



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

*** Special Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City Council**
Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, CA 94612

Tuesday, December 10, 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.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

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

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

- 1 PLEDGE OF ALLEGIANCE
- 2 ROLL CALL / 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: Honoring Mark Morodomi
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Honoring Supervising Deputy City Attorney Mark T. Morodomi For 13 Years Of Exemplary Service To The City Of Oakland
(13-0198)
 - 4.2 Subject: Honoring Vertis Whitaker
From: Councilmember Dan Kalb

SUPPLEMENTAL

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

Tuesday, December 10, 2013

Recommendation: Adopt A Resolution Recognizing Vertis Whitaker For Serving The Oakland Community As The Beat 10Y NCPC Chair For Over 15 Years

[\(13-0200\)](#)

- 4.3 Subject: Honoring African American Students With Perfect CST Scores
From: Councilmembers Schaaf And Gibson McElhaney And The City Attorney
Recommendation: Adopt A Resolution Honoring The Twenty Oakland African American Students Who Achieved Perfect Scores On Their 2013 California Skills Test For Their Tremendous Dedication And Perseverance

[\(13-0161\)](#)

- 4.4 Subject: Honoring Wend Jung And Family
From: Councilmember Noel Gallo And Council President Patricia Kernighan
Recommendation: Adopt A Resolution Acknowledging Wendy Jung And Family For Her Service Provided To Oakland As A Woman Small Business Owner, Community Partner, And Volunteer To Improve The City Of Oakland

[\(13-0212\)](#)

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF NOVEMBER 19, 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):

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

[\(13-0217\)](#)

- 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

[\(13-0218\)](#)

- 7.3-CC Subject: Honoring Joseph Haraburda
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Honoring Joseph Haraburda For A Quarter Century Of Service Marked By Numerous Accomplishments, A Powerful Downtown Monument And Regional Economic Leadership

SUPPLEMENTAL

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

Tuesday, December 10, 2013

(13-0204)

7.4-CC Subject: Honoring Urban ReLeaf
 From: Councilmember Gallo
 Recommendation: Adopt A Resolution Recognizing Urban ReLeaf, A Non-Profit Urban
Forestry Organization Based In Oakland For Their 15th Year Anniversary And For Their
On Going Contributions To Oakland By Planting Trees, Supporting The Youth, And
Enriching Communities

(13-0210)

7.5-CC Subject: Settlement Agreement - Jeffries 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 Don G. Jeffries v. City Of Oakland, Et Al,
Alameda County Superior Court Case No. RG10545421, City Attorney's File No. 27220,
In The Amount Of Four Hundred Thousand Dollars And No Cents (\$400,000.00) Arising
Out Of Mr. Jeffries' Employment Discrimination . Allegations (City Administrator's
Office - Employment Discrimination)

(13-0164)

7.6-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 FINAL PASSAGE (Second
Reading) OF THIS ORDINANCE.**

**INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 19,
2013; 7 AYES, 1 EXCUSED - REID.**

7.7-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

SUPPLEMENTAL

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

Tuesday, December 10, 2013

[\(13-0148-1\)](#)

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 FINAL PASSAGE
(Second Reading) OF THESE ORDINANCES.**

**INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 19,
2013; 7 AYES, 1 EXCUSED - REID.**

S-7.8-CC Subject: Amended Ammunition Purchasing Contract
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee: To Amend The Awarded Contract Amounts To San Diego Police Equipment, A Corporation, Contract Purchase Order (CPO) No. 2013014316, By Increasing The Award Amount From Four Hundred Twenty-Four Thousand, Four Hundred Thirteen Dollars (\$424,413) To An Amount Not To Exceed Five Hundred Eighty-Seven Thousand, Nine Hundred Fourteen Dollars (\$587,914) And To Adamson Police Products, A Corporation, CPO No. 2013014320, By Increasing The Award Amount From Eighty Thousand, Two Hundred Seventy-Nine Dollars (\$80,279) To An Amount Not To Exceed One Hundred Forty-Five Thousand, Six Hundred Seventy-Nine Dollars (\$145,679) Per Year For The Three Year Period Of July 1, 2013 To June 30, 2016 To Provide Duty And Practice Ammunition To The City Of Oakland (City) Police Department In Accordance With Specification No. 13-680-04/Request For Quote (RFQ) No. 4449
[\(13-0186\)](#)

