



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, January 06, 2009

6:00 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 6:00 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 7:00 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: Jane Brunner, Dist. 1; Patricia Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Jean Quan, Dist. 4; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Rebecca Kaplan, At-Large, and President Ignacio De La Fuente, Dist. 5

- 3 Open Forum / Citizens Comments
(Time Available: 15 minutes)
- 4 Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an item from the Consent Calendar, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.
- 5 Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. (Motion Maker must have voted on prevailing side)

- 6 Requests from Councilmember(s) to schedule an Action Item considered by Committee but not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.
- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on December 9, 2008

8. PRESENTATION OF CEREMONIAL MATTERS

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

10. CONSENT CALENDAR (CC) ITEMS:

- 10.1-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
(07-1897)
- 10.2-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
(07-1898)
- 10.3-CC Subject: Brown Act Amendments To The Sunshine Ordinance
From: Public Ethics Commission
Recommendation: Adopt An Ordinance Amending Chapter 2.20 Of The Oakland Municipal Code To Conform The Definition Of "Meeting" To Provisions Of The Ralph M. Brown Act
(07-1695-1)

**ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE
(SECOND READING) OF THE ORDINANCE**

Introduction (First Reading) was approved on December 9, 2008; 8 Ayes

- 10.4-CC Subject: Dogs On Leashes - Mosswood Park
From: Office of Parks and Recreation
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 6.04 - "Animal Control Regulations Generally", Section 6.04.080 (A)(1), To Permit Dogs On A Six Foot Leash On Designated Paths Through Mosswood Park
(07-1759)

**ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE
(SECOND READING) OF THE ORDINANCE**

Introduction (First Reading) was approved on December 9, 2008; 8 Ayes

10.5-CC Subject: Studio One Art Center - Landmark Designation
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Designating Studio One Art Center (Historic Name: Ladie's Relief Society Children's Home) At 365 45th Street As A Landmark Pursuant To Section 17.136.070 Of The Oakland Planning Code
(07-1790)

**ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE
(SECOND READING) OF THE ORDINANCE**

Introduction (First Reading) was approved on December 9, 2008; 8 Ayes

10.6-CC Subject: The Altenheim - Landmark Designation
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Designating The Altenheim At 1720 MacArthur Boulevard As A Landmark Pursuant To Section 17.136.070 Of The Oakland Planning Code
(07-1791)

**ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE
(SECOND READING) OF THE ORDINANCE**

Introduction (First Reading) was approved on December 9, 2008; 8 Ayes

10.7-CC Subject: Taxi Cab Ordinance Amendment
From: City Council
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.64 "TAXICABS" To A) Move The Administration Of Taxi Permits From The Oakland Police Department To The City Administrator's Office And B) Move The Initial And Annual Inspection Of Taxis From The Oakland Police Department To The Public Works Agency
(07-1875)

**ACTION ON THIS ITEM WILL RESULT IN THE FINAL PASSAGE
(SECOND READING) OF THE ORDINANCE**

Introduction (First Reading) was approved on December 9, 2008; 8 Ayes

10.8-CC Subject: Simon Gibson - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Montclair Physical Therapy And Wellness (Simon Gibson) In The Amount Of Six Thousand One Hundred Twenty Dollars And No Cents (\$6,120.00), As A Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Failed City Sewer Main On November 12, 2007. (Public Works Agency)
(07-1899)

This item was not discussed in Closed Session

10.9-CC Subject: Barry And Sasaki Junko Feigelman - Settlement Agreement
From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Barry And Sasaki Junko Feigelman In The Amount Of Sixty Thousand Dollars (\$60,000.00), As A Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Failed City Sewer Main On March 1, 2008. (Public Works Agency)

[\(07-1900\)](#)

This item was not discussed in Closed Session

10.10-CC Subject: Yvonne Eldridge - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Yvonne Eldridge, In The Amount Of \$25,092.22, As A Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Failed City Sewer Main On May 27th, 2008 (Public Works Agency)

[\(07-1901\)](#)

This item was not discussed in Closed Session

10.11-CC Subject: Douglas And Michelle Moir - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Douglas & Michelle Moir In The Amount Of Twenty One Thousand Nine Hundred Thirty Two Dollars And 02/100 Cents (\$21,932.02), As A Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Failed City Sewer Main On October 10, 2008. (Public Works Agency).

