



# SUPPLEMENTAL

## City of Oakland

### Meeting Agenda

Office of the City Clerk  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, California 94612  
LaTonda Simmons, City Clerk

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

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

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

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Tuesday, December 07, 2010

5:30 PM

Oakland City Hall, 3rd Floor

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#### **DEFINITION OF TERMS:**

**CONSENT ITEM:** any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee. These items are heard on the 5:30 P.M. portion of the agenda.

**NON-CONSENT ITEM:** any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee. These items are heard on the 6:30 P.M. portion of the agenda.

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

**INFORMATIONAL ITEM:** an item of the agenda consisting only of an informational report that does not require or permit Council action.

- 1 Pledge of Allegiance
- 2 Roll Call / ORA & Council  
COUNCIL MEMBERS: Patricia Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Jean Quan, Dist. 4; Ignacio De La Fuente, Dist. 5; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Rebecca Kaplan, At-Large, and President Jane Brunner, Dist. 1
- 3 Open Forum / Citizens Comments  
(Time Available: 15 minutes)
- 4 ACTIONS ON SPECIAL ORDERS OF THE DAY  
(Ceremonial Presentations, Reports/Presentations from the Mayor, Council Acknowledgements/Announcements):
  - 4.1 Subject: Carla Service - Honorarium  
From: Councilmember De La Fuente  
Recommendation: Adopt A Resolution Honoring Carla Service And Dance-Of-Vision Entertainment For 25 Years Of Community Service  
(10-0204)

# SUPPLEMENTAL

- 4.2        Subject:     City And Port Of Oakland Employees' Chorus  
             From:        Council President Brunner  
             Recommendation: Adopt A Resolution Honoring The City And Port Of Oakland  
             Employees' Chorus For Over Seventy Years Of Annual Holiday Concerts  
             [\(10-0217\)](#)
- 5            APPROVAL OF THE DRAFT MINUTES FROM THE SPECIAL CONCURRENT  
             MEETING OF THE NOVEMBER 9, 2010
- 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:**

- 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 AIDS Epidemic  
             [\(10-0224\)](#)
- 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  
             [\(10-0225\)](#)
- 7.3-CC     Subject:     Gareth Slevin - Settlement Agreement  
             From:        Office Of The City Attorney  
             Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
             Compromise And Settle The Case Of Gareth Slevin, In The Amount Of \$53,371.19, As  
             A Result Of Property Damage Sustained When A Sewer Main Backed Up Into The  
             Claimant's Residence On June 1, 2010 (Public Works Agency)  
             [\(10-0226\)](#)
- 7.4-CC     Subject:     Madeline Beaudreaux - Settlement Agreement  
             From:        Office Of The City Attorney  
             Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
             Compromise And Settle The Case Of Madeline Beaudreaux Vs. City Of Oakland, Et Al.,  
             Alameda County Superior Court No. RG08409104, Our File No. 26366, In The Amount  
             Of \$90,000.00 (Public Works Agency)  
             [\(10-0202\)](#)

# SUPPLEMENTAL

Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council

Tuesday, December 07, 2010

7.5 Subject: ~~Quan Travel - League Of Cities, Denver, CO~~  
From: ~~Vice Mayor Quan~~  
Recommendation: ~~Adopt A Resolution Authorizing Council Member Jean Quan To  
Travel To Denver, CO. On November 30 - December 4, 2010 To Attend The National  
League Of Cities, "2010 Congress Of Cities & Exposition" And Designating Jean Quan  
As The City's Representative~~  
(10-0218)

**This item was withdrawn at the December 2, 2010 Rules and Legislation  
Committee.**

7.6-CC Subject: Rehabilitation Of Sanitary Sewers - Andes Construction  
From: Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes  
Construction, Inc. For The Rehabilitation Of Sanitary Sewers In The Area Bounded By  
East 24th Street, 17th Avenue, International Boulevard, And 13th Avenue (Sub-Basin  
58-01 - Project No. C96110) In Accord With Plans And Specifications For The Project  
And Contractor's Bid In The Amount Of Four Million Four Hundred Seventy-Six  
Thousand Seven Hundred Thirty-One Dollars (\$4,476,731.00)  
(10-0087)