**The December 3, 2013 Finance & Management Committee approved
recommendations with a vote of 4 Ayes.**

S-7.9-CC Subject: Sanitary Sewer Rehabilitation
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Award A Construction Contract To Mosto Construction, The Lowest Responsive And Responsible Bidder For The Rehabilitation Of Sanitary Sewers In The Easement Between Delmont Avenue And Edgemoor Place, The Easement Between Majestic Avenue And Laird Avenue, And The Easement Between Modesto Street And Madera Avenue (Project No, C329132) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Two Hundred Eighty-Three Thousand Five Hundred Sixty-Nine Dollars (\$283,569.00); And

[\(13-0188\)](#)

SUPPLEMENTAL

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

Tuesday, December 10, 2013

2) A Resolution Authorizing The City Administrator To Award A Construction Contract To Mosto Construction, The Lowest Responsive And Responsible Bidder For The Rehabilitation Of Sanitary Sewers In The Easement Between Thornhill Drive And Cabot Drive, And In Gouldin Road Between Alhambra Avenue And Armour Drive (Project No. C329133) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Two Hundred Sixty-Four Thousand Five Hundred Seventy-Five Dollars (\$264,575.00); And

[\(13-0188-1\)](#)

3) A Resolution Authorizing The City Administrator To Award A Construction Contract To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder For The Rehabilitation Of Sanitary Sewers Bounded By MacArthur Boulevard, Maple Avenue, Barner Avenue, And Frye Street (Project No. C428510 Sub-Basin 80-102) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of One Million Three Hundred Fifty-Four Thousand Three Hundred Sixty-Seven Dollars (\$1,354,367.00); And

[\(13-0188-2\)](#)

4) A Resolution Authorizing The City Administrator To Award A Construction Contract To J. Howard Engineering, Inc., The Lowest Responsive And Responsible Bidder For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Embarcadero Street, Dennison Street, King Street, Frederick Street, And Kennedy Street (Project No. C428610 Sub-Basin 61-01) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Eight Hundred Ninety-Six Thousand Eighty-Six Dollars (\$896,086.00)

[\(13-0188-3\)](#)

**The December 3, 2013 Public Works Committee approved
recommendations with a vote of 4 Ayes.**

S-7.10-CC Subject: Sanitary Sewer Pump Station Improvements
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Professional Services Agreement With Schaaf & Wheeler Consulting Civil Engineers For Engineering Services For Oakland's Sanitary Sewer Pump Station Improvements (Project No. C267630) In An Amount Not-To-Exceed Four Hundred Fifty Thousand Dollars (\$450,000.00)
[\(13-0189\)](#)

**The December 3, 2013 Public Works Committee approved
recommendations with a vote of 4 Ayes.**

S-7.11-CC Subject: Contract Extension With Montclair Village Association
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving Formal Advertising And Request For Proposals/Qualifications (RFP/Q) And Authorizing The City Administrator To 1) Continue To Extend The Existing Contract On A Month-To-Month Basis For A Period

SUPPLEMENTAL

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

Tuesday, December 10, 2013

Not-To-Exceed Six Months From January 1, 2014 Through June 30, 2014, At A Compensation Rate Of Up To \$15,900 A Month (Including A \$900 Per Month Management Fee And Up To \$15,000 In Garage Operating Expenses) For A Total Not-To-Exceed Contract Amount Of \$95,400 And 2) Negotiate A New Contract For An Initial Period Of Three Years, With A Two-Year Extension, Contingent Upon Satisfactory Evaluation Of Performance, With Montclair Village Association For The Operation And Management Of Montclair Garage Located At 6235 La Salle Avenue And Scout Lot Located On 2250 Mountain Boulevard

(13-0190)

**The December 3, 2013 Public Works Committee approved
recommendations with a vote of 4 Ayes.**

S-7.12 Subject: Oakland Army Base Contractor Laydown Uses And Campus Lease
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Negotiate And Execute An Amendment To The 5-Acre Lease With The Port Of Oakland To Amend The Permitted Use From Truck Parking And Truck Services To Contractor Laydown Uses And Extend The Term Up To Forty-Eight Months, Without Returning To City Council; And

