



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>

Tuesday, October 18, 2011

5:30 PM

Oakland City Hall, 3rd Floor

DEFINITION OF TERMS:

CONSENT ITEM: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee. 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: Desley Brooks, Dist. 6; Jane Brunner, Dist. 1, Ignacio De La Fuente; Dist. 5; Rebecca Kaplan, At-Large; Pat Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Libby Schaaf, Dist. 4; Council President Larry Reid, Dist. 7
- 3 Open Forum / Citizens Comments
(Time Available: 15 minutes)
- 4 ACTIONS ON SPECIAL ORDERS OF THE DAY
(Ceremonial Presentations, Reports/Presentations from the Mayor, Council Acknowledgements/Announcements):
 - 4.1 Subject: Firestorm 20th Anniversary Commemoration
From: Office Of The Mayor
Recommendation: Adopt A Resolution To Commemorate The 20th Anniversary Of The Oakland-Berkeley Hills Fire Storm
(11-0063)

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

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETING OF
October 4, 2011
- 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
(11-0066)
- 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
(11-0067)
- 7.3-CC Subject: Salary Ordinance Amendments - UM2 Unit Designation
From: Department Of Human Resource Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance
No. 12187 C.M.S. ("Salary Ordinance") To Change The Bargaining Unit Designation
From UMI To UM2 For The Classifications Of City Council Office Administrator;
Production Control Parking Supervisor; Recreation General Community Restoration
Emergency Coordinator; Computer Operations Emergency Services Manager, Assistant;
Supervisor; Supervisor; Planning Supervisor; Financial Analyst, PPT; Recreation
Services Manager, Assistant To; Library Automation Supervisor; Recycling Supervisor;
Police Program & Performance Auditor; Solid Waste/Recycling Program Supervisor;
Volunteer Program Coordinator, Supervising; Environmental Program Supervisor; Chief
Conservator; Community Housing Services Manager; Development/ Redevelopment
Program Manager; Financial Analyst, Principal; Spatial Data Administrator; City
Architect, Assistant; Inspection Services Manager; Librarian, Administrative; Real Estate
Service Manager; Support Services Administrator
(11-0032)

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

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Introduction (First Reading) was passed on October 4, 2011; 8 Ayes

7.4-CC Subject: Salary Ordinance Amendments - UK2 Unit Designation
From: Department Of Human Resource Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Change The Bargaining Unit Designation From U31 To UK2 For The Classifications Of Budget Director; Controller; City Attorney, Assistant; Human Resources Manager; And To Change The Bargaining Unit Designation From UMI To UK2 For The Classifications Of Affirmative Action Manager; Risk Manager; Revenue & Tax Administrator; And Treasury Manager
(11-0035)

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

Introduction (First Reading) was passed on October 4, 2011; 8 Ayes

7.5-CC Subject: Settlement Agreement - Wong
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Sylvia Wong In The Amount Of \$12,979.92, As A Result Of Property Damage Sustained Caused By An Obstructed City Sewer Main. (Public Works Agency)
(11-0080)

This item was not discussed in Closed Session.

7.6-CC Subject: Settlement Agreement - Gutierrez
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Desiree Gutierrez V. Bay Area Rapid Transit District And The City Of Oakland, Alameda County Superior Court Case No. Rg09-472656, In The Amount Of One Hundred Four Thousand, Three Hundred Fifty Three Dollars And Forty One Cents (\$104,353.41) As A Result Of A Trip And Fall Accident At The Entrance To The Lake Merritt Station On March 20, 2009 (Public Works Agency)
(11-0079)

This item was discussed in Closed Session on October 18, 2011. The motion passed with a vote of 8 Ayes.

7.7-CC Subject: Commending Community Leader And Labor Leader Award Winners
From: Councilmember Schaaf
Recommendation: Adopt A Resolution Commending Shirley Burnell And Sharon Cornu As The First Recipients Of The Community Leader And Labor Leader Awards By The East Bay Alliance For A Sustainable Economy
(11-0064)

This item was placed on this agenda pursuant to Rule 28a of Council's

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Rules of Procedures, Resolution 82580 C.M.S.