**The November 16, 2010 Public Works Committee approved  
recommendations and directed to return to a future committee with a  
report analyzing the time it takes to process contracts on future  
performance measures and statistics on how many new hires are Oakland  
residents. The Committee also requested an informational report in the  
future on the number of Oakland residents being hired under City  
contracts; 4 Ayes**

7.7-CC Subject: Rehabilitation Of Sanitary Sewers - Mosto Construction  
From: Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Mosto  
Construction For The Rehabilitation Of Sanitary Sewers In The Easement By Doncaster  
Place And By Colton Boulevard And On Mandana Boulevard (Project No. C329118) In  
Accord With Plans And Specifications For the Project And Contractor's Bid In The  
Amount Of One Hundred Ninety-Seven Thousand Seven Hundred Seventy-One Dollars  
(\$197,771.00)  
(10-0088)

**The November 16, 2010 Public Works Committee approved  
recommendations; 4 Ayes**

7.8-CC Subject: Clean Air Funds  
From: Public Works Agency  
Recommendation: Adopt The Following Pieces Of Legislation:  
1) A Resolution Authorizing The City Administrator, Or His Designee, To Accept And  
Appropriate Ninety Thousand Dollars (\$90,000.00) In Transportation For Clean Air  
Funds For The Webster/Franklin Streets Bikeway Project; And

# SUPPLEMENTAL

(10-0089)

2) A Resolution Authorizing The Installation Of Class II Bicycle Lanes On Webster And Franklin Streets By Reducing Travel Lanes From Four (4) Through Lanes To Three (3) Through Lanes On Franklin Street Between 14th Street And 20th Street, And On Webster Street Between 14th Street And 19th Street; And From Three (3) Through Lanes To Two (2) Through Lanes On Franklin Street Between 20th Street And 22nd Street, And On Webster Street Between 19th Street And 25th Street

(10-0089-1)

**The November 16, 2010 Public Works Committee approved  
recommendations; 4 Ayes**

7.9-CC Subject: Arcadia Park Subdivision Public Facilities Easement  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Conditionally Accepting A Dedication From The Arcadia Park Owners Association Of A Public Facilities Easement To Construct A Privately Maintained Park In The Arcadia Park Subdivision Located At 921 98th Avenue  
(10-0142)

**The November 16, 2010 Public Works Committee approved  
recommendations; 4 Ayes**

7.10-CC Subject: Biringer V. City Of Oakland - Settlement  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Biringer V. City Of Oakland, Alameda County Superior Court Case No. RG10508411 In The Amount Of \$15,000.00 (Public Works Agency - Trip And Fall)  
(10-0241)

7.11-CC Subject: Waterfront Trail Project  
From: Public Works Agency  
Recommendation: Adopt A Resolution: 1) Rejecting All Bids Submitted For The Fruitvale Avenue To High Street, Waterfront Trail Project (C395010), 2) Waiving Further Competitive Bidding Requirements, And 3) Authorizing the City Administrator To Negotiate And Purchase The Necessary Construction Services And Materials In Accord With Plans And Specifications For The Project On The Open Market In An Amount Not To Exceed One Million Six Hundred Thousand Dollars (\$1,600,000.00) Without Return To The City Council  
(10-0139)

**The November 16, 2010 Public Works Committee approved  
recommendations and directed staff to return to a future Committee  
meeting with an informational report regarding the results of the  
negotiations; 4 Ayes**

7.12-CC Subject: Cash Management Report  
From: Finance And Management Agency

# SUPPLEMENTAL

Recommendation: Receive A Cash Management Report For The Quarter Ended  
September 30, 2010

[\(10-0192\)](#)

**The November 16, 2010 Finance and Management committee received and  
forwarded the report: 4 Ayes**

7.13-CC

Subject: Oracle Payroll Software System

From: Department Of Information Technology

Recommendation: Adopt A Resolution Waiving The Request For Qualifications Or  
Proposal Requirements Of The Oakland Municipal Code, And Awarding A Five-Year  
Term Contract To Vertex Inc., Berwyn, PA., To Provide Taxation Data for The Oracle  
Payroll Software System For A Payment Of Approximately Eleven Thousand Dollars  
(\$11,000.00) Annually, With An Option To Increase The Contract By 5% Each Year Of  
The Contract, For A Grand Total Not-To-Exceed Sixty-Four Thousand Dollars  
(\$64,000.00)