(13-0195)

2) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up To Forty-Eight (48) Month Sublease With Turner/Goodfellow Top Grade/Flatiron, A Joint Venture Of Turner Construction Company, Goodfellow Top Grade Construction, And Flatiron West, Inc., Or A Related Entity, For Contractor Laydown And Contractor Campus Uses On Approximately 5-Acres Of Port-Owned Land At The Former Oakland Army Base, Without Returning To The City Council

(13-0195-1)

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

**FINAL PASSAGE (Second Reading) WILL OCCUR ON JANUARY 7,
2013.**

**The December 3, 2013 Community & Economic Development Committee
approved recommendations with a vote of 4 Ayes.**

S-7.13-CC Subject: Progress Report On Adopted Benchmarks For Coliseum City
From: Vice Mayor Larry Reid
Recommendation: Receive A Progress Report On The Adopted Benchmarks (30 Days) For The City's ENA Amendment Agreement, Along With Sequential Benchmarks And Delivery Dates On Coliseum City With JRDV Urban International, HKS Sports And Entertainment, Forest City Real Estate Services LLC, And Bay Investment Group, LLC, As Adopted On The October 8, 2013 City Council Meeting; And

SUPPLEMENTAL

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

Tuesday, December 10, 2013

[\(13-0181\)](#)

The Committee also directed staff to bring a future report regarding the benchmarks at the 120 Day deadline.

Subject: Revised Third Amendment To Coliseum City ENA
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Amending Resolution Nos. 83746, 84574 And 84666 C.M.S. Authorizing An Exclusive Negotiating Agreement For The Coliseum City Project At The Oakland-Alameda County Coliseum Complex And Surrounding Areas With JRDV Architects, HKS Architects, Forest City Real Estate Services LLC, And Bay Investment Group, LLC, To Remove Forest City Real Estate Services, LLC, As A Party

[\(13-0201\)](#)

The December 3, 2013 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.

S-7.14-CC Subject: Mills Act Contracts
From: Department Of Planning And Building
Recommendation: Adopt A Resolution, As Recommended By The Landmarks Preservation Advisory Board, Approving Three (3) Mills Act Contracts Between The City Of Oakland And The Properties At 1710 Filbert Street (Estimated \$1,484/Year Property Tax Reduction), 1218 East 21st Street (Estimated \$5,318/Year Property Tax Reduction), And 3054 Richmond Boulevard (Estimated \$6,965/Year Property Tax Reduction) Pursuant To Ordinance 12987 C.M.S., To Provide Property Tax Reductions In Exchange For Owners' Agreement To Repair And Maintain Historic Properties In Accordance With Submitted Work Programs

[\(13-0196\)](#)

The December 3, 2013 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.

S-7.15-CC Subject: Planning-Related Permit Extensions
From: Department Of Planning And Building
Recommendation: Adopt A Resolution (A) Extending Until December 31, 2014 The Expiration Date Of Permits Issued Under The Authority Of Title 17 Of The Oakland Municipal Code (Planning Code), Creek Protection Permits Issued Under The Authority Of Chapter 13.16 Of The Oakland Municipal Code, And Development-Related Tree Protection Permits Issued Under The Authority Of Chapter 12.36 Of The Oakland Municipal Code That Otherwise Would Expire On Or Prior To January 1, 2014 Or During 2014, Upon Request And Payment Of The Administrative Fee And (B) Memorializing The Long-Standing Practice Of Extending The Time Frame For Land Use Related Permits That Have Been Litigated In Court By The Length Of The Litigation Period

[\(13-0197\)](#)

The December 3, 2013 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.

