**

9.7

Subject: Mobile Food Vending Regulations Extensions
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) An Ordinance Extending Interim Regulations With Minor Amendments For Permitting Mobile Food Vending Group Sites Within A Limited Area Of The City Of Oakland Defined, In Part, By City Council Districts 1, 2, 3, And 4. The Interim Regulations Contained Herein Shall Remain In Place And Be Effective Through July 1, 2013, Or Until The City Council Adopts New Permanent Mobile Food Vending Regulations, Whichever Comes First
[\(12-0136\)](#)

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First
Reading) OF THIS ORDINANCE**

Final Passage (Second Reading) is scheduled for December 18, 2012

2) An Ordinance Amending The Master Fee Schedule (Ordinance No. 13133 C.M.S. As Amended) To Reduce The Interim Food Vending Group Site Operation Date Fee
[\(12-0136-1\)](#)

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First

SUPPLEMENTAL

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Reading) OF THIS ORDINANCE

Final Passage (Second Reading) is scheduled for December 18, 2012

**The November 27, 2012 Community and Economic Development
Committee approved recommendations; 3 Ayes, 1 Absent - Brunner**

9.8 Subject: New Dog Play Area Appeal
From: Department Of Planning And Building
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Upholding The Appeal (A12-062), Of The Decision Of The Oakland Planning Commission, And Granting Approval Of An Application For A Minor Conditional Use Permit For The Creation Of A New Dog Play Area At Lakeview Park (Planning Case File No. Cull-208); Or
[\(11-0624\)](#)

2) A Resolution Denying The Appeal (A12-062), Of The Decision Of The Oakland Planning Commission And Denying The Application For A Minor Conditional Use Permit For The Creation Of A New Dog Play Area At Lakeview Park (Planning Case File No. Cull-208)
[\(11-0624-1\)](#)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Public Library Trust Fund
From: Oakland Public Library
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Close Project C325110, In The Oakland Public Library Trust Fund (7540), And Transfer The Remaining Uncommitted Revenue And Appropriation Of Up To \$325,000 To A New Project To Be Used For Upgrades And Refurbishment Of Three Oakland Public Library Branches: Brookfield, Dimond And Montclair, And (2) To Apply For, Accept And Appropriate Additional Grants And Donations To Be Used For The Same Purpose.
[\(12-0088\)](#)

This item was rescheduled from the November 13, 2012 Special City Council Agenda.

S-12 Subject: Metropolitan Golf Links 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, 2012 Through June 30, 2013 In The Amount Of \$147,881 As Authorized In The First Sublease And Operating Agreement Approved By Resolution No. 81274 On May 6, 2008

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(12-0081)

The November 27, 2012 Finance and Mangement Committee approved recommendations 2 Ayes, 1 Abstain - Brooks, 1 Excused - Brunner

S-13 Subject: Wells Fargo Custodial Banking Services Agreement
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing [One-Year, Two-Year] Extensions To The Current Agreements With Wells Fargo Bank To Provide Primary Depository Services For The City At Costs Not To Exceed \$275,000 Annually And Primary Custodial Banking Services At A Cost Not To Exceed \$25,000 Annually
(12-0134)

The November 27, 2012 Finance and Mangement Committee approved recommendationst; 3 Ayes, 1 Excused - Brunner

S-14 Subject: Goldman Sachs Swap Agreement Termination
From: Finance And Management Agency
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland Authorizing The City Administrator To Negotiate And Terminate The City's Interest Rate Swap Agreement With Goldman Sachs & Co. To The Extent That The City Is Able To Do So At A Below Market Value Cost And Not Later Than The End Of The Next Fiscal Year, June 30, 2013
(11-0424-1)

The November 27, 2012 Finance and Mangement Committee received and forwarded this report; 3 Ayes, 1 Excused - Brunner

S-15 Subject: 2011-2012 OFCY Evaluation
From: Department Of Human Services
Recommendation: Receive An Informational Report On The Oakland Fund For Children And Youth Evaluation Findings For 2011-2012. The Reports Were Prepared By An Independent Evaluator And Submitted By The Planning And Oversight Committee Of The Oakland Fund For Children And Youth
(12-0137)

The November 27, 2012 Life Enrichment Committee received and forwarded this report; 3 Ayes, 1 Absent - Reid

S-16 Subject: Oakland Fund For Children And Youth Investment Plan
From: Department Of Human Services
Recommendation: Adopt A Resolution To Adopt The Oakland Fund For Children And Youth 2013-2016 Strategic Investment Plan
(12-0151)

The November 27, 2012 Life Enrichment Committee approved recommendations; 3 Ayes, 1 Absent - Reid

Continuation of Open Forum

SUPPLEMENTAL

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Tuesday, December 04, 2012

ADJOURNMENT OF COUNCIL SESSION

(Meeting shall conclude no later than 12:00 a.m., unless extended by Majority Vote of the Council)

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**LaTonda Simmons
City Clerk and
Clerk of the Council**