



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, November 19, 2013

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

COUNCILMEMBERS: Desley Brooks, District 6; Noel Gallo, District 5; Lynette Gibson McElhaney, District 3; Dan Kalb, District 1; President Pro Tempore Rebecca Kaplan, At-Large; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Council President Patricia Kernighan, District 2

3 OPEN FORUM / CITIZEN 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: Commemorating National Adoption Awareness Month
From: Councilmembers Lynnette Gibson McElhaney And Libby Schaaf
Recommendation: Adopt A Resolution Commemorating National Adoption Awareness

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Month And Saluting Black Adoption Placement And Research Center, One Of Two Agencies In California That Specializes In Finding Permanent Homes For African American And Other Waiting Children, For 30 Years Of Service To The Oakland-Bay Area Community
[\(13-0171\)](#)

S-4.2 Subject: Transgender Remembrance Day
From: Councilmembers Gibson McElhaney And Kaplan
Recommendation: Resolution Declaring November 20, 2013 As Transgender Remembrance Day In The City Of Oakland, Requesting That The City Council Wear Skirts And Encourage Oakland Residents To Wear Skirts On Wednesday, November 20th As A Symbol Of Solidarity With Sasha Fleischman, A Young Person Who Was Seriously Burned For Associating As Gender Nonconforming
[\(13-0182\)](#)

This item was placed on the agenda Pursuant to Rule 28a.

This item requires an Urgency Finding (2/3 majority vote) pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance, prior to hearing the item.

4.3 Subject: Honoring Mark Gomez
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Honoring Mark Gomez For 17 Years Of Service To The City Of Oakland
[\(13-0172\)](#)

4.4 Subject: Honoring Randall Whitney And Family
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Acknowledging Randall Whitney And Family For The 35 Years Of Service Provided To Oakland As A Small Business Man, Community Partner, And Volunteer To Improve The City Of Oakland
[\(13-0176\)](#)

4.5 Subject: Native American Heritage Month
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing The Month Of November Of Every Year As "National Native American Heritage Month" Celebrating The Heritages And Cultures Of Native Americans To The United States
[\(13-0174\)](#)

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF OCTOBER 29, 2013 AND NOVEMBER 5, 2013

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):

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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 Human Immunodeficiency Virus ("HIV")/Acquired
Immunodeficiency Syndrome ("AIDS") Epidemic
(13-0165)
- 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
(13-0166)
- 7.3-CC Subject: Oakland-Alameda County Coliseum Authority Board Reappointments
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Re-Appointing Aaron Goodwin And Yui Hay Lee
As Members Of The Oakland-Alameda County Coliseum Authority Board Of
Commissioners For Terms Commencing October 9, 2013 And Expiring October 8, 2015
(13-0156)
- 7.4-CC Subject: Budget Advisory Committee Reappointment - Ken Houston
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Ken
Houston To The Budget Advisory Committee
(13-0157)
- 7.5-CC Subject: Commission On Aging Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Irene
Yen And Reappointment Of Ned Saturu As Members Of The Commission On Aging
(13-0167)
- 7.6-CC Subject: Settlement Agreement - Northern California River Watch v. OMSS
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Approving Settlement Of Northern California
River Watch, Et Al. v. Oakland Maritime Support Services, Inc., (OMSS) Et Al. (U.S.
District Court, Northern District Of California, Case No. 4:40-CV-3912 CW) By Paying
A Total Of \$300,000.00, With \$200,000.00 Of That Sum To Be Allocated To The West
Oakland Job Resources Center And \$100,000.00 To Be Allocated To Resolve Plaintiffs'
Statutory Claim For Attorneys' Fees In Exchange For Plaintiffs' Dismissal Of The
Litigation And Agreement Not To Challenge Certain Actions Related To Relocation Of
The OMSS Facility (Office Of The City Administrator - Clean Water Act)
(13-0168)

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This item was heard in Closed Session on October 15, 2013.

7.7-CC Subject: Settlement Agreement - Upshaw v. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Kazeem Upshaw v. City Of Oakland, Et Al., Northern District Of California Case No. C11-05044, City Attorney's File No. 28421, In The Amount Of Sixty-Five Thousand Dollars (\$65,000.00) (OPD - Civil Rights)
[\(13-0170\)](#)

This item was heard in Closed Session on November 5, 2013.