S-7.16-CC Subject: BART 17th Street Gateway Public Art Contract Amendment

SUPPLEMENTAL

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

Tuesday, December 10, 2013

From: Department Of Economic & Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Professional Services Agreement With Artist Dan Corson For Public Art Design, Fabrication And Installation Services For The Bart 17th Street Gateway Project To (1) Extend The Termination Date To June 30, 2014, And (2) Increase The Contract For A Total Amount Not To Exceed Six Hundred Fifty Thousand Dollars (\$650,000) In Central District Public Art Funds
(13-0187)

**The December 3, 2013 Life Enrichment Committee approved
recommendations with a vote of 4 Ayes.**

S-7.17-CC Subject: Diablo Fire Safe Council Agreement
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Enter Into A Cooperative Funding Agreement With The Diablo Fire Safe Council (DFSC) For The Proposed South Oakland Hills Community Fuel Reduction Project Whereby: A) DFSC Will Act As The Project Manager And Grant Administrator For The City Of Oakland For The Duration Of The South Oakland Hills Community Fuel Reduction Project; B) DFSC Will Administer Western Wildland Urban Interface Grant Funds (Western WUI Grant) Allocated To The City Of Oakland As Well As Grant Required Matching Funds Provided By The City Of Oakland In An Amount Not To Exceed Two Hundred And Ninety Eight Thousand Eight Hundred And Thirty-One Dollars (\$298,831) For Completion Of The Project; 2) Accept And Expend The City Of Oakland Portion Of The Western WUI Grant Award In The Amount Of One Hundred Twenty Thousand Dollars (\$120,000); 3) Expend Approved City Of Oakland Funds In The Wildfire Prevention Assessment District (WPAD) Budget Pursuant To The Local Grant Match Requirement Of The Western WUI Grant In An Amount Not To Exceed One Hundred Seventy Eight Thousand Eight Hundred Thirty-One Dollars (\$178,831) By Distributing These Funds To DFSC Under The Proposed Cooperative Funding Agreement
(13-0183)

**The December 3, 2013 Public Safety Committee approved
recommendations with a vote of 4 Ayes.**

S-7.18-CC Subject: Office Of Traffic Safety Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Enter Into An Agreement With The California Office Of Traffic Safety (OTS) To Accept, Appropriate, And Spend Fiscal Year 2014 State Of California, Office Of Traffic Safety Grant Funds (FY 2014 OTS Grant Funds) In An Amount Up To Three Hundred Thousand Dollars (\$300,000); And 2) Administer The FY 2014 OTS Grant Funds Program And All Programs Included As Part Of The Grant Performance And Requirements In Accordance To The Preliminary Spending Plan Including Purchases Of Equipment And Services In Excess Of Her Purchasing Authority Without Further Council Review And Action For Equipment And Services Required By The Grant

SUPPLEMENTAL

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

Tuesday, December 10, 2013

Provided That The City's Bidding Requirements, Contracts And Purchasing
Programs/Policies Are Followed
(13-0185)

**The December 3, 2013 Public Safety Committee approved
recommendations as amended with a vote of 4 Ayes.**

S-7.19-CC Subject: Settlement Agreement - State Farm v. Carden And City
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of State Farm Mutual Automobile Insurance
Company v. Monique Nicole Carden; City Of Oakland, Alameda County Superior Court
Case No. RG13-664366, In The Amount Of Seven Thousand Five Hundred Dollars And
No Cents (\$7,500.00) As A Result Of A Motor Vehicle Collision On Or About June 23,
2011 (Oakland Parking Division)
(13-0219)

S-7.20-CC Subject: Cannabis Regulatory Commission Appointment - Tyson Nagler
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Tyson Nagler As A Member Of The
Cannabis Regulatory Commission
(13-0242)

S-7.21-CC Subject: Budget Advisory Committee Appointment - Edward Gerber
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of
Edward Gerber To The Budget Advisory Committee
(13-0243)

S-7.22-CC Subject: Community Jobs Oversight Commission Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of
Andreas Cluver, Josie Camacho, Kate O'Hara, Shirley Burnell, George Bolton, Margaret
Gordon, Brian Beveridge, Joe Sarapochillo, Megan Morodomi, Jens Hilmer, And Mark
Henderson To The Community Jobs Oversight Commission
(13-0244)

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: Montclair BID Annual Levy
From: Department Of Economic And Workforce Development
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution

SUPPLEMENTAL

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

Tuesday, December 10, 2013

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 2014/15
(13-0135-1)