[\(10-0125\)](#)

**The November 16, 2010 Finance and Management Committee approved  
recommendations and directed staff**

7.14-CC

Subject: Code Enforcement Relocation Program

From: Community And Economic Development Agency

Recommendation: Adopt A City Resolution 1) Creating A Revolving Fund To Provide  
Relocation Assistance To Eligible Tenants Under The Code Enforcement Relocation  
Program, And Appropriating \$150,000 In Community Development Block Grant Funds  
For This Purpose; And 2) Creating A Vacant, Blighted Property Board Up, Clean Up  
Revolving Fund With \$150,000 In Appropriated Fiscal Year 2010-2011 Community  
Development Block Grant Funds

[\(10-0157\)](#)

**The November 16, 2010 Community and Economic Development  
committee approved recommendations; 3 Ayes, 1 Excused - De L a Fuente**

7.15-CC

Subject: Employment Training And Job Placement Services

From: Office Of The Mayor

Recommendation: Adopt A Resolution (1) Appropriating \$285,000 From A Workforce  
Investment Act Grant For The Oakland Green Jobs Initiative To Train And Place  
Oakland Residents In Green Jobs For Fiscal Year 2010-2011, (2) Authorizing Contracts  
With Men Of Valor In The Amount Of \$35,000, CivicCorps In The Amount Of \$49,600,  
Growth Sector In The Amount Of \$40,000, Urban University In The Amount Of  
\$89,400, And Cypress Mandela Training Center In The Amount Of \$25,000 To  
Collaboratively Provide Employment Training And Job Placement Services, (3)  
Authorizing A Contract For Up To \$20,000 To Evaluate Program Performance Without  
Returning To Council, And (4) Allocating \$26,000 For City Administration

[\(10-0149\)](#)

**The November 16, 2010 Community and Economic Development**

# SUPPLEMENTAL

Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council

Tuesday, December 07, 2010

**committee approved recommendations as amended to the resolution to include the names of Cypress Mandela Training Center and Urban University as technical corrections to the resolution. Staff was further directed to prepare a supplemental report that provides the evaluation of previously funded programs for the December 7, 2010 City Council meeting; 2 Ayes, 1 Abstain - Brunner, 1 - Excused - De La Fuente**

7.16-CC Subject: Coliseum Industrial Infrastructure Improvements  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Contributing An Amount Not To Exceed \$460,000 To The City Of Oakland Under The Cooperation Agreement To Complete Feasibility Studies And Construction Documents With \$260,000 For The Proposed Coliseum Industrial Infrastructure Improvements And \$200,000 For The Proposed Tyrone Carney Park Reconfiguration In The Coliseum Project Area; And  
[\(10-0156\)](#)

2) A City Resolution Accepting A Contribution In An Amount Not To Exceed \$460,000 From The Redevelopment Agency Under The Cooperation Agreement To Complete Feasibility Studies And Construction Documents With \$260,000 For The Proposed Coliseum Industrial Infrastructure Improvements And \$200,000 For The Proposed Tyrone Carney Park Reconfiguration  
[\(10-0156-1\)](#)

**The November 16, 2010 Community and Economic Development committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

7.17-CC Subject: Façade And Tenant Improvement Programs  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Amending Resolution No. 2009-0078 C.M.S. To Increase Third Party Design Contracts For The Façade And Tenant Improvement Programs By \$196,000 For A Total Of \$726,000 For Fiscal Year 2010-2011 Utilizing Funds Appropriated In The Fiscal Year 2009-2011 Redevelopment Agency Budget And Authorizing The Agency Administrator To Negotiate, Execute And Amend All Third Party Contracts For The Façade And Tenant Improvement Programs  
[\(10-0107\)](#)

2) An Agency Resolution Allocating An Additional \$300,000 From Coliseum Redevelopment Funds For A Total Allocation Of \$500,000 For Fiscal Year 2010-2011 To The Coliseum Commercial Façade Improvement Program; And  
[\(10-0107-1\)](#)

3) An Agency Resolution Allocating \$150,000 To The West Oakland Redevelopment Project Area Façade Improvement Program And Allocating \$150,000 To The West Oakland Redevelopment Project Area Tenant Improvement Program For Fiscal Year