7.8-CC Subject: Local Amendments to State Model Housing Code
From: Department Of Planning And Building
Recommendation: Adopt An Ordinance Repealing The Oakland Amendments To The 2010 Edition Of The California Housing Law, Adopting Local Amendments To The 2013 Edition Of The State Housing Law Regulations, California Code Of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Section 32, Amending Oakland Municipal Code Chapter 15.08 To Comply With Changes To State Law [TITLE CHANGE]
[\(13-0094\)](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 5, 2013; 8 AYES.

7.9-CC Subject: Local Amendments to State Model Building Code
From: Department Of Planning And Building
Recommendation: Adopt An Ordinance Repealing The Oakland Amendments To The 2010 Editions Of The California Model Building Codes And Adopting Local Amendments To The 2013 Editions Of The California Building Standards Code, California Code Of Regulations, Title 24, Parts 2 (Building), 2.5 (Residential), 3 (Electrical), 4 (Mechanical), 5 (Plumbing), 6 (Energy), And 11 (Green Building Standards), And Amending Oakland Municipal Code Chapter 15.04 To Comply With Changes To State Law [TITLE CHANGE]
[\(13-0095\)](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 5, 2013; 8 AYES.

S-7.10-CC Subject: Allocation Of PEG Funds
From: Office Of The City Administrator
Recommendation: Adopt A Resolution (1) Appropriating Approximately \$3.2 Million

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Total Estimated In Public Education Government (PEG) Funds For Fiscal Year 2013-14 Through Fiscal Year 2017-2018, From Funds Paid By Cable And Video Franchise Holders Comcast And AT&T (PEG Funds) For The Capital Expenses Of Public, Education And Government (PEG) Cable Television Channels Operating In The City Of Oakland; (2) Authorizing Apportionment Of Equal Shares Of The PEG Funds To PEG Channels Of The City Of Oakland (KTOP), The Oakland Unified School District (KDOL) And The Peralta Community College District (Peralta TV) For Their PEG Channel Cable And Video Television Facilities, Subject To Equal Reapportionment In Fiscal Years When There Are Fewer Or More PEG Channels Operating In Oakland; And (3) Authorizing The City Administrator To Execute A Memoranda Of Understanding To Effectuate The Distribution Of Said Funds [TITLE CHANGE]
[\(13-0117\)](#)

The November 12, 2013 Finance & Management Committee approved recommendations with a vote of 3 Ayes, 1 Excused - Brooks.

S-7.11-CC Subject: FY 2011-2012 Annual Report On Grants Up To \$50,000
From: Office Of The City Administrator
Recommendation: Receive The Annual Informational Report From The City Administrator On The Acceptance And Appropriation Of Restricted Grant Funds, Gifts And Donations Of \$50,000 Or Less For The Period July 1, 2011 Through June 30, 2012
[\(13-0134\)](#)

The November 12, 2013 Finance & Management Committee received and forwarded the report with a vote of 3 Ayes, 1 Excused - Brooks.

S-7.12-CC Subject: FY 2012-2013 Annual Report On Grants Up To \$50,000
From: Office Of The City Administrator
Recommendation: Receive The Annual Informational Report From The City Administrator On The Acceptance And Appropriation Of Restricted Grant Funds, Gifts And Donations Of \$50,000 Or Less For The Period July 1, 2012 Through June 30, 2013
[\(13-0125\)](#)

The November 12, 2013 Finance & Management Committee received and forwarded the report with a vote of 3 Ayes, 1 Excused - Brooks.

S-7.13-CC Subject: CalRecycle Grant Applications
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing Submittal Of Grant Applications To The California Department Of Resources Recycling And Recovery City/County Payment Program And To Appropriate City/County Payment Program Funds For Recycling Programs Beginning With Fiscal Year 2013/2014 Through Fiscal Year 2014/2015
[\(13-0126\)](#)

The November 12, 2013 Public Works Committee approved recommendations with a vote of 4 Ayes.