[\(07-1902\)](#)

This item was not discussed in Closed Session

10.12-CC Subject: Conditional And Revocable Permit - 2400 Webster Street
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Randal M. Lee, Et Al., A Revocable And Conditional Permit To Allow An Existing Building At 2400 Webster Street To Encroach Into The Public Right-Of-Way

[\(07-1803\)](#)

**The December 16, 2008 Public Works Committee approved
recommendations; 4 Ayes**

10.13-CC Subject: Stop Sign Installation / No Stopping Zone
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving The Installation Of 1) A Stop Sign On Peterson Street At Glascock Street; 2) Stop Signs On 23rd Avenue At East 29th Street; And 3) A No Stopping Anytime Zone On Foothill Boulevard, North Side, From MacArthur Boulevard To A Point 250 Feet East

[\(07-1843\)](#)

**The December 16, 2008 Public Works Committee approved
recommendations; 4 Ayes**

10.14-CC

From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Accept And Appropriate Nine Hundred Twenty Thousand Three Hundred Dollars (\$920,300.00) In Federal Cycle 2 Safe Routes To School (SRTS) Grant Funds For Walking And Bicycling Safety Improvements At Bret Harte Middle School, Manzanita Community And SEED Elementary Schools, And Peralta Elementary, La Escuela Internacional, And Pacific Boychoir Schools
(07-1844)

**The December 16, 2008 Public Works Committee approved
recommendations; 4 Ayes**

10.15-CC Subject: Fremont Pool Improvement Project
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or The City Administrator's Designee, To Award A Construction Contract To Bay Construction, Inc., For The Fremont Pool Improvement Project (No. P353410) In The Amount Of Three Hundred Ten Thousand Dollars (\$310,000.00)
(07-1845)

**The December 16, 2008 Public Works Committee approved
recommendations; 4 Ayes**

10.16-CC Subject: Gallagher And Burk - Street Resurfacing
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Award Of A Construction Contract To Gallagher & Burk, Inc., For Citywide Street Resurfacing Fiscal Year 2007-2008 (Project No. G339610), In The Amount Of One Million Eight Hundred Ninety-Five Thousand And Seventy Dollars (\$1,895,070.00)
(07-1805)

**The December 16, 2008 Public Works Committee approved
recommendations; 4 Ayes**

10.17-CC Subject: Equal Access Ordinance
From: Office of the City Administrator
Recommendation: Receive A Status Report On The Implementation Of The Equal Access To Services Ordinance And Recommendations For Improving Language Access To City Services For Oakland's Limited English Speaking Population For The Period July 1, 2007 Through June 30, 2008
(07-1750)

The December 16, 2008 Finance and Management Committee received and forwarded the report and directed staff to work with department heads to develop an implementation plan that will fulfill the intent of the Ordinance and to bring that plan back to a Committee meeting in March 2009. Staff was also directed to integrate the June 2009 report to reflect positions, locations and departments on one chart, the June report should also include ways to improve hiring in departments that have a big disparity in bilingual hires; 4 Ayes

10.18-CC Subject: Two-Year Lease Agreement - David And Kathleen Stone
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Two-Year Lease Agreement With An Additional Two-Year Option With David And Kathleen Stone For A Portion Of Their Real Property Located At 2405 Monterey Boulevard For Use As A Golf Course Fairway For An Amount Of Not To Exceed \$6,011.16 For The First Year
[\(07-1848\)](#)

The December 16, 2008 Finance and Management Committee approved recommendations; 4 Ayes

10.19-CC Subject: Contract Approval for Engineer Services 2009-2011
From: The Budget Office
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award And Execute A Two-Year Contract With Francisco & Associates, Inc. In An Amount Not To Exceed \$143,000 To Perform Engineering Services For The Landscaping And Lighting Assessment District (LLAD), The Wildfire Prevention Assessment District (WPAD), The Emergency Services Retention Act Of 1997 (Measure M), The Paramedic Services Act Of 1997 (Measure N), The Library Services Retention And Enhancement Act Of 1994 (Measure Q), The Violence Prevention And Public Safety Act Of 2004 (Measure Y) And The Rockridge Library Community Facilities District Of 1992 For The Fiscal Years 2009-2010 And 2010-2011, And Authorizes The City Administrator To Extend The Contract For Two Additional Years Without Return To Council
[\(07-1850\)](#)

The December 16, 2008 Finance and Management Committee directed staff to include an evaluation piece in all reports if the city has conducted business with the contractor for more than a year; 4 Ayes