# SUPPLEMENTAL

Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council

Tuesday, December 07, 2010

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2010-2011  
(10-0107-2)

**The November 16, 2010 Community and Economic Development  
committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

7.18-CC Subject: Five Professional Service Agreement  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Professional Service Agreement In An Amount Not To Exceed \$219,000 With Seifel Consulting Inc. For The Preparation Of Reports And Studies For The Proposed Amendment To The Central District Redevelopment Plan Extending Time Limits And Increasing The Tax Increment Cap;  
(10-0144)

2) An Agency Resolution Authorizing A Professional Service Agreement In An Amount Not To Exceed \$260,000 With Environmental Science Associates For The Preparation Of An Environmental Impact Report For The Proposed Redevelopment Plan Amendment To The Central District Redevelopment Plan Extending Time Limits And Increasing The Tax Increment Cap;  
(10-0144-1)

3) An Agency Resolution Authorizing A Professional Service Agreement In An Amount Not To Exceed \$230,000 With Seifel Consulting Inc. For The Preparation Of Reports And Studies For The Proposed Amendment To The Broadway/MacArthur/San Pablo Redevelopment Plan Expanding The Project Area To Incorporate The Lowell Street/Golden Gate/Gaskill Area And Extending The Eminent Domain Time Limit;  
(10-0144-2)

4) An Agency Resolution Authorizing A Professional Service Agreement In An Amount Not To Exceed \$287,000 With Environmental Science Associates For The Preparation Of An Environmental Impact Report For The Proposed Redevelopment Plan Amendment To The Broadway/MacArthur/San Pablo Redevelopment Project Area Plan Expanding The Project Area To Incorporate The Lowell Street/Golden Gate/Gaskill Area And Extending The Eminent Domain Time Limit; And  
(10-0144-3)

5) An Agency Resolution Authorizing A Professional Service Agreement In An Amount Not To Exceed \$30,000 With Wood Rodgers For The Preparation Of A Legal Description For The Proposed Amendment To The Broadway/MacArthur/San Pablo Redevelopment Plan Expanding The Project Area To Incorporate The Lowell Street/Golden Gate/Gaskill Area  
(10-0144-4)

**The November 16, 2010 Community and Economic Development  
committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

7.19-CC Subject: Cultural Services Grants



# SUPPLEMENTAL

Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council

Tuesday, December 07, 2010

From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Forty-Two (42) Cultural Services Grants To Forty-One (41) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2010-2011 In A Total Amount Not To Exceed \$408,745.00  
[TITLE CHANGE]  
(10-0090)

**The November 16, 2010 Life Enrichment Committee approved recommendations and directed staff to return to the December 14, 2010 Committee with alternative proposals for the section on Organizational Assistance Grants, which should include keeping the recommendation as originally proposed or reducing the funding for selected grantees and add the 3 applicants who were not selected based on scoring. The Committee approved the remaining 3 sections for forwarded to the full council for action; 4 Ayes**

7.20-CC Subject: Oakland Head Start Advisory Panel  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City of Oakland, To Review and Approve The Request Of The Oakland Head Start Advisory Panel To Change Their Name To Oakland Head Start Advisory Board; And Add A Voting Member To The Membership And Add A Non-Voting Policy Council Member Liaison To Report To The Advisory Panel; And Make Revisions To Their By-laws, And Subsequent Documents Pertaining To The Advisory Panel, To Reflect Said Changes  
(10-0123)

**The November 16, 2010 Life Enrichment Committee approved recommendations; 4 Ayes**

7.21-CC Subject: Head Start/Early Head Start Governing Procedures  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City of Oakland, To Review and Approve Oakland Head Start/Early Head Start Governing Procedures Developed In Accordance With Recent Head Start Legislation  
(10-0124)

**The November 16, 2010 Life Enrichment Committee approved recommendations; 4 Ayes**

7.22-CC Subject: Re-entry Case Management Services  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate A Grant In An Amount Not To Exceed \$290,649.00 From Alameda County Probation Department To Provide Re-entry Coordination Through The Department Of Human Services (\$112,149.00) And To Provide The Project Choice Program To Oakland Residents In Santa Rita Jail And To Execute A Grant Agreement