S-7.14-CC Subject: Five-Year Maintenance Agreement For Fleet Management Software

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From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Execute A Five-Year Extension Of The Current Maintenance Agreement Between The Public Works Agency's Equipment Services Division And AssetWorks, Inc. For The Term Of January 1, 2014 Through December 31, 2018 In An Amount Not To Exceed Three Hundred And Three Thousand Two Hundred And Twelve Dollars (\$303,212.00) For Fleet Management Software Maintenance And Support Associated With The Department's Fleet Management System Software, And 2) Waive The Competitive Request For Proposals/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And The Local And Small Local Business Enterprise Program (L/SLBE) Provisions Associated With Said Maintenance Agreement
(13-0127)

The November 12, 2013 Public Works Committee approved recommendations with a vote of 4 Ayes.

S-7.15-CC Subject: Amending Oakland Municipal Code - Residential Permit Parking
From: Public Works Agency
Recommendation: Adopt An Ordinance Amending Title 10.44 Of The Oakland Municipal Code Clarifying And Updating Residential Permit Parking
(13-0142)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON DECEMBER 10, 2013.

The November 12, 2013 Public Works Committee approved recommendations with a vote of 4 Ayes.

S-7.16-CC Subject: Montclair BID Annual Levy
From: Department Of Economic & Workforce Development
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2014/15 For The Montclair Business Improvement District, Approving The Annual Report Of The Montclair Business Improvement District Advisory Board, And Scheduling A Public Hearing For December 10, 2013
(13-0135)

The November 12, 2013 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.

S-7.17-CC Subject: Rockridge BID Annual Levy
From: Department Of Economic & Workforce Development
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2014/15 For The Rockridge Business Improvement District, Approving The Annual Report Of The Rockridge Business Improvement District Advisory Board, And

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Scheduling A Public Hearing For December 10, 2013

(13-0136)

The November 12, 2013 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.

S-7.18-CC Subject: Funds To Represent Low Income Clients In Rent Adjustment Hearings
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Approving A Grant In The Amount Of \$100,000 Per Year For Two Years With The Option For Three One-Year Extensions To Represent Low Income Landlords And Tenants In Rent Adjustment Program Hearings And Appeals To The Rent Board With \$90,000 Allocated To Centro Legal De La Raza To Provide Representation To Tenants And \$10,000 Allocated For Landlord Representation By An Agency As A Sub Grantee Or By Separate Contract For The Low Income Client Representation Program For Rent Adjustment

(13-0147)

The November 12, 2013 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.

S-7.19-CC Subject: Oakland Army Base Utility Agreements
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Authorizing The City Administrator To Negotiate And Execute Temporary Easements With Pacific Bell Telephone Company, A California Corporation, DBA AT&T California ("AT&T"), For Temporary Relocation Of Telecommunication Lines And Any Associated Or Related Equipment Or Facilities To Facilitate The Public Infrastructure Project On The Former Oakland Army Base; And

(13-0148)

2) An Ordinance Authorizing The City Administrator To Negotiate And Execute Easements With Pacific Gas And Electric Company, A California Corporation ("PG&E"), For Installation, Maintenance, And Operation Of A High Pressure Gas Line, Gas Regulator Stations, And Any Associated Or Related Equipment Or Facilities, To Facilitate The Public Infrastructure Project On The Former Oakland Army Base; And

(13-0148-1)

3) An Ordinance Authorizing The City Administrator To Negotiate And Execute Easements With Pacific Gas And Electric Company, A California Corporation ("PG&E"), For Installation, Maintenance, And Operation Of Transmission Gas Lines, Distribution Gas Lines, And Any Associated Or Related Equipment Or Facilities, To Facilitate The Public Infrastructure Project On The Former Oakland Army Base

(13-0148-2)

ACTION ON THESE ITEMS WILL RESULT IN INTRODUCTION (First Reading) OF THESE ORDINANCES.

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FINAL PASSAGE (Second Reading) WILL OCCUR ON DECEMBER 10, 2013.

The November 12, 2013 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.

S-7.20-CC Subject: Fiscal Year 2013-2014 Cultural Funding Grants
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Sixty-Nine (69) Cultural Services Grants To Sixty (60) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2013-2014 In A Total Amount Not To Exceed \$950,000
(13-0154)

The November 12, 2013 Life Enrichment Committee approved recommendations with a vote of 4 Ayes.

