



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, May 19, 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: Patricia Kernighan, Dist. 2; Nancy Nadel, Dist. 3;
Jean Quan, Dist. 4; Ignacio De La Fuente, Dist. 5; Desley Brooks, Dist. 6;
Larry Reid, Dist. 7; Rebecca Kaplan, At-Large, and President Jane
Brunner, Dist. 1

3 Open Forum / Citizens Comments
(Time Available: 15 minutes)

4 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)

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- 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 May 5, 2009

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: Zero Waste Partnership - Recognition
From: Public Works Agency And Councilmembers Nadel, Brunner, Quan
Recommendation: Adopt A Resolution Recognizing The Zero Waste Partnership Of Oakland Residents And Businesses To Advance Environmental Sustainability Through Establishing The Brita Water Filter Recycling Program: Clorox/Brita, Take Back The Filter Campaign, And Whole Foods Market
(09-0350)
- 8.2 Subject: Raul Godinez - Recognition
From: Public Works Agency
Recommendation: Adopt A Resolution Honoring Public Works Director, Raul Godinez II, P.E., For Receiving The Prestigious "Top Ten Public Works Leaders Of The Year" Award For 2009 From The American Public Works Association
(09-0351)
- 8.3 Subject: Richard Aoki - Recognition
From: Councilmembers Nancy Nadel and Jean Quan
Recommendation: Adopt A Resolution Honoring Richard Aoki (November 20, 1938 - March 15, 2009) For Over Forty Years Of Civil Rights Activism And Community Service
(09-0382)
- 8.4 Subject: 2009 National Older Americans Month
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Declaring May 2009 As National Older Americans Month
(09-0383)
- 8.5 Subject: Team Oakland Recognition
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Recognizing Team Oakland For Participating In The International Children's Games To Be Held In Athens Greece
(09-0420)

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

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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
(09-0414)

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
(09-0415)

10.3-CC Subject: Ruben Perez - 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 Liberty Mutual Insurance A/S/O Ruben Perez In The Amount Of \$5,756.66 For An Automobile Collision Involving A City Vehicle On May 16, 2008. (Police Services Agency)
(09-0416)

This item was not heard in Closed Session

10.4-CC Subject: Janell Hampton - 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 Progressive Insurance Company As Subrogee Of Janell Hampton, In The Amount Of Ten Thousand Three Hundred Sixty Two Dollars And Ten Cents (\$10,362.10), As A Result Of Property Damage Sustained In An Automobile Accident With A City Vehicle On January 4, 2009 (Police Department)
(09-0417)

This item was not heard in Closed Session

10.5-CC Subject: Peralta Street And Mandela Parkway Equivalent Exchange
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The City Administrator Without Returning To Council To Acquire The Underlying Fee Simple Interest Of A Portion Of The Mandela Parkway Right-Of-Way By An Equivalent Exchange Without Compensation Of A Portion Of The Peralta Street Right-Of-Way Near The Intersections Of West Grand Avenue And 20th Street Between The City And Brian Collins And Hemmat And Dokhanchy Associates
(09-0272-1)

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

**Introduction (First Reading) was approved on May 5, 2009; 7 Ayes, 1
Excused-Reid**

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10.6-CC Subject: General Obligation Bonds
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Authorizing The Director Of Finance To Determine Whether To Issue General Obligation Bonds By An Open Competitive Sale Or A Negotiated Sale
(09-0311)

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

**Introduction (First Reading) was approved on May 5, 2009; 7 Ayes, 1
Excused-Reid**

10.7-CC Subject: Proposed Vacation Of Skyline Circle
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Vacating The Public Right-Of-Way Of Skyline Circle To The Abutting Property Owners Without Cost And Reserving Public Service Easements
(09-0312)

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

**Introduction (First Reading) was approved on May 5, 2009; 7 Ayes, 1
Excused-Reid**

~~10.8-CC Subject: California Public Employees Retirement System Contract
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Of The City Of Oakland Authorizing An Amendment To The Contract Between The City Of Oakland And The Board Of Administration Of The California Public Employees' Retirement System (CalPERS) That Authorizes California Government Code Section 20903, Two Years Additional Service Credit For Local Miscellaneous Members And Local Safety Members
(09-0323)~~

**Pursuant to the California Public Employees' Retirement System
(CalPERS) the final passage of this Ordinance must occur on June 2, 2009**

10.9-CC Subject: Ruby Sutton And Paul Robbins - 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 Ruby Jean Sutton And Paul Robbins, Her Attorney Of Record In The Amount Of \$22,400.00 For An Automobile Collision Involving A City Vehicle On May 11, 2008. (Police Services Agency)
(09-0424)

This item was not heard in Closed Session.