# SUPPLEMENTAL

With Volunteers Of America Bay Area In An Estimated Amount Of \$178,500.00 To Provide Said Project Choice Re-entry Services From October 1, 2010 Through September 30, 2011

[\(10-0113\)](#)

**The November 16, 2010 Public Safety Committee approved  
recommendations; 4 Ayes**

7.23-CC Subject: Juvenile Offender Reentry Grant  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate A Second Chance Act Juvenile Offender Re-entry Grant In An Amount Not To Exceed \$750,000.00 From The U.S. Department Of Justice, Office Of Juvenile Justice And Delinquency Prevention And To Enter Into Various Grant Agreements For One Year With Various Public And Non-Profit Partners Named In The Grant For An Estimated Amount Not To Exceed \$660,595.00 From October 1, 2010 Through September 30, 2011

[\(10-0115\)](#)

**The November 16, 2010 Public Safety Committee approved  
recommendations; 4 Ayes**

7.24-CC Subject: 2010 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-Four Thousand Eight Hundred Twenty-Nine Dollars And Fifty-Four Cents (\$54,829.54) 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 2010 Sobriety Checkpoint Program To Be Conducted By The Police Department For The Project Term Of October 1, 2010 Through September 30, 2011, And Waive Central Services Overhead Charges Associated With This Award

[\(10-0129\)](#)

**The November 16, 2010 Public Safety Committee approved  
recommendations; 4 Ayes**

7.25-CC Subject: Food Stamp And EBT Fraud Investigative Program  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Project Funds In An Amount Not To Exceed Forty Thousand Dollars (\$40,000) From The U.S. Department Of Agriculture, Office Of The Inspector General, For The Fiscal Year 2011 Enactment Of The Food Stamp And Electronic Benefit Transfer Fraud Investigative Program Within The Police Department

[\(10-0145\)](#)

# SUPPLEMENTAL

**The November 16, 2010 Public Safety Committee approved  
recommendations; 4 Ayes**

7.26-CC Subject: Community-Based Violence Prevention  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate A Grant For \$2,216,000 From The Department Of Justice, Office Of Juvenile Justice And Delinquency Prevention, For Community Based Violence Prevention For \$2,216,000 From October 1, 2010 Through September 30, 2013 And Authorizing Grant Agreements With Various Non-Profit Agencies Named In The Grant Proposal To Provide Violence Prevention Services From October 1, 2010 Through June 30, 2012  
[\(10-0114\)](#)

**The November 16, 2010 Public Safety Committee approved  
recommendations; 4 Ayes**

7.27-CC Subject: Business Tax Board Of Review Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of David Jones, Sabrina Jones, Charles R. "Chip" Conradi, And Sabrina Landreth As Members Of The Business Tax Board Of Review  
[\(10-0182\)](#)

7.28-CC Subject: Head Start Advisory Panel Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Robert Beggs And Dr. Linda Perez As Members Of The Head Start Advisory Panel  
[\(10-0185\)](#)

7.29-CC Subject: Wildfire Prevention Advisory - Board Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Sean Walsh As Member Of The Wildfire Prevention And Assessment District Advisory Board  
[\(10-0227\)](#)

7.30-CC Subject: Public Art Advisory Committee Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Kevin Chen And Nick Dong As Members Of The Public Art Advisory Committee  
[\(10-0228\)](#)

7.31-CC Subject: Taxation And Assessment Board Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of David Jones, Charles R. "Chip" Conradi And Sabrina Landreth As Members Of The Oakland Taxation And Assessment Board Of Review Under The Transient Occupancy Tax Ordinance

# SUPPLEMENTAL

Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council

Tuesday, December 07, 2010

---

(10-0229)

7.32-CC Subject: Parking Tax Review Board - Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of  
David Jones, Charles R. "Chip" Conradi And Sabrina Landreth As Members Of The  
Parking Tax Board Of Review

(10-0230)

7.33-CC Subject: Citizen's Police Review Board Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Sarah Lynne Cohen As A Member  
Of The Citizen's Police Review Board

(10-0231)

7.34 Subject: ~~Board Of Port Commissioners~~  
From: ~~Office Of The Mayor~~  
Recommendation: ~~Adopt A Resolution Appointing Junaid Mohiuddin As A Member Of  
The Board Of Port Commissioners~~