S-7.21-CC Subject: Allocating Measure C Funding For Community Festivals
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Allocate \$50,000 Previously Budgeted In FY 13-14 General Fund Appropriation For Community Festivals To Reimburse The City For Fees And Costs Incurred By First Fridays
(13-0155)

The November 12, 2013 Life Enrichment Committee approved recommendations with a vote of 4 Ayes.

S-7.22-CC Subject: Oakland Head Start & St. Vincent's Day Home Partnership
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, Head Start/Early Head Start Program, To Enter Into A Grant Agreement With St. Vincent's Day Home, To Fund Comprehensive Child Development Services In Accord With The 2013-14 Head Start/Early Head Start Grant, From U.S. Department Of Health And Human Services, Administration For Children And Families (DHHS/ACF), For Program Year 2013-14, In An Estimated Amount Of (\$54,000.00) To Serve 24 Head Start Eligible Families And Children And An Estimated Amount Of (\$42,813.60) To Serve 12 Early Head Start Eligible Families And Children For A Total Estimated Amount Of (\$96,813.60), With An Estimated Start Date Of November 1, 2013 Through August 31, 2014
(13-0143)

The November 12, 2013 Life Enrichment Committee approved recommendations with a vote of 4 Ayes.

S-7.23-CC Subject: Shattuck Gateway Mural Project
From: Councilmember Kalb

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Recommendation: Adopt A Resolution From The Oakland City Council Supporting The Installation Of A Mural At 54th Street And Shattuck Avenue On Caltrans State Route 24 Support Columns And Authorizing The City Administrator To Take Any Actions Necessary To Provide Maintenance Of The Artwork
[\(13-0163\)](#)

The November 12, 2013 Life Enrichment Committee approved recommendations with a vote of 4 Ayes.

S-7.24-CC Subject: Office Of Traffic Safety DUI Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland (City), To Accept And Appropriate Grant Funds In The Amount Of Forty-Eight Thousand Five Hundred Dollars (\$48,500) 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 (OTS), For The 2013-2014 Sobriety Checkpoint Program To Be Conducted By The Oakland Police Department (OPD), And For A Waiver Of The Central Services Office (CSO) Overhead Charges In The Amount Of Five Thousand One Hundred One Dollars (\$5,101)
[\(13-0124\)](#)

The November 12, 2013 Public Safety Committee approved recommendations with a vote of 4 Ayes.

S-7.25-CC Subject: Office Of Traffic Safety STEP Grant
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 One Hundred Seventy-Five Thousand Dollars (\$175,000) 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 (OTS), For The 2013-2014 Selective Traffic Enforcement Program (STEP) To Be Conducted By The Oakland Police Department (OPD) And To Authorize Coverage Of The Central Services Overhead (CSO) From The General Fund In An Amount Not To Exceed Twenty Thousand Two Hundred Ten Dollars (\$20,210)
[\(13-0131\)](#)

The November 12, 2013 Public Safety Committee approved recommendations with a vote of 4 Ayes.

S-7.26-CC Subject: Community Oriented Policing Services (COPS) Grant Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland (City) To: 1) Accept And Appropriate Grant Funds In The Amount Of Four Million Five Hundred Fifteen Thousand And Seven Hundred Thirty Dollars (\$4,515,730) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS), (2) To Fund The Entry-Level Salary And

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Fringe Benefit Costs Of Ten (10.0) Full-Time Equivalent (FTE) Police Officers Positions For A Thirty-Six Month Period From September 1, 2013 Through August 31, 2016, And Appropriate Said Funds To The Oakland Police Department (OPD); (3) Authorize An Appropriation Of Eighty Five Thousand Dollars (\$85,000) From The Undesignated General Purpose Fund Balance To Cover Costs Associated With Holding A Lateral Police Academy To Hire And Train Additional Police Officers, In The FY 2013-14 OPD General Purpose Fund Budget; And 4) Authorize A Contribution Of Central Services Overhead

(13-0149)

The November 12, 2013 Public Safety Committee approved recommendations with a vote of 4 Ayes.