S-10.11-C Subject: Support Of Senate Bill 120

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C From: Vice Mayor Ignacio De La Fuente
Recommendation: Adopt A Resolution To Support Senate Bill 120 (Lowenthal) To Add
Tenant Protections In Foreclosure Situations
(09-0442)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the May 14, 2009 Rules and Legislation Committee to place this item on the agenda for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting;

This item requires an urgency finding pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance requiring a 2/3 majority vote.

S-10.12-C Subject: Mother Wright - Recognition
C From: Councilmembers Reid, Nadel, Brooks and Quan
Recommendation: Adopt A Resolution Honoring And Recognizing The Life Of Mother
Mary Ann "Mother" Wright Upon Her Passing On May 7, 2009
(09-0450)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the May 14, 2009 Rules and Legislation Committee to place this item on the agenda for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to a purely ceremonial or commendatory action.

This item requires an urgency finding pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance requiring a 2/3 majority vote.

S-10.13-C Subject: Rehabilitation Of Sanitary Sewers - Andes Construction
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Award Of A Construction Contract
To The Lowest Responsive, Responsible Bidder, Andes Construction, Inc. For The
Rehabilitation Of Sanitary Sewers In An Area Bounded By Midvale Avenue, I-580
Freeway, Laurel Avenue And Carlsen Street (Project No. C227310) For The Amount Of
Two Million Two Hundred Five Thousand Three Hundred Fifty-Seven Dollars
(\$2,205,357.00)
(09-0274)

S-10.14-C Subject: 2009-2010 State Transportation Development Act Funding
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Apply For,
Accept, And Appropriate Up To One Hundred Seventy-Five Thousand Dollars
(\$175,000.00) In Fiscal Year 2009-2010 State Transportation Development Act Article 3

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Funds As Follows: (1) 27th Street/Bay Place Bikeway, Broadway To Grand Avenue, Seventy-Five Thousand Dollars (\$75,000.00); (2) On-Call Curb Ramp Program, Phase C, Fifty Thousand Dollars (\$50,000.00); And (3) Rehabilitation Of The Margarido Stair And The Eucalyptus Stair And Path, Fifty Thousand Dollars (\$50,000.00) And Waiving The 1.5% Public Art Fee For The Projects

[\(09-0340\)](#)

S-10.15-C Subject: East Oakland Community Library
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To Accept And Appropriate Four Hundred Ninety-Seven Thousand Sixty-Five Dollars (\$497,065.00) From The Oakland Unified School District For The East Oakland Community Library At 81st Avenue Project

[\(09-0341\)](#)

**The May 12, 2009 Public Works Committee approved recommendations; 4
Ayes**

S-10.16-C Subject: As-Needed Design Service - Intelligent Transportation Systems
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into Professional Service Agreements With Kimley-Horn And Associates, Inc., And KOA Corporation Inc. For As-Needed Design Services For Intelligent Transportation Systems (ITS) Projects In An Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000.00) Each, Respectively

[\(09-0342\)](#)

**The May 12, 2009 Public Works Committee approved recommendations; 4
Ayes**

S-10.17-C Subject: Dangerous And Insanitary Conditions At Various Buildings
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 6629 Deakin Street;
[\(09-0343\)](#)

2) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 2318-11th Avenue;
[\(09-0343-1\)](#)

3) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 1229 - 77th Avenue;
[\(09-0343-2\)](#)

4) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 2103 - 89th Avenue;
[\(09-0343-3\)](#)

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5) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 1120 Center Street;
(09-0343-4)

6) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 1908 - 47th Avenue;
(09-0343-5)

7) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 1628 - 86th Avenue;
And
(09-0343-6)

8) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 1771-83rd Avenue
(09-0343-7)