10.20-CC Subject: Tax Defer PERS Members Paid Contributions
From: Finance and Management Agency
Recommendation: Adopt A Resolution Authorizing Implementation Of The Provisions Of Section 414(H)(2) Of The Internal Revenue Code To Tax Defer Member Paid Contributions To The California Public Employees' Retirement System (PERS)
[\(07-1851\)](#)

The December 16, 2008 Finance and Management Committee approved recommendations; 4 Ayes

10.21-CC Subject: Oakland Ice Center - First Year Report
From: Community and Economic Development Agency
Recommendation: Receive An Informational Report On San Jose Arena Management's First Year Of Management Of The Oakland Ice Center
[\(07-1726\)](#)

The December 16, 2008 Community and Economic Development Committee received and forwarded the report; 4 Ayes

10.22-CC Subject: Business Retention, Expansion And Support Services
From: Community and Economic Development Agency

Recommendation: Action On A Report On The Interim Plan To Provide Business Retention, Expansion And Support Services Pending The Conclusion Of A Competitive Request For Proposals (RFP) Process, And A Recommendation To Authorize \$40,000 For Such Services

[\(07-1793\)](#)

**The December 16, 2008 Community and Economic Development
Committee approved recommendations; 4 Ayes**

10.23-CC Subject: Central City East Neighborhood Projects Program
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Adopting The Central City East Neighborhood Project Initiative Program And Allocating \$160,000 From Central City East Redevelopment Project Funds To The Program

[\(07-1794\)](#)

**The December 16, 2008 Community and Economic Development
Committee approved recommendations; 4 Ayes**

10.24-CC Subject: Urban Search And Rescue Team Training
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The State Of California Fire And Rescue Training Authorization For A January 17-18, 2009 Mobilization Exercise In Exchange For Reimbursement In The Amount Of One Hundred Thousand Dollars (\$100,000.00) For Personnel And Supply Expenses Incurred In Training Of The Oakland Fire Department Urban Search And Rescue (USAR) Team And To Appropriate Said Funds

[\(07-1801\)](#)

**The December 16, 2008 Public Safety Committee approved
recommendations; 4 Ayes**

10.25-CC Subject: Frances Smith - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Frances Smith V. City Of Oakland, Et Al., Alameda County Superior Court No. RG07308877, Our File No. 25630, In The Amount Of \$37,500.00 (Public Works Agency - Trip And Fall)

[\(07-1912\)](#)

This item was not discussed in Closed Session

10.26-CC Subject: Haynes, Owens And Russell - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Shawn Haynes, Bianca Owens And Ariesha Russell V. City Of Oakland, Et Al., Alameda County Superior Court No. RG07324200, Our File No. 25672, In The Amount Of \$57,728.00 (Oakland Police Department - Auto Accident)

[\(07-1913\)](#)

This item was not discussed in Closed Session

- 10.27-CC Subject: Fruitvale / San Antonio Mental Health Project
From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La Fuente's Priority Project Funds To The Oakland Unified School District In The Amount Of \$10,000 To Fund The Fruitvale / San Antonio Mental Health Pilot Project [\(07-1904\)](#)
- 11 An oral report from the Agency Counsel / City Attorney of final decisions made during Closed Session
- 12 A disclosure of non-confidential Closed Session Discussion pursuant to Section 2.20.130 of the Sunshine Ordinance

**COMMENCING AT 7:00 P.M. OR AS SOON AS REASONABLY PRACTICAL
THEREAFTER:**

- 13 Reconsideration of Ordinances pursuant to Charter Section 216

14. Consideration of items with statutory Public Hearing Requirements:

- 14.1 Subject: Rockridge Business Improvement District - Annual Assessment
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Annual Report Of The Rockridge Business Improvement District Advisory Board And Levying The Annual Assessment For The Rockridge Business Improvement District For Fiscal Year 2009-2010 [\(07-1727-1\)](#)
- 14.2 Subject: Montclair Business Improvement District - Annual Assessment
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Annual Report Of The Montclair Business Improvement District Advisory Board And Levying The Annual Assessment For The Montclair Business Improvement District For Fiscal Year 2009-2010 [\(07-1728-1\)](#)
- 14.3 Subject: Neighborhood Project Initiative Program
From: Office of the City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:
- 1) A Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$160,000 For (1) Improvements To The Teen Center At 5818 International Boulevard, And (2) Purchase And Installation Of Surveillance Cameras In Businesses Along International Boulevard Within The Coliseum Redevelopment Project Area Under The Neighborhood Project Initiative (NPI) Program; And