- 9.2 Subject: Rockridge BID Annual Levy
From: Department Of Economic & Workforce Development
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 2014/15
(13-0136-1)

- 9.3 Subject: OMC Fire Code Amendments
From: Oakland Fire Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An
Ordinance Repealing Current Oakland Municipal Code Chapter 15.12, Fire Code,
Making Findings To Substantiate Modifications To California Building Codes And
Standards Due To Local Climatic, Geological Or Topographical Conditions, And
Adopting And Making Local Amendments To The 2013 Edition Of The California
Model Building Code, California Code Of Regulation Title 24, Part 9, Including, But Not
Limited To, National Fire Protection Association And Other Referenced Standards As
Adopted By The California State Fire Marshal, And Recodifying Said Code At Oakland
Municipal Code Chapter 15.12 As The Oakland Fire Code
(13-0184)

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

**FINAL PASSAGE (Second Reading) WILL OCCUR ON JANUARY 7,
2013.**

**The December 3, 2013 Public Safety Committee approved
recommendations as amended with a vote of 4 Ayes.**

**The Committee approved recommendations as amended to include further
amendments to code section titles throughout the document.**

- 9.4 Subject: Assessment Of Liens For Delinquent Business Taxes
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing On The 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

SUPPLEMENTAL

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

Tuesday, December 10, 2013

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
[\(13-0191\)](#)

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
[\(13-0191-1\)](#)

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
[\(13-0191-2\)](#)

9.5 Subject: Delinquent Mandatory Garbage Fees
 From: Office Of The City Administrator
 Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For April/May/June 2013 Monthly Accounts And July/August/September 2013 Quarterly Accounts 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
[\(13-0192\)](#)

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; Or
[\(13-0192-1\)](#)

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
[\(13-0192-2\)](#)

9.6 Subject: Assessment Of Liens For Delinquent Transient Occupancy Taxes

SUPPLEMENTAL

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

Tuesday, December 10, 2013

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 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

[\(13-0193\)](#)

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

[\(13-0193-1\)](#)

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

[\(13-0193-2\)](#)

9.7

Subject: Assessment Of Liens For Delinquent Real Property Transfer Taxes

From: Office Of The City Administrator

Recommendation: Conduct A Public Hearing On The 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

[\(13-0194\)](#)

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

[\(13-0194-1\)](#)

3) A Resolution Overruling Protests And Objections And Accepting And Confirming

SUPPLEMENTAL

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

Tuesday, December 10, 2013

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
(13-0194-2)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: 2014 City Council And School Board Redistricting
From: Department Of Planning And Building
Recommendation: 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 FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 19, 2013; 7 AYES, 1 EXCUSED - REID.

12 Subject: Fiscal Year 2012-13 Adjusted Budget Report
From: Office Of The City Administrator
Recommendation: Receive The Unaudited FY 2012-13 Fourth Quarter Revenue And Expenditure Report 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
(13-0160-1)

This report portion of this item was Continued from the November 19, 2013 City Council meeting.

The resolution portion of the item was adopted by the City Council on November 19, 2013 by a vote of 6 Ayes, 1 Abstention - Brooks, and 1 Excused - Reid.

13 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)

SUPPLEMENTAL

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

Tuesday, December 10, 2013

This item was Continued from the November 19, 2013 City Council meeting.

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."**

- 14 Subject: Council Censure Policy
From: Councilmember Gallo
Recommendation: Adopt A Resolution Amending The Council's Rules Of Procedures
Currently Set Forth In Resolution No. 82580 C.M.S. To Add A Council Censure Policy
And Procedures
[\(13-0211\)](#)
- 15 Subject: Contract Extension For Police Monitoring Services
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Waive
The Advertising, Competitive Bid And Request For Proposals/Qualifications (RFP/RFQ)
Requirements For Awarding Professional Services Contracts; And 2) Extend The
Professional Services Agreement With Police Performance Solutions, LLC, For
Monitoring And Technical Assistance Services In The Case Of Allen v. City Of Oakland,
Et Al., USDC No. COO-4599 TEH (JL) For One Year For The Period From January 21,
2014 To January 20, 2015, In The Amount Of Nine Hundred Ten Thousand Dollars
(\$910,000)
[\(13-0208\)](#)
- 16 Subject: Adopt MOU for SEIU Local 1021 Part-Time Unit
From: City Administrator's Office
Recommendation: Adopt A Resolution Approving Memorandum Of Understanding
Between The City Of Oakland And The Service Employees International Union, Local
1021 Part Time Unit In Representation Unit SI1 From July 1, 2013 To June 30, 2015
[\(13-0209\)](#)
- 17 Subject: Eighth Amended Stadium License Agreement With Oakland Athletics
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Approving And Authorizing The Execution Of
The Eighth Amendment To The Oakland-Alameda County Coliseum Oakland Athletics
Amended And Restated Stadium License Agreement
[\(13-0213\)](#)
- 18 Subject: Supplement To Master Agreement - Oakland Raiders & Coliseum Authority