~~(10-0233)~~

**This item has been moved to the Non-Consent portion of the agenda.**

7.35-CC Subject: Measure Y Appointment - Joanne Brown  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Joanne Brown As A Member Of The  
Violence Prevention And Public Safety Committee

(10-0234)

7.36-CC Subject: Quan Travel - League Of California Cities Directors Meeting  
From: Vice Mayor Quan  
Recommendation: Adopt A Resolution Authorizing Council Memeber Jean Quan To  
Travel To San Diego, CA On November 17-19, 2010 To Attend The League Of  
California Cities Board Of Directors Meeting

(10-0235)

~~7.37-CC Subject: 2011 State and Federal Legislative Agenda  
From: Council President Brunner  
Recommendation: Action On A Report Requesting Approval Of The Proposed 2011  
State and Federal Legislative Agenda For The City Of Oakland~~

~~(10-0126)~~

**This item has been moved to the Non-Consent portion of the agenda.**

7.38 Subject: Laurel Elementary Playground Renovation  
From: Vice Mayor Quan  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$150,000 From  
Councilmember Jean Quan's Pay-Go Funds To Oakland Unified School District For  
Capital Expenditures Associated With Renovating The Laurel Elementary School

# SUPPLEMENTAL

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

**Tuesday, December 07, 2010**

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Playground.

[\(10-0237\)](#)

7.39-CC Subject: Measure Y Appointment - Jose Dorado  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Jose Dorado As A Member Of The  
Violence Prevention And Public Safety Committee  
[\(10-0238\)](#)

7.40-CC Subject: Measure Y Appointment - Michael Brown, Jr.  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Michael E. Brown, Jr., As A  
Member Of The Violence Prevention And Public Safety Committee  
[\(10-0239\)](#)

7.41-CC Subject: Measure Y Appointment - Peter Barnett  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Peter Barnett As A Member Of The  
Violence Prevention And Public Safety Committee  
[\(10-0240\)](#)

S-7.42-CC Subject: 25th Street Mini Park Improvement  
From: Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Contract To Beliveau Engineering  
Contractors, Inc., The Lowest, Responsible, Responsive Bidder, For The Construction Of  
The 25th Street Mini Park Improvement Project (No. C377610) In Accord With Project  
Plans And Specifications And Contractor's Bid Therefore In The Amount Of Four  
Hundred Seventy Thousand Dollars (\$470,000.00)  
[\(10-0138\)](#)

**The November 16, 2010 Public Works Committee approved  
recommendations; 4 Ayes**

**This item was previously numbered as item 11 on the Non-Consent portion  
of the agenda.**

S-7.43-CC Subject: Expanded Low Emission Vehicle Standards  
From: Councilmembers Nadel And Quan  
Recommendation: Adopt A Resolution Urging The State Of California And The  
California Air Resources Board To Adopt Expanded Low Emission Vehicle Standards  
To Reduce Criteria Air Pollutants And Greenhouse Gases And To Strengthen The State's  
Zero Emission Vehicle And Clean Fuels Outlet Infrastructure Programs To Protect The  
Health Of California's Economy, Environment And Its People  
[\(10-0146\)](#)

**The November 4, 2010 Rules and Legislation Committee approved  
recommendations: 3 Ayes, 1 Excused - De La Fuente**

# SUPPLEMENTAL

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

**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: Mills Act Contracts  
From: Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Approving Five (5) Mills Act Contracts Between The City Of Oakland And The Properties At 2801 Harrison Street (Estimated Amount - \$665/Year), 1081 53rd Street (Estimated Amount - \$860/Year), 1926 Martin Luther King Jr. Way (Estimated Amount - \$448/Year), 2651 22nd Avenue (Estimated Amount - \$1,502/Year), And 1615 Broadway (Estimated Amount - To Be Determined), 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  
[\(10-0109\)](#)

**The November 16, 2010 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

- 9.2 Subject: Annual Assessment - Rockridge Improvement District  
From: Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Annual Report Of The Rockridge Business Improvement District Advisory Board And Levying The Annual Assessment For The Rockridge Business Improvement District For Fiscal Year 2011 - 2012  
[\(10-0110-1\)](#)

- 9.3 Subject: Annual Assessment - Montclair Business Improvement District  
From: Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Annual Report Of The Montclair Business Improvement District Advisory Board And Levying The Annual Assessment For The Montclair Business Improvement District For Fiscal Year 2011-2012  
[\(10-0111-1\)](#)