(07-1789)

2) An Agency Resolution Allocating Funding In An Amount Not To Exceed \$240,000 Under The Coliseum Redevelopment Neighborhood Project Initiative (NPI) Program For (1) Improvements To The Fruitvale Masonic Temple At 1249 Avenida De La Fuente (2) Improvements To The Teen Center At 5818 International Boulevard And (3) Purchase And Installation Of Surveillance Cameras In Businesses Along International Boulevard, Authorizing A Contribution Of Agency Funds In An Amount Not To Exceed \$160,000 To The City Under The Cooperation Agreement For The Teen Center Improvements And The Cameras, And Authorizing A Grant Agreement With Fruitvale Development Corporation For The Masonic Temple Improvements

(07-1789-1)

The December 2, 2008 Community and Economic Development Committee approved recommendations; 4 Ayes

ACTION ON NON-CONSENT ITEMS:

- 15 Subject: Oakland Tourism Business Improvement District
From: Office of the City Administrator
Recommendation: Adopt A Resolution To Establish The Oakland Tourism Business Improvement District (OTBID) Proposed By The Oakland Convention & Visitors Bureau, Declare The Results Of The Majority Protest Proceedings, And Authorizing The City Administrator To Negotiate And Enter Into A Professional Services Agreement With The Oakland Convention & Visitors Bureau To Operate The OTBID
(07-1393-1)

The October 28, 2008 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - Brunner

- 16 Subject: Committee Assignments
From: The Office of the Council President
Recommendation: Adopt A Resolution Pursuant To Rule 4 Of The Council's Rules Of Procedure (Resolution #79006 C.M.S.) Confirming The City Council President's Appointments Of The Members And Chairpersons Of The Following Committees: Public Works, Finance & Management, Community & Economic Development, Life Enrichment, Public Safety, Rules & Legislation, Education Partnership And City-Port Liaison Committee
(07-1903)

- 17 Subject: 2008 Sobriety Checkpoint Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In The Amount Of Sixty Five Thousand Twenty One Dollars And Forty Eight Cents (\$65,021.48) From The Regents Of The University Of California, Berkeley, School Of Public Health, Traffic Safety Center, Serving As The Fiscal Agent For The State Of California, Office Of Traffic Safety, For The 2008 Sobriety Checkpoint Program To Be Conducted By The Police Department For The Project Term Of October 1, 2008 Through September 30, 2009

(07-1909)

- 18 Subject: Community Choice Aggregation
From: Public Works Agency
Recommendation: Adopt A Resolution Receiving The East Bay Cities Community Choice Aggregation Business Plan And Directing The City Administrator To Re-Allocate Three Hundred Ninety Thousand Dollars (\$390,000.00) To Implementing The Energy And Climate Action Plan

(07-1687)

The December 16, 2008 Public Works Committee forwarded the report “only” to Council and did not approve the resolution for re-allocation of the \$390,000.00 dollars, the funds will be held in an account, and the committee will consider how the funds should be spent after the Energy Action Plan is brought forward. The Committee directed staff to take the following action: 1) Develop a Community Choice Aggregation workshop in the fall (as previously discussed by the City Council on December 9, 2008), and to take the cost associated with bringing in experts and other fees from the account; and 2) Write a letter of support to PG&E for the CPUC to assist in receiving the 12 million dollars. In addition, the CPUC will submit their corrections of the staff report; 4 Ayes

- 19 Subject: Sidewalk Repair Priority Plan
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Establishing A Five Year Prioritization Plan For The City Of Oakland's Sidewalk Repair Program And Allocating Sidewalk Repair Funds To Specific Categories Of Repair Each Year

(07-1711)

The December 16, 2008 Public Works Committee approved recommendations; 3 Ayes, 1 Abstention - Nadel

- 20 Subject: Sidewalk Safety And Maintenance - Liability
From: Office of the City Attorney
Recommendation: Adopt An Ordinance Of The City Of Oakland Adding Chapter 12.22 To The Oakland Municipal Code To Establish Landowner Responsibility And Liability For Sidewalk Safety And Maintenance

(07-1731)

The December 16, 2008 Public Works Committee approved recommendations and directed staff to include the following; 1) An educational flyer to property owners and comment period to occur simultaneously; 2) A list of all the payouts on sidewalks claims (claim by claim) for each year; and 3) What is an acceptable standard for a property owner that lives adjacent to an ally or path and who is responsible; 4 Ayes