SUPPLEMENTAL

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

Tuesday, December 10, 2013

From: Office Of The City Attorney
Recommendation: Adopt A Resolution Approving And Authorizing The Execution Of Supplement No. 4 To The Master Agreement And Exhibits To The Master Agreement Between The Oakland Raiders And The Oakland Alameda County Coliseum Authority
(13-0214)

S-19 Subject: Establishing Criteria For Future KTOP Staffing And Expenditures
From: Councilmember Desley Brooks
Recommendation: Receive A Report And Possible Action Establishing Criteria For Future KTOP Staffing And Expenditure/Allocation Of Telecommunication Fund (1760) Revenues. A Full Report From KTOP Regarding KTOP Operations, Including Identification Of All Positions Currently Funded Out Of Fund 1760; And The Function Of Each Staff Position In The Day To Day Operations Of KTOP
(13-0089)

The December 3, 2013 Finance & Management Committee approved recommendations with a vote of 3 Ayes, 1 No - Schaaf.

The Committee approved the recommendation to re-codify the 1983 ordinance restricting 2% of the telecommunications fund to KTOP for cable-related activities.

S-20 Subject: Oakland City Mayor's Salary
From: Office Of The City Auditor
Recommendation: Receive An Informational Report Calculating The Oakland City Mayor's Salary In Conformity With The Oakland City Charter
(13-0180)

Subject: Confirmation Of The Mayor's Salary
From: Office Of The City Auditor
Recommendation: Adopt A Resolution Confirming The Salary And Salary Range For The Mayor Of The City Of Oakland Pursuant To The Oakland City Charter, Article III, Section 300
(13-0180-1)

The December 3, 2013 Finance & Management Committee approved recommendations with a vote of 3 Ayes, 1 Abstention - Schaaf.

The Committee approved the recommendation to set the Mayor's salary at \$203,000 per year.

S-21 Subject: Contracts For Banking And Custodial Services
From: Office Of The City Administrator
Recommendation: The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To: (1) Negotiate And Execute An Agreement With J.P. Morgan Chase, N.A. Or Wells Fargo Bank, N.A. To Provide Primary Depository Services For The City At An Estimated Annual Cost Amount Of

SUPPLEMENTAL

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

Tuesday, December 10, 2013

\$275,000 For A Three-Year Period With Two One-Year Options To Renew, And (2) Negotiate With J.P. Morgan Chase, N.A. Or Wells Fargo Bank, N.A. For Such Additional Banking Services As She May From Time To Time Deem Appropriate, At Costs She Deems Reasonable; And Waiving The Requirements Of The Living Wage Ordinance [TITLE CHANGE]; And

(13-0202)

The December 3, 2013 Finance & Management Committee approved recommendations as amended with a vote of 4 Ayes.

The Committee approved recommendations as amended to allow the full Council to approve either Wells Fargo or J.P. Morgan Chase for the agreement.