**The May 12, 2009 Public Works Committee approved recommendations; 4
Ayes**

S-10.18-C Subject: Intelligent Transportation System Equipment-Ray's Electric
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To The
Lowest Responsive, Responsible Bidder, Ray's Electric, For The Installation Of Various
Intelligent Transportation System Equipment In The City's Transportation Management
Center In Accord With Plans And Specifications For City Project No. C313910, And
Contractor's Bid Therefore, In The Amount Of Three Hundred Five Thousand One
Hundred Forty-Eight Dollars And Thirty- Eight Cents (\$305,148.38)
(09-0344)

**The May 12, 2009 Public Works Committee approved recommendations; 4
Ayes**

S-10.19-C Subject: Trucking Services - Summerhill Electric
C From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Waive
Advertising And Bidding For Trucking Services For The Transportation Of
Contaminated Soil From The Coliseum Bart Station Area Underground Utility District
No. 235 Project, Located On San Leandro Street, Between 66th Avenue And 73rd
Avenue, To State-Certified Dump Site Facilities, And Awarding A Contract To
Summerhill Electric In An Amount Not-To-Exceed One Hundred Twenty Thousand
Dollars (\$120,000.00) For Said Trucking Services In Accord With Plans And
Specifications For City Project No. C332110 And Contractor's Bid Dated April 2, 2009
(09-0353)

**The May 12, 2009 Public Works Committee approved recommendations; 4
Ayes**

S-10.20-C Subject: Purchase And Sale Agreement - Grand View Drive

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C From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The City Administrator To
Negotiate And Execute An Agreement To Sell Two City-Owned Surplus Real Properties
Located Between 1522 Grand View Drive And 1600 Grand View Drive To Pentaiah
Alisetty For One Hundred And Twenty Five Thousand (\$125,000) Dollars
(09-0258)

**The May 12, 2009 Finance and Management Committee approved
recommendations; 4 Ayes**

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

Final Passage (Second Reading) has been scheduled for June 2, 2009

S-10.21-C Subject: Workforce Investment Board Report
C From: Council President Jane Brunner
Recommendation: 1) Adopt The Following Pieces Of Legislation:

1) A Resolution Accepting, Appropriating, And Allocating \$6,287,521 In Fiscal Year
2008-2009 Workforce Investment Act Title 1 Funds, And Authorizing A) A
Memorandum Of Understanding With The Oakland Private Industry Council, Inc., (PIC)
To Serve As The Oakland Work Force Investment System Administrator For Fiscal Year
2008-2009 In An Amount Not To Exceed \$1,163,317, And B) A Memorandum Of
Understanding With The Oakland PIC To Serve As The One Stop Career Center
Operator For Fiscal Year 2008-2009 In An Amount Not To Exceed \$1,811,813 (TITLE
CHANGE)
(09-0061)

**The May 12, 2009 Community and Economic Development Committee
received the report and directed staff to Amend the Memoranda of
Understanding with the Oakland Private Industry Council, Inc. as System
Administrator and One Stop Career Center Operator to include the
Conflict of Interest language; and not as an addendum; 4 Ayes**

2) Adopt A Resolution Retroactively Approving Allocations Of Workforce Investment
Act Funds To Service Providers For Fiscal Years 2006-2007 And 2007-2008(TITLE
CHANGE)
(09-0061-1)

**The May 12, 2009 Community and Economic Development Committee
approved recommendations and directed staff to provide the following
information in future reports: 1) If the WIB plans to confirm temporary
contracts extensions to comeback prior to June 30, 2009 with an
explanation about extensions; 2) Draft proposals and reorganization
timelines (with dates) for the reorganization; and 3) The new RFP's for the
adult programs; 4 Ayes**

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C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Ordinance Authorizing The Sale Of (1) 2100 Telegraph Avenue In The Central District Redevelopment Project Area For \$7,000,000, (2) The Oakland Coliseum Intercity Rail Parking Lot At 73rd Avenue In The Coliseum Redevelopment Project Area For \$500,000, And (3) Vacant Land Located At The Southeast Corner Of 73rd Avenue And International Boulevard In The Coliseum Redevelopment Project Area For \$290,000, To The Redevelopment Agency; And
(09-0256)