S-7.27-CC Subject: Metropolitan Medical Response System (MMRS) Grant Funds
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Accept, Appropriate, And Administer Federal Fiscal Year 2011 Statewide Homeland Security (SHSP) Grant Funds In An Amount Of Two Hundred And Eighty Thousand Dollars (\$280,000) From The Alameda County (ALCO) Sheriff's Department; And 2) Expend Fiscal Year 2011 SHSP Funds Including Funding The Oakland Fire Department Metropolitan Medical Response System (MMRS) Planning Staff, Equipment And Training Program And Entering Into Service And Purchasing Agreements To Expend Such Grant Funds Without Further Council Review Or Action Provided Competitive Solicitation And Purchasing Programs/Policies Are Followed

(13-0150)

The November 12, 2013 Public Safety Committee approved recommendations with a vote of 4 Ayes.

S-7.28-CC Subject: 911 Fire Dispatch Center Phone Upgrade
From: Department Of Information And Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept Equipment And Services From AT&T, Funded By The State Of California, Needed To Upgrade The City Of Oakland's Fire Dispatch 9-1-1 Phone System, Customer Premise Equipment (CPE), And Related Equipment, Valued At Three Hundred Thirty-Six Thousand Dollars (\$336,000). All Equipment And Services For The Project Will Be Paid From The State Of California 9-1-1 Program; No City Of Oakland Funds Are Required To Implement This Project

(13-0118)

The November 12, 2013 Public Safety Committee approved recommendations with a vote of 4 Ayes.

S-7.29-CC Subject: Opposing Changes To SNAP/CalFresh In 2013 Farm Bill
From: Councilmember Lynnette Gibson McElhaney
Recommendation: Adopt A Resolution Opposing The Changes In The Supplemental Nutrition And Assistance Program ("Snap," Known As Cal Fresh) In The 2013 Farm Bill

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(H.R. 2642, S. 3240), Including Cuts To 4.2 Million California Residents And 33,747
Oakland Households Participating In Snap/Cal Fresh, And Any Reductions In Eligibility,
Benefits, Or State And Local Flexibility.
(13-0173)

**The November 14, 2013 Rules & Legislation Committee approved
recommendations with a vote of 4 Ayes.**

**This item requires an Urgency Finding (2/3 majority vote) pursuant to
Section 2.20.080 E(2) of the Sunshine Ordinance, prior to hearing the item.**

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: LDDA With Oakland Maritime Support Services (OMSS)
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An
Ordinance Authorizing The City Administrator To Negotiate And Execute A Lease
Disposition And Development Agreement And Ground Lease Between The City Of
Oakland And Oakland Maritime Support Services, LLC, A California Limited Liability
Company, Or Its Affiliate, In A Form And Content Substantially In Conformance With
The Attached Documents, For The Development Of An Ancillary Maritime Support
Facility To Provide Truck Parking And Truck-Related Services On Approximately 17
Acres In The Central And North Gateway Areas Of The Former Oakland Army Base,
Without Returning To The City Council
(13-0145)

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

**FINAL PASSAGE (Second Reading) WILL OCCUR ON DECEMBER 10,
2013.**

**The November 12, 2013 Community & Economic Development Committee
approved recommendations with a vote of 4 Ayes.**

9.2 Subject: Appeal Of Planning Commission Approved Project At 4311-4317 MacArthur
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Denying The Appeal Of CRADL And Citizens4Oakland And Upholding The City
Planning Commission's Certification Of An Environmental Impact Report And Approval

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Of A Mixed-Use Project, Consisting Of 115 Senior Housing Units And 3,446 Square Feet Of Retail Space, At 4311-4317 Macarthur Boulevard
(13-0158)

- 9.3 Subject: 2014 City Council And School Board Redistricting
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Municipal Code Sections 2.16.010 And 3.04.020, Redefining And Establishing The 2014 City Council And School Board District Boundaries Of The City Of Oakland (Redistricting)
(13-0169)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON DECEMBER 10, 2013.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 11 Subject: City Council Censure Policy
From: Councilmember Noel Gallo
Recommendation: Receive A Discussion And Possible Action On The Policy And Procedure To Provide The Mechanism By Which The City Council, Acting As A Whole, Can Discipline Any Of Its Members Who Violate State Or Federal Laws, City Ordinances Or Policies
(13-0074)

The October 31, 2013 Rules & Legislation Committee approved recommendations as amended with a vote of 3 Ayes, 1 Excused - Reid.