The Committee also directed staff to provide a supplemental report regarding the following:

- 1) Additional information about J.P. Morgan Chase and their presence in Oakland, their foreclosure history within Oakland, and how they reinvest in the community; and**
- 2) Whether Wells Fargo will provide assurances for enhanced customer service if selected for the agreement.**

2) A Resolution Authorizing The City Administrator To: (1) Negotiate And Execute An Agreement With Bank Of New Mellon Trust Company, N.A., Or Wells Fargo Bank, N.A. To Provide Primary Custodial Services For The City At An Estimated Annual Cost Amount Of \$25,000 For A Three-Year Period With Two One-Year Options To Renew, And (2) Negotiate With Bank Of New Mellon Trust Company, N.A., Or Wells Fargo Bank, N.A. For Such Additional Banking Services As She May From Time To Time Deem Appropriate, At Costs She Deems Reasonable; And, Waiving The Requirements Of The Living Wage Ordinance [TITLE CHANGE]

(13-0202-1)

The December 3, 2013 Finance & Management Committee approved recommendations as amended with a vote of 4 Ayes.

The Committee approved recommendations as amended to allow the full Council to approve either Wells Fargo or Bank of New Mellon Trust for the agreement.

S-22

Subject: Encroachment For Kaiser Hospital Project
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Amending And Restating A Previously Approved Conditional And Revocable Major Encroachment Permit To Kaiser Foundation Hospitals To Allow (1) Telecommunications Conduits, Electrical Transformers And Vaults, A Portion Of A Building Foundation And Sewage Storage Vault For Phase II Buildings At 275 West MacArthur Boulevard To Encroach Under The Public Right-Of-Way Along

SUPPLEMENTAL

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

Tuesday, December 10, 2013

Broadway, West MacArthur Boulevard, And Piedmont Avenue, And (2) Soil Nailing, A Planter Box, Rectangular Curb Drains, The Foundation For A Gate Post, Six Benches, Four Trash Cans, Four Sanitary Sewer Manholes And A Concrete Driveway Approach With Nonstandard Color At 3600 Broadway To Encroach Into The Public Right-Of-Way Along Broadway, MacArthur Boulevard, And Piedmont Avenue
(13-0109)

**The December 3, 2013 Public Works Committee approved
recommendations with a vote of 4 Ayes.**

S-23

Subject: Full Police Staffing Policy
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Establishing A Full Police Staffing Policy That Will Establish Alternative Hiring Methods, Deadlines And Reporting Requirements For Promptly And Consistently Achieving Actual Budgeted Staffing Levels For Sworn And Non-Sworn Positions Within The Oakland Police Department
(13-0058)

**The December 3, 2013 Public Safety Committee approved
recommendations as amended with a vote of 4 Ayes.**

The Committee approved recommendations as amended to revise the second to last Further Resolved paragraph as follows: “That until OPD has reached the sworn staffing goals in the current Strategic Plan in effect at that time and maintained or exceeded that staffing level for one year, the City Administrator, or his designee, shall report the following information or take the following actions to continuously clarify OPD actual and expected staffing levels.”

S-24

Subject: Circus Regulations To Raise Humane Standards
From: Councilmember Libby Schaaf
Recommendation: Adopt An Ordinance Amending Chapter 9.52 Of The Oakland Municipal Code To Provide Additional Requirements For Special Event Permits To Operate Circuses Performing In The City Of Oakland
(13-0179)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON JANUARY 7, 2013.

**The December 3, 2013 Public Safety Committee approved
recommendations as amended with a vote of 4 Ayes.**

The Committee approved recommendations as amended to include the additions to sections D, E, F, and I under Section 9.52.065.

SUPPLEMENTAL

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

Tuesday, December 10, 2013

- S-25 Subject: November 13, 2013 Special Mail Ballot Election Results
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Declaring The Results Of The City Of Oakland's
Community Facilities District No. 2013-1 (Wildfire Prevention District) Special Mail
Ballot Election Held On Wednesday, November 13, 2013
(13-0229)
- S-26 Subject: Report On State Legislative Activities And Priorities
From: Council President Patricia Kernighan
Recommendation: Receive An Informational Report On 2013 State Legislative
Activities And Proposed 2014 State Legislative Priorities
(13-0159)

**The December 5, 2013 Rules & Legislation Committee received &
forwarded this report with a vote of 3 Ayes, 1 Excused - Reid.**

**The Committee also provided additional comments and recommendations
to the Lobbyist which are included in the revised report.**

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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SUPPLEMENTAL

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

Tuesday, December 10, 2013

**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