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

Final Passage (Second Reading) has been scheduled for June 2, 2009

2) An Agency Resolution Authorizing The Purchase Of (1) 2100 Telegraph Avenue In The Central District Redevelopment Project Area For \$7,000,000, (2) The Oakland Coliseum Intercity Rail Parking Lot At 73rd Avenue In The Coliseum Redevelopment Project Area For \$500,000, And (3) Vacant Land Located At The Southeast Corner Of 73rd Avenue And International Boulevard In The Coliseum Redevelopment Project Area For \$290,000, From The City Of Oakland
(09-0256-1)

**The May 12, 2009 Community and Economic Development Committee
approved recommendations; 4 Ayes**

S-10.23-C Subject: West Oakland Neighborhood Project Initiative Program-Projects
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution (A) Authorizing Funding In An Amount Not To Exceed \$178,141 Under The West Oakland Neighborhood Project Initiative Program For 1) Installation Of A Dog Run At Grove Shafter Park, 2) Landscaping Of West Macarthur Boulevard Between Martin Luther King, Jr. Way And Market Street, 3) Installation Of Security Cameras At 801 West Macarthur Boulevard, 3rd And Lewis Street, And 1680 14th Street, 4) Upgrades To Community Farms At 16th And Center And 1240 18th Street, And 5) Seismic Retrofitting Of The "Black New World" Community Center At 840 Pine Street; (B) Authorizing A Contribution Of Agency Funds To The City Under The Cooperation Agreement In An Amount Not To Exceed \$90,000 For City Public Improvements Under The Program; And (C) Authorizing The Agency Administrator To Enter Into Agreements With Project Sponsors And Make Necessary Expenditures To Implement Projects Under The Program Without Returning To The Agency; And
(09-0268)

2) A Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$90,000 For City Public

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Improvements Within The West Oakland Redevelopment Project Area Under The Neighborhood Project Initiative Program, And Authorizing The City Administrator To Enter Into Agreements And Make Necessary Expenditures To Implement Projects Funded Under The Program Without Returning To The City Council
(09-0268-1)

The May 12, 2009 Community and Economic Development Committee approved recommendations; 4 Ayes

S-10.24-C Subject: 7th And Campbell Properties-Loan Agreements Modifications
C From: Community and Economic Development Agency
Recommendation: Adopt An Agency A Resolution Amending Resolution No. 2000-0055 C.M.S. To Reduce The Interest Rate To Three Percent For Site Acquisition Loans For 1662-1664 7th Street, 1666 7th Street, 1672 7th Street And 715 Campbell Street, And To Authorize A Loan To Local Initiatives Support Corporation Of Up To \$6,000 For Maintenance Costs For The Properties
(09-0269)

The May 12, 2009 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Abstention-Brunner

S-10.25-C Subject: International Boulevard Transit Oriented Development Plan
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of An Amount Not To Exceed \$30,000 From The Coliseum Redevelopment Project And \$10,000 From The Central City East Redevelopment Project To The City Of Oakland Under The Cooperation Agreement To Provide The Local Match For A Transportation Planning Grant For The International Boulevard Transit-Oriented Development Plan;
(09-0270)

2) A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$40,000 To Provide The Local Match For A Transportation Planning Grant For The International Boulevard Transit-Oriented Development Plan;
(09-0270-1)

3) A City Resolution Authorizing The Selection Of Consultant(s) And Award Of Professional Services Agreement(s) In An Amount Not To Exceed \$245,000 For Consulting Services For The International Boulevard Transit-Oriented Development Plan Without Further Council Action; And
(09-0270-2)

4) A City Resolution Authorizing The Execution Of Memorandums Of Understanding As Needed With Transform, The Association Of Bay Area Governments (ABAG) And/Or Other Agencies Participating In The Development Of The International Boulevard Transit-Oriented Development Plan

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(09-0270-3)

The May 12, 2009 Community and Economic Development Committee approved recommendations and directed staff to reach out to other organizations to provide Pro-Bono services to participate in the development of the International Boulevard Transit-Oriented Development Plan; 2 Ayes, 1 No-Reid, 1 Absent-Brunner