- 9.4 Subject: Delinquent Mandatory Garbage Fees  
From: Finance And Management Agency  
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For April/May/June 2010, Monthly Accounts And July/August/September 2010 Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

# SUPPLEMENTAL

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

[\(10-0164\)](#)

2) 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; Or

[\(10-0164-1\)](#)

3) 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

[\(10-0164-2\)](#)

9.5

Subject: Delinquent Business Taxes

From: Finance And Management Agency

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

[\(10-0165\)](#)

2) 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; Or

[\(10-0165-1\)](#)

3) 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,

# SUPPLEMENTAL

Chapter 5.04 Of The Oakland Municipal Code  
(10-0165-2)

9.6

Subject: Real Property Transfer Taxes  
From: Finance And Management Agency  
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  
(10-0166)

2) 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; Or  
(10-0166-1)

3) 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  
(10-0166-2)

## ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10

Subject: Medical Cannabis Dispensaries  
From: Councilmembers Reid And Kaplan  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.80 "Medical Cannabis Dispensary Permits" To Increase The Total Number Of Dispensary Permits From Four (4) To Eight (8), And Increase Fees, Delete And Move Section 5.80.90 "Performance Standards" To City Administrator Guidelines, And Add Appeal Timeline  
(09-1619)

**Introduction (First Reading) was passed November 9, 2010 as amended to correct numbering errors on page 9 changing the "5.80.090" to "5.80.100" and direct staff to return to Council for approval of item "C", 8 Ayes**

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE OF THE**



# SUPPLEMENTAL

Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council

Tuesday, December 07, 2010

## ORDINANCE

- 11 Subject: 25th Street Mini Park Improvement  
From: Public Works Agency  
Recommendation: ~~Adopt A Resolution Awarding A Contract To Beliveau Engineering Contractors, Inc., The Lowest, Responsible, Responsive Bidder, For The Construction Of The 25th Street Mini Park Improvement Project (No. C377610) In Accord With Project Plans And Specifications And Contractor's Bid Therefore In The Amount Of Four Hundred Seventy Thousand Dollars (\$470,000.00)~~  
(10-0138)

**This item has been moved to the Consent Calendar.**

- 12 Subject: Improvements To Agency-Owned Site - 66th Ave /San Leandro Street  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces of Legislation:
- 1) An Agency Resolution Resolution Authorizing An Additional \$300,000 Of Agency Funds For A Total Allocation Of \$1,300,000 For The Improvement Of An Agency Owned Site Located At The Northeast Corner Of 66th Avenue And San Leandro Street ("The Property"); Authorizing The Agency Administrator To Award A Contract Or Contracts On The Open Market For Improvements To The Property, Including But Not Limited To Demolition Of Structures, Trailers And Concrete, Removal Of Hazardous Materials And Restoration Of Facilities Such As Utilities, Storm Drainage, Sewage And Water Facilities, Parking Areas And Driveways, In An Amount Or Amounts Not To Exceed, Cumulatively, \$130,000.00; Waiving Advertising And Bidding Requirements For Said Work; And Authorizing From The Total Budget Of \$1,300,000 A Contribution Of Agency Funds In An Amount Of \$200,000 To The City Under The Cooperation Agreement For Payment Of City Staff Costs For Project Management; And  
(10-0158)
- 2) A City Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Of \$200,000 For Payment Of City Staff Costs For Management Of Improvements To The Oakland Redevelopment Agency Site Located At The Northeast Corner Of 66th Avenue And San Leandro Street  
(10-0158-1)

**The November 16, 2010 Community and Economic Development  
Committee approved recommendations; 3 Ayes, 1 Excued - De La Fuente**

- 13 Subject: Schedule Of Parking Fines - Amending OMC  
From: Finance And Management Agency  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (O.M.C.) Section 10.48.025 "Imposition Of County And State Surcharges" To Increase By \$3.00 The Pass-Through Surcharge To All O.M.C. Parking Violation Fines Including All California Vehicle Code (C.V.C.) Violation Citations To Offset And Remit To State/Alameda County Those Surcharges Imposed By California Government Code Sections 76000, 76100 And 70372(B) And C.V.C. Section 40255