The Committee amended the Procedure section as follows:

- 1. In Section 4, omit provisions requiring Council confirmation of scheduling of the censure hearing;**
- 2. In Section 7, references to Whistleblower Protections will be added;**
- 3. In Section 7, procedures at hearing will be further clarified; and**
- 3. In Section 8, delete "a two-thirds (2/3) vote of the Council."**

- 12 Subject: Allocating Funds For Complaint In-Take Positions In OPD And CPRB
From: City Administrator's Office
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend Resolution No. 86644 C.M.S., Adopting The City Of Oakland Policy Budget For Fiscal Years 2013-15, To Reallocate Funds From The General Purpose Fund (#1010) City Administrator's Office (#02211) To General Purpose Fund (#1010) Police Department (#101120); To (1) Establish Five Positions For Complaint In Take At The Oakland Police

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Department In An Amount Of Four Hundred Ninety-Seven Thousand And Twenty Dollars (\$497,020) Each Year For FY 2013-14 And FY 2014-15; (2) Establish Additional Positions Staffing Of Citizen's Police Review Board (CPRB), Including CPRB Director In An Amount Of Nine Hundred Seventy-One Thousand One Hundred Thirty-Eight Dollars (\$971,138) Each Year For FY 2013-14 And FY 2014-15; (3) Make Funds Available For Expenditure Immediately
[\(13-0177\)](#)

- 13 Subject: Report On Local Principal Reduction Strategies
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On Local Principal Reduction Strategies
[\(13-0178\)](#)

Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was added to this agenda.

- 14 Subject: Supporting Richmond's Strategy Of Local Principle Reduction
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Recognizing The Devastating Effect Of The Foreclosure Crisis On Local Communities, Supporting The City Of Richmond's Strategy Of Local Principle Reduction To Assist Homeowners In Risk Of Foreclosure Remain In Their Homes, And Declaring Oakland's Intention To Study Whether It Should Embark Upon A Similar Strategy
[\(13-0120\)](#)

This item was rescheduled from the November 5, 2013 Special City Council meeting.

- S-15 Subject: Condemning The Ongoing Impacts Of Predatory Lending
From: President Pro Tempore Rebecca Kaplan
Recommendation: Adopt A Resolution Recognizing The Devastating Effect Of The Foreclosure Crisis On Local Communities, Appreciating The City Of Richmond's Leadership In Efforts To Assist Homeowners At Risk Of Foreclosure To Remain In Their Homes, And, Asking The City Attorney To Provide The Oakland City Council With A Legal Analysis Of The Richmond Strategy And Legal Implications Of Acting Similarly.
[TITLE CHANGE]
[\(13-0116\)](#)

The November 12, 2013 Community & Economic Development Committee approved recommendations as amended with a vote of 4 Ayes.

The Committee approved recommendations as amended to include revisions to the Resolution submitted on the dais by President Pro Tempore Kaplan.

- S-16 Subject: Fiscal Year 2012-13 Adjusted Budget

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Redevelopment Successor Agency and the City
Council

Tuesday, November 19, 2013

From: Office Of The City Administrator
Recommendation: Adopt A Resolution Accepting The Unaudited FY 2012-13 Fourth Quarter Revenue And Expenditure Results And Year-End Summaries For Four Selected Funds: General Purpose Fund (GPF, 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; And Authorizing The City Administrator To Adjust The GPF Revenue Appropriations In The Amount Of \$18.89 Million And Expenditure Appropriations In The Net Amount Of \$28.00 Million Over Or Under Budget By Department Listed In Exhibits A And B Attached Herein (13-0160)

The November 12, 2013 Finance & Management Committee approved recommendations with a vote of 3 Ayes, 1 Excused - Brooks.