S-10.26-C Subject: Fox Theater Project Loan Amendment
C From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Amend Resolution No. 2008-0077 C.M.S. To: (1) Allow The Agency To Reduce The Loan Amount For Tenant Improvements To Fox Theater Master Tenant, LLC From \$2,700,000 To An Amount Not To Exceed \$1,400,000 And (2) Authorize Redirecting The Remaining \$1,300,000 Of The Original Loan Amount To A Loan Agreement With Friends Of The Oakland Fox To Fund Needed Tenant Improvements In The Fox Theater
(09-0357)

The May 12, 2009 Community and Economic Development Committee approved recommendations; 4 Ayes

S-10.27-C Subject: 2009-2010 Nutritious Meals For Head Start Program
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept And Appropriate The Child Care Food Program (CCFP) Grant From The California Department Of Education In An Estimated Amount Of \$375,000 To Provide Funding For Nutritious Meals For The City Of Oakland's Head Start Program For Program Year 2009-2010
(09-0241)

The May 12, 2009 Life Enrichment Committee approved recommendations; 4 Ayes

S-10.28-C Subject: 2009-2010 Grants For Child Development Services
C From: Department of Human Service
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Head Start Basic, Head Start Training And Technical Assistance, Early Head Start Basic, And Early Head Start Training And Technical Assistance Grants For Program Year 2009-2010 From The U.S. Department Of Health And Human Services, Administration For Children And Families (DHHS/ACF) In The Estimated Amount Of \$14,744,177, And Authorizing A Grant Agreement With The Unity Council For The Estimated Amount Of \$4,709,349 To Fund Child Development Services In Accord With Said Grants
(09-0242)

The May 12, 2009 Life Enrichment Committee approved recommendations; 4 Ayes

S-10.29-C Subject: 2009-2010 Child Development And Family Literacy Services

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C From: Department of Human Services
Recommendations: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate The California State Preschool Expansion Grant From The California Department Of Education In An Estimated Amount Of \$1,138,896 For Program Year 2009-2010, And Authorizing A Grant Agreement With The Unity Council For The Estimated Amount Of \$119,884 To Fund Child Development And Family Literacy Services In Accord With Said Grant (09-0243)

The May 12, 2009 Life Enrichment Committee approved recommendations; 4 Ayes

S-10.30-C Subject: 2009-2010 Permanent Access To Housing Program
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Grant Agreements With Agencies Selected Under The City Of Oakland 2009/2010 Request For Proposal Process For The Permanent Access To Housing (PATH) Strategy To Increase Permanent Supportive Housing Inventory, Provide Housing And Homeless Services To The Homeless (\$2,654,000) Starting July 1, 2009; To Allocate Match Funding To The East Oakland Community Project For The Operation Of The City's Families In Transition Program Funded By The U.S. Department Of Housing & Urban Development (HUD) (\$133,000) For Program Period Started March 1, 2009; To Allocate Match Funding To The East Oakland Community Project For The Operation Of The Matilda Cleveland Transitional Housing Program Funded By HUD (Up To \$52,750) For Program Period Starting October 1, 2009; To Allocate Match Funding To Anka Behavioral Health, Inc. For The Operation Of The City's Homeless Families Support Network Supportive Housing Program Funded By HUD (Up To \$250,000) For Program Period Started March 1, 2009; To Allocate Funds To Cover Lease Cost At The Matilda Cleveland Transitional Housing Facility For The 2009/2010 Fiscal Year (\$36,000) Starting July 1, 2009; To Allocate Funds To Fulfill The City's Annual Obligation To The Alameda County Everyone Home Plan And Alameda County Homeless Management Information System (\$51,000); And To Allocate Funds To The City's Hunger Program (\$40,000) (09-0266)

The May 12, 2009 Life Enrichment Committee approved recommendations and directed staff to submit a supplemental report including a brief summation for each entity that DHS has a contract with and the success/failure rate for each program; 4 Ayes

S-10.31-C Subject: Police Operations Against Human Trafficking
C From: Oakland Police Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Contribution Of Coliseum Redevelopment Funds In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) To The City, Under The Agency/City Cooperation Agreement, To Conduct Police Operations

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Against Human Trafficking On International Boulevard In The Coliseum Redevelopment Project Area; And