- 21 Subject: Oakland Retail Enhancement Strategy - Implementation
From: Community and Economic Development Agency
Recommendation: Action On A Report And Recommendations To Accept The Oakland

Retail Enhancement Strategy And To Authorize Actions Included In The Implementation Plan (TITLE CHANGE)

(07-1175)

The December 16, 2008 Community and Economic Development Committee directed staff to take action and bring back a status report on the following: 1) A large format store program (page 6, task 3); 2) A key vacancy program (page 8, task 2); 3) A consumer-oriented marketing campaign (page 11, task 2) including “Modifying the city's web pages to be more similar to San Jose's www.sanjoseretail.com <<http://www.sanjoseretail.com>>”; 4) A retail working group (page 12, task 1) 5) A retail cabinet (page 13, task 2) 6) An annual retail report to Council (page 14, task 4, action 1) and 7) Analysis of site locations for auto dealerships, including an evaluation of schools and churches in major thoroughfares; 4 Ayes

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Subject: Permitted Bingo Operations - Annual Hall Fees

From: Office of the City Administrator

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 5.10, "Bingo" To: 1) Require A Bingo Hall Permit When The Bingo Hall Operator Is A Separate Entity From The Bingo Game Operator, 2) Specify Application Requirements For Bingo Halls, 3) Prohibit Bingo Hall Operators From Charging Bingo Game Operators More Than Fair Market Value For The Facilities, Goods And Services Provided By The Halls, 4) Prohibit Bingo Hall Operators From Transactions With Bingo Game Operators When Specified Familial And/Or Business Relationships Exist Between The Two Entities, 5) Subject Bingo Hall Operators To Audit Of Their Oakland Bingo Activities, 6) Specify That The Annual Bingo Hall Permit Fee, Audit Fee, And Police Services Fee Are Established By The Master Fee Schedule, 7) Establish That The Bingo Game Operators' Fee For Law Enforcement And Public Safety Costs Is Established By The Master Fee Schedule, 8) Require That Most Profits Or Proceeds Be Donated To Oakland Charitable Causes Annually, 9) Require Bingo Game Permittees To Conduct Traditional Called Bingo Every Day That Electronic Bingo Is Available, 10) Prohibit Use Of Illegal Bingo Machines, 11) Provide For Administrative Penalty For Violations, 12) Prohibit Door Prize Bingo Games, 13) Add Criteria For Denial, Suspension, Revocation, Or Conditional Approval Of Permits, And 14) Increase The Maximum Game Pay-Out From \$250 To \$500 (TITLE CHANGE); And

(07-1233)

The December 16, 2008 Public Safety Committee amended the ordinance to remove the Public safety Fees; 3 Ayes, 1 Abstention - Reid

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

Final Passage (Second Reading) has been scheduled for January 20, 2009

As Amended, To Move The Annual Bingo Hall Fee From Chapter 5.10 To The Master Fee Schedule, To Establish A Monthly Fee For Bingo Game Operators To Offset The City's Costs Of Law Enforcement And Public Safety, And To Include In The Annual Bingo Hall Permit Fee That Portion Of Law Enforcement And Public Safety Costs Attributable To Bingo Halls; And Reschedule To The March 24, 2009 Public Safety Committee Agenda

Reason: Based On Additional Discussions With Bingo Operators, Staff Plans To Make Changes To The Proposed Amendments. Also, Staff Will Submit The Annual Bingo Report For 2008 In Conjunction With The Revised Proposals.

(07-1233-1)

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

Final Passage (Second Reading) has been scheduled for January 20, 2009

Subject: Additional Fees For Administrative Costs Related To Bingo Ordinance
From: Office Of The City Auditor
Recommendation: Recieve An Informational Report From The Office of the City Auditor Requesting A Legal Analysis On Additional Fees For Administrative Costs Related To Bingo Ordinance

(07-1233-2)

Subject: Use Of Bingo Profits For Charitable Purposes In The City Of Oakland
From: Office Of The City Attorney
Recommendation: Receive A Legal Opinion From The Office Of The City Attorney On The Use Of Bingo Profits For Charitable Purposes Within The City Of Oakland

(07-1233-3)

Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

(Meeting shall conclude no later than 10:30 p.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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[\(TDD\)](#)

THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY 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