S-7.8-CC Subject: Oakland Army Base Temporary Winter Shelter Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Waive The Competitive Process And Enter Into An Agreement For The Period Of October 15, 2011 Through May 15, 2012 In An Amount Not To Exceed \$301,000 With Anka Behavioral Health, Inc. To Open And Operate The Oakland Army Base Temporary Winter Shelter (OABTWS) From November 15, 2011 Through April 30, 2012; And (2) Enter Into A Six Month Lease For \$1.00 A Year With The Oakland Redevelopment Agency For Use Of Building 821 At The Army Base From November 1, 2011 Through April 30, 2012; And (3) Allocate \$100,000 From Various Reprogram Funds And Allocate Not Less Than \$125,000 From Alameda County, And \$76,000 From The City Of Berkeley To Establish And Operate The Temporary Winter Shelter At The Oakland Army Base
(11-0037)

The October 11, 2011 Life Enrichment Committee approved recommendations; 3 Ayes, 1 - Excused

S-7.9-CC Subject: Oakland Community Action Partnership Bylaws
From: Department Of Human Services
Recommendation: Adopt A Resolution From The Department Of Human Services' Oakland Community Action Partnership (OCAP) Amending The Community Action Agency's Bylaws To (1) Expand The Agency's Service Territory To Include Alameda County (Excluding Berkeley) And To (2) Increase The Administering Board's Membership To Eighteen (18) To Receive An Additional \$510,056 In 2011 Alameda County Community Services Block Grant (CSBG) Anti-Poverty Funds From The State Of California Department Of Community Services And Development (CSD)
(11-0055)

The October 11, 2011 Life Enrichment Committee directed staff to amend the OCAP by-laws to include additional language which sets criteria for the Board of Supervisors of Alameda County based on incidents of poverty in each area; 3 Ayes, 1 Excused - Kaplan

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: Zoning Text Amendments
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion, Adopt An

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Ordinance, Recommended By The Planning Commission, To: Adopt Zoning Text Amendments Including Minor Changes To Update Table 4.10.01 Of The Land Use Regulations Of The Wood Street Zoning District Consistent With The Rest Of The Oakland Planning Code, And Substantive Changes To 1) Divide Development Area 2 Into 2a And 2b. Development Area 2a Would Encompass The Pacific Cannery Lofts (PCL) Project And 2b Would Encompass The "Icehouse" Building; 2) Amend Table 4.10.01 To Conditionally Allow The Following Activities In The Following Development Areas: Development Area 2b - The "Icehouse" Property: A) General Wholesale Sales; B) Research Service; C) Research And Development; D) General Warehousing Storage And Distribution; And E) Self Mini Storage. Development Area 5 - The 16th Street Train Station Building: A) Recreational Assembly, Development Area 9 - The 16th Street Station Plaza: A) Community Assembly; B) Recreational Assembly; And C) Group Assembly.

(11-0059)

The October 11, 2011 Community and Economic Development Committee approved the recommendations as amended to eliminate the self-storage option for the Ice House property; 3 Ayes, 1 - Abstain, Kernighan

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

Final Passage (Second Reading) is scheduled for November 1, 2011

9.2 Subject: Renaming Business Assistance Center
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Changing The Name Of The City Of Oakland Business Assistance Center To The "Michael L. McPherson Oakland Business Assistance Center"

(11-0072)

S-9.3 Subject: Emergency Interim Ordinance - Demolition Permits
From: Councilmember Jane Brunner
Recommendation: Adopt An Emergency Interim Ordinance Amending The Oakland Municipal Code, Chapter 15.36 "Demolition Permits" In Order To Add Restrictions On The Demolition Of A Structure Without A Building Permit For A Replacement Structure, Where The Owner Intends To Create A Vacant Lot

(11-0103)

This item was placed on this agenda by the October 13, 2011 Rules and Legislation Committee.

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.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

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10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Parcel Tax Allocation
From: Council President Reid And Council Members Kaplan And Kernighan
Recommendation: Adopt A Resolution Amending Resolution No. 83444 C.M.S., Passed June 30, 2011, Which Authorized The City Of Oakland's 2011-2013 Biennial Budget, To Amend The Fy 2011-2013 General Fund Budget To Direct The Allocation Of The Proceeds Of The Five Year Temporary Fiscal Emergency Special Parcel Tax, (Measure I), To Take Effect If Measure I Is Approved By The Voters In The November 2011 Special Election
(11-0068)

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

12 Subject: Port Commission Appointments - Uno And Imani
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Victor Uno And Jakada Imani To The Board Of Port Commissioners
(11-0019)

This item was continued from the October 4, 2011 City Council Agenda.

13 Subject: Mayor's Recess Ratification
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Ratifying Action Taken By The Mayor During The Oakland City Council 2011 Annual Recess In Conformance With Council's Rules Of Procedures, Resolution No. 82580 C.M.S., Dated March 10, 2010
(11-0057)

This item was withdrawn and rescheduled from the October 4, 2011 City Council Agenda.

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)

Americans With Disabilities Act

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Office of the City Clerk - Agenda Management Unit

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Phone: (510) 238-3226

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(TTD)

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MATERIAL ON OR OVER THE GALLERY BANNISTERS IS
STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF
THOSE ATTENDING MEETINGS.**

**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