[\(09-0245\)](#)

2) A Resolution Authorizing Acceptance And Appropriation Of Redevelopment Agency Funds In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000), Under The Agency/City Cooperation Agreement, To Conduct Police Operations Against Human Trafficking On International Boulevard In The Coliseum Redevelopment Project Area

[\(09-0245-1\)](#)

**The May 12, 2009 Public Safety Committee approved recommendations; 4
Ayes**

S-10.32-C Subject: Alameda County Family Justice Center Agreement

C From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Partnership Agreement And An Occupancy Agreement With The Alameda County Family Justice Center ("ACFJC") In Which The ACFJC Will Provide And Maintain A Worksite For The Oakland Police Department's Child Abuse, Sexual Assault, And Domestic Violence Investigative Units For The Period Of January 1, 2009 Through December 31, 2009, At No Cost To The City Of Oakland

[\(09-0246\)](#)

**The May 12, 2009 Public Safety Committee approved recommendations; 4
Ayes**

S-10.33-C Subject: National Urban Search & Rescue - Memorandums Of Agreement

C From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Memorandums Of Agreement Regarding Participation In The National Urban Search & Rescue Response System With 1) The U.S. Department Of Homeland Security Acting Through The Federal Emergency Management Agency And The State Of California, And 2) Other Agencies And Personnel In Participating And Affiliated Relationships

[\(09-0218\)](#)

**The May 12, 2009 Public Safety Committee approved recommendations; 4
Ayes**

S-10.34-C Subject: Townsend Public Affairs Agreement

C From: Office of the Mayor

Recommendation: Adopt A Resolution Awarding A Contract To Townsend Public Affairs, Inc. To Serve As The City's State Legislative Representative For The Period Of November 1, 2008 Through October 31, 2010, A Period Of Two Years, In An Amount Of One Hundred Thirty Thousand Dollars (\$130,000) Per Year, For A Total Amount Not To Exceed Two Hundred Sixty Thousand Dollars (\$260,000.00), And Authorizing The City Administrator, Without Further Council Action, To Exercise An Option To Renew

SUPPLEMENTAL

The Contract For A Third Year Under The Same Terms, Conditions And Price, For A Total Amount Not-To-Exceed Three Hundred Ninety Thousand Dollars (\$390,000) For Three Years

(09-0355)

**The May 12, 2009 Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Excused-Reid**

S-10.35-C Subject: Support Of Assembly Bill 772
C From: Vice Mayor De La Fuente
Recommendation: Adopt A Resolution In Support Of Assembly Bill 772 (Ammiano)
"Local Government Identification Act," Which Would Authorize Counties To Establish
Municipal ID Programs

(09-0412)

**The May 12, 2009 Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Excused-Reid**

S-10.36-C Subject: Opposition To Assembly Bill 781
C From: Vice Mayor De La Fuente And Councilmembers Quan And Kernighan
Recommendation: Adopt A Resolution Opposing Assembly Bill 781 (Jeffries) "Public
Employment: Language" Relating To Bilingual Hiring Requirements In Local And State
Government Which If Enacted Would Hinder Oakland's Ability To Implement The
Equal Access To Services Ordinance (TITLE CHANGE)

(09-0423)

**The May 12, 2009 Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Excused-Reid**

- 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: S-4 Design Review Combining Zone
From: Vice Mayor Ignacio De La Fuente
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Interim
Ordinance, Recommended By The Planning Commission, Amending The Zoning Maps
For Two Years To Add The S-4 Design Review Combining Zone To The M-40 Heavy
Industrial Zone In The Area Where The Central Estuary Plan Is In Progress

(09-0205)

SUPPLEMENTAL

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

Final Passage (Second Reading) has been scheduled for June 2, 2009

- 14.2 Subject: Zoning Approvals
From: Council President Brunner & Councilmember Kernighan
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, Recommended By The City Planning Commission, Adopting An Interim Rule To Allow The Planning Director, Or Designee, Discretion To Approve Ground Floor Commercial Uses Of Less Than 10,000 Square Feet In The Central Business District Without A Conditional Use Permit
(09-0228)

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

Final Passage (Second Reading) has been scheduled for June 2, 2009

ACTION ON NON-CONSENT ITEMS:

- 15 Subject: Chapter 4.16 The Parking Tax - Municipal Code Amendment
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Amending Chapter 4.16 Of The Oakland Municipal Code To Exempt From The Parking Tax Occupants Who Pay Rent For Occupancy Of Spaces At Parking Stations Operated Exclusively For Large Diesel Trucks
(09-0206)

Pursuant to Rule 7, subpart 8 of the Council's Rules of Procedure Resolution 79006 C.M.S. Vice Mayor De La Fuente made a motion seconded by Councilmember Quan to pull this item from the May 5, 2009 Consent Calendar and place on this agenda as a Non-Consent item.

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

Final Passage (Second Reading) has been scheduled for June 2, 2009

SUPPLEMENTAL

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16 Subject: Lake Merritt BART Station Area Specific Plan
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

~~1) An Agency Resolution Authorizing A Contribution Of An Amount Not To Exceed Fifty Thousand Dollars (\$50,000) From The Central City District Redevelopment Project And Two Hundred Fifteen Thousand Dollars (\$215,000) From The Central District Redevelopment Project To The City Of Oakland Under The Cooperation Agreement To Fund The Development Of The Lake Merritt BART Station Area Plan And Environmental Document; And~~

~~(09-0247)~~

~~2) A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed Two Hundred Sixty Five Thousand Dollars (\$265,000) For The Development Of The Lake Merritt Bart Station Area Plan And Environmental Document, And Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Dyett & Bhatia For Development Of The Lake Merritt Bart Station Area Plan In An Amount Not To Exceed One Million Eighty Five Thousand Dollars (\$1,085,000)~~

~~(09-0247-1)~~

This item was withdrawn from this agenda and rescheduled to the June 2, 2009 City Council Agenda by the May 14, 2009 Rules and Legislation Committee

17 Subject: Oakland Army Base Final Reuse Plan
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Rescinding, Per Court Order:

(1) An Agency Resolution No. 2006-0084 ("A Resolution Amending The Oakland Army Base Final Reuse Plan") Regarding An Auto Mall Project As Described In Resolution No. 2006-0084

(2) Approval Of The 2007 Amendment To The Oakland Army Base Final Reuse Plan (Amended Reuse Plan) Per Agency Resolution No. 2007-0086 Only To The Extent The Amended Reuse Plan Refers, Relates Or Applies To The Auto Mall Project And/OR Relates To (A) Any Discharges From New Development Into The 15-Inch Sewer Line And/OR (B) Vacation And/OR Relocation Of Wake Avenue; And

~~(09-0332)~~

2) A City Resolution Rescinding, Per Court Order:

(1) Approval Of The 2007 Amendment To The Oakland Army Base Final Reuse Plan (Amended Reuse Plan) Per City Council Resolution No. 81004 C.M.S. Only To The Extent The Amended Reuse Plan Refers, Relates Or Applies To The Auto Mall Project

SUPPLEMENTAL

And/Or Relates To (A) Any Discharges From New Development Into The 15-Inch Sewer Line And/Or (B) Vacation And/Or Relocation Of Wake Avenue

(2) Certification Of The Supplemental Environmental Impact Report For The Oakland Army Base Auto Mall Project (SEIR) Per City Council Resolution No. 80301 C.M.S., Only To The Extent The SEIR Is Applicable To The Auto Mall Project And Purports To Provide Environmental Review And/Or Clearance Under The California Environmental Quality Act (CEQA) For (A) Any Discharges From New Development Into The 15-Inch Sewer Line And/Or (B) Vacation And/Or Relocation Of Wake Avenue

(3) Certification Of The First Addendum To The SEIR For The Oakland Army Base Auto Mall Project (Addendum) Per City Council Resolution No. 81004 C.M.S., Only To The Extent The Addendum Is Applicable To The Project And/Or Purports To Provide Environmental Review And/Or Clearance Under CEQA For (A) Any Discharges From New Development Into The 15-Inch Sewer Line And/Or (B) Vacation And/Or Relocation Of Wake Avenue

[\(09-0332-1\)](#)

- 18 Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")

[\(09-0188\)](#)