# SUPPLEMENTAL

(10-0130)

**The November 16, 2010 Finance and Management Committee approved recommendatiosn and directed staff to provide a supplemental report regarding other cities that may be passing this surcharge, include major cities (i.e., San Francisco, San Jose, etc.) and adjacent cities ( i.e., San Leandro, Emeryville Berkeley, etc.) The Committee further directed staff to include proposed implementation dates from other cities and prepare an alternative resolution that considers three alternative implementation dates: December 7, 2010, January 15, 2011 and January 31, 2011; 3 Ayes, 1 Excused - De La Fuente**

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (FIRST READING) OF THE ORDINANCE**

**Final Passage (Second Reading) has been scheduled for December 21, 2010**

- 14 Subject: Writing Off Unresolvable Accounts And Housing Loans  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Make Adjustments To The City's Accounts Receivables By Writing Off Uncollectible Accounts With Balances Over \$1,000 For A Total Amount Of \$1,417,858.10 Within Specific Parameters, To Accurately Reflect The Net Realizable Value Of Accounts Receivable Assets In The City's Financial Statements

(10-0137)

**The November 16, 2010 Finance and Management Committee approved recommendations as amended to remove the following entities and return to the Committee with a future report providing additional details and history on the following agencies: Neighborhood Law Corps Foundation; Andes Construction; Hilton Hotel; Oakland Business Development Corporation; Bank of America; Oakland Raiders; and Golden State Warriors. All other accounts will go to Council for review and approval; 3 Ayes; 1 Excused - De La Fuente**

- 15 Subject: Permit Fees - Medical Cannabis Dispensaries  
From: Councilmembers Kaplan and Reid  
Recommendation: Adopt An Ordinance Amending The Master Fee Schedule (Ordinance Number 9336, As Amended) To Establish A Medical Cannabis Dispensary Permit Application Fee Of \$5,000 And An Annual Regulatory Fee For Permitted Medical Dispensaries Of \$60,000.

(10-0147)

**The November 16, 2010 Public Safety Committee approved recommendations as amended to remove the following entities and return to the Committee with a future report providing additional details and history on the following agencies: Neighborhood Law Corps Foundation;**

# SUPPLEMENTAL

Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council

Tuesday, December 07, 2010

**Andes Construction; Hilton Hotel; Oakland Business Development Corporation; Bank of America; Oakland Raiders; and Golden State Warriors. All other accounts will go to Council for review and approval; 3 Ayes, 1 Excused - De La Fuente**

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (FIRST READING) OF THE ORDINANCE**

**Final Passage (Second Reading) has been scheduled for December 21, 2010**

S-16 Subject: 2011 State and Federal Legislative Agenda  
From: Council President Brunner  
Recommendation: Action On A Report Requesting Approval Of The Proposed 2011 State and Federal Legislative Agenda For The City Of Oakland  
(10-0126)

**The November 18, 2010 Rules and Legislation Committee approved recommendations as amended to establish the following as Federal priorities:**

- 1. Infrastructure in the Jack London area**
  - **Funding for infrastructure, such as upgrades to 880, to support business development in the Jack London area.**
- 2. Waterfront Trail**
  - **Funding to complete the gaps in the waterfront trail such as construction of the bridge between Lake Merritt and the trail south of the Lake, and clean-up of the Cryer Beach site.**
- 3. Job training for the Army Base development**
  - **Funding to train workers for construction and operations jobs at the Oakland Army Base.**
- 4. Restorative Justice**
  - **Funds to expand the Restorative Justice for Oakland Youth (RJOY) program to more schools in Oakland.**
- 5. Telecommunications Legislation**
  - **Legislation to give local jurisdictions more control over the placement and design of telecommunications facilities and to allow local jurisdictions more flexibility in creating revenue-sharing agreements; 3 Ayes, 1 Excused**
  - **Quan**

S-17 Subject: Board Of Port Commissioners  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Junaid Mohiuddin As A Member Of The Board Of Port Commissioners  
(10-0233)

**This item was previously located on the Consent Calendar. Back up materials for this item can be found under item 7.34.**

# SUPPLEMENTAL

Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council

Tuesday, December 07, 2010

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## 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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[\(TTD\)](#)

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

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

ORA - Oakland Redevelopment Agency  
S - Supplemental Item