S-17 Subject: Pedestrian Safety Improvement Project
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Execute A Construction Contract With McGuire & Hester, The Lowest Responsive And Responsible Bidder, For The Construction Of The Pedestrian Safety Improvement Project (Project No. C371810) In Accordance With Plans And Specifications For The Project In The Amount Of Five Hundred Forty-Three Thousand, Eighty-Six Dollars And Zero Cents (\$543,086.00) And Reject All Other Bids (13-0130)

The November 12, 2013 Public Works Committee approved recommendations with a vote of 4 Ayes.

The Committee also requested a supplemental report to show how marginal areas weighed in on the overall evaluations.

S-18 Subject: Seismic Retrofit Of Coliseum Way Bridge
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Waiving Advertising And Competitive Bidding And Increasing The Change Order Limit For The Contract With Disney Construction, Inc. For The Seismic Retrofit Of Coliseum Way Bridge (Project No. C346810) From Fifteen Percent (15%) To Thirty Percent (30%) Of The Original Contract Amount For A Total Contract Amount Not-To-Exceed Three Million Six Hundred Fifty-Nine Thousand Three Hundred Eighty-Eight Dollars (\$3,659,388.00); And (13-0133)

2) A Resolution Authorizing The City Administrator To Accept And Appropriate Up To One Million Eleven Thousand Three Hundred Forty-Four Dollars (\$1,011,344.00) Of Federal Highway Administration And State Proposition IB Funds For The Seismic Retrofit Of Coliseum Way Bridge (Project No. C346810)

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(13-0133-1)

The November 12, 2013 Public Works Committee approved recommendations with a vote of 4 Ayes.

S-19 Subject: Foreclosure Prevention/Mitigation Grants
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution 1) Authorizing The City To Accept Grant Funds From The County Of Alameda For Up To \$75,000, And Allocating Such Funds To The Healthy Housing Pilot Program To Address Housing Conditions Contributing To Negative Health Outcomes For Oakland Residents, Including Those Impacted By The Foreclosure Crisis; And 2) Authorizing A Grant Of Up To \$50,000 From Community Development Block Grant Funds To Community Housing Development Corporation For Foreclosure And Housing Counseling For Oakland Homeowners

(13-0153)

The November 12, 2013 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.

S-20 Subject: Domain Awareness Center (DAC) Phase II
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Award A Contract For Phase 2 Of The Domain Awareness Center (DAC) Project Implementation In An Amount Not To Exceed Two Million Dollars (\$2,000,000); (2) Select A Vendor From The Pool Of Vendors That Responded To The Request For Proposals Titled "City Of Oakland/Port Of Oakland Joint Domain Awareness Center, October 2012"; (3) With A Return To Council For Approval Of The Recommended Vendor And Contract Award [TITLE CHANGE]

(13-0141)

The November 12, 2013 Public Safety Committee approved recommendations as amended with a vote of 4 Ayes.

The Committee approved recommendations as amended to include the following revisions:

1) Incorporate by reference the three sections added to Resolution 84593 on July 30, 2013 regarding developing privacy policy;

2) Amend the resolution title to read as follows: "Resolution Authorizing The City Administrator 1) To Award A Contract For Phase 2 Of The Domain Awareness Center (DAC) Project Implementation; 2) Select A Vendor From The Pool Of Vendors Responding To The Request For Proposal Titled "City Of Oakland/Port Of Oakland Joint Domain Awareness Center, October 2012" In An Amount Not To Exceed \$2M Dollars (Two Million); And 3) A Return To Council For Approval Of The

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Recommended Vendor And Contract;”

3) Delete the following: “FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to execute any amendments or modifications to said Port/City agreement and the Professional Services Contract without return to Council in an amount not to exceed two million dollars (\$2,000,000.00); and be it;”

4) Delete the following: “FURTHER RESOLVED: That the City Administrator or her designee is authorized to accept and appropriate said FY 2009 and FY2010 PSGP Grants funds into U.S. Department of Homeland Security Fund (2123), Emergency Management Services Division (20711) a grant project to be determined, and Emergency Management Service Program (PS21), the full grant funds will be appreciated to the Miscellaneous Federal Grants Accounts 46129; and be it.”

CONTINUATION OF OPEN FORUM

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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If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

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(TTD)

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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 8:30 A.M. TO 5:00 P.M.**

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