The May 12, 2009 Life Enrichment Committee directed staff to present a report at the full Council on the specific grants that are being pursued with the School District and other entities (i.e. Port of Oakland, Community Colleges) and to include what collaborations can be made with the City of Oakland

- S-18.1 Subject: Green Jobs Corps Training
From: Office of the City Administrator
Recommendation: Discussion And Possible Action On A Report On The California Green Jobs Corps Pilot Program To Train At-Risk Youth For Technical, Construction And Other Skilled Jobs In Eco-Friendly Industries Expected To Help Fuel Economic Recovery, As Part Of The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")

[\(09-0418\)](#)

The May 12, 2009 Community and Economic Development Committee received and forwarded the report and directed staff to provide information about Oakland's Green Job Program; 4 Ayes

- 19 Subject: Landmark Preservation Advisory Board Appointments
From: Office of the Mayor
Recommendation: Adopt a Resolution Confirming The Mayor's Appointment Of Daniel Schulman, Anna Naruta And Valerie Garry, And The Re-Appointment Of Delphine Prevost And Kirk Peterson, As Members Of The Landmark Preservation Advisory Board

SUPPLEMENTAL

(09-0376)

- 20 Subject: Children's Fund Planning And Oversight Committee
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution Appointing Maya Dillard Smith As A Member
Of The Children's Fund Planning And Oversight Committee

(09-0419)

- 21 Subject: Wildfire Prevention District Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Appointing Charles L. Bowes As A Member Of
The Wildfire Prevention Assessment District Advisory Board

(09-0425)

- 22 Subject: Library Advisory Commission Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Appointing Linda White Taylor As A Member
Of The Library Advisory Commission

(09-0426)

- ~~23 Subject: City Planning Commission Appointments
From: Office of the Mayor
Recommendation: Adopt A Resolution Appointing Vien V. Troung, Amanda J.
Monchamp, Sean Heron And Re-Appointing Michael Colbruno, As Members Of The
City Planning Commission~~

~~(09-0427)~~

**This item was withdrawn from this agenda by the May 14, 2009 Rules and
Legislation Committee**

- S-24 Subject: Third Quarter Revenue And Expenditure Results
From: The Budget Office
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of Redevelopment Agency Funds
To The City Under The Cooperation Agreement For The Nuisance Abatement Program
For Fiscal Year 2008-2009 In The Amount Of \$135,834; And

(09-0244)

2) A Resolution Authorizing Acceptance And Appropriation Of A Contribution Of
Redevelopment Agency Funds To The City Under The Cooperation Agreement For The
Nuisance Abatement Program For Fiscal Year 2008-2009 In The Amount Of \$135,834

(09-0244-1)

3) A Resolution Authorizing Balancing Measures to Address The Fiscal Year 2008-2009
Projected Deficit In The General Purpose Fund

(09-0244-2)

**The May 12, 2009 Finance and Management Committee approved
recommendations and amended Exhibit A to the resolution under**

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“citywide balancing measures” to remove the 3 additional mandatory business shutdown days. The Committee also directed staff to provide a supplemental report on the following 1) Specifically what City Attorney expenses are being transferred over from the GPF to the Self-Insurance Fund; and 2) Additional information on the City Attorney's budget; 4 Ayes

This item requires an urgency finding pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance requiring a 2/3 majority vote.

S-25 Subject: Receipt And Distribution Of Passes And Tickets
From: Office of the City Attorney
Recommendation: Adopt A Resolution Enacting A Policy For The Receipt And Distribution Of Passes And Tickets By City Of Oakland Officials And Repealing Resolution Number 75052 C.M.S., Adopted June 15, 1999
(09-0363)

The May 12, 2009 Finance and Management Committee approved recommendations; 4 Ayes

S-26 Subject: Support Of Assembly Bill 603
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution To Support Assembly Bill 603 (Price) To Add Tenant Protections In Foreclosure Situations
(09-0422)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the May 14, 2009 Rules and Legislation Committee to place this item on the agenda for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting

This item requires an urgency finding pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance requiring a 2/3 majority vote.

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)

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[\(...\)](#)

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

LATONDA SIMMONS

Agency Secretary/City Clerk

and Clerk of the Council

ORA - Oakland Redevelopment Agency

S - Supplemental Item