



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 04, 2010

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: 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 ACTIONS ON SPECIAL ORDERS OF THE DAY
(Ceremonial Presentations, Reports/Presentations from the Mayor, Council
Acknowledgements/Announcements):

4.1 Subject: 17th Annual Bike to Work Day
From: Council President Brunner
Recommendation: Adopt A Resolution Proclaiming Thursday, May 13, 2010, As The

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Leadership In Energy And Environmental Design Commercial Interiors Program For The KEMA Oakland Office At 155 Grand Avenue;

[\(09-1352-3\)](#)

5) Recognizing Oakland Property LLC And The Entire Project Team Including Beacon Capital Partners, LLC; CAC Real Estate Management Co., Inc; Able Engineering; And KEMA For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Existing Buildings: Operations And Maintenance Program For The Lake Merritt Plaza At 1999 Harrison Street;

[\(09-1352-4\)](#)

6) Recognizing Resources For Community Development And The Entire Project Team Including Pyatok Architects; JH Fitzmaurice Construction; And The John Stewart Company For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Greenpoint Rating Through Build It Green For Fox Courts;

[\(09-1352-5\)](#)

7) Recognizing Habitat For Humanity East Bay And The Entire Project Team Including Gary Struthers, AIA For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design For Homes Program For Three Buildings And A Greenpoint Rating For Eight Buildings Through Build It Green In The Edes Avenue Development:

[\(09-1352-6\)](#)

8) Recognizing Ellis Partners LLC, Transbay Holdings LLC And The Entire Project Team Including: RMW Architecture; Steve Worthington Architecture; Howard S. Wright; Taylor Engineering; Engineering Enterprise And KEMA For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Silver Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Core And Shell Program For The Jack London Market; And

[\(09-1352-7\)](#)

9) Recognizing The East Bay Asian Local Development Corporation And The Entire Project Team Including SGPA Architects And Planning; Branagh Inc; Union Bank; Silicon Valley Bank; Oakland Housing Authority; Federal Home Loan Bank; And Bay Area Local Initiatives Support Corporation For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Greenpoint Rating Through Build It Green For Jack London Gateway Senior Housing

[\(09-1352-8\)](#)

4.4

Subject: Oakland Public Works Week

From: Public Works Agency

Recommendation: Adopt A Resolution Proclaiming The Week Of May 16 - 22, 2010 As Oakland Public Works Week

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(09-1276)

S-4.5 Subject: Affordable Housing Week
From: Council President Brunner
Recommendation: Adopt A Resolution Proclaiming The Week Of May 7 To May 16,
2010, Affordable Housing Week In The City Of Oakland
(09-1425)

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

5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETINGS
OF THE March 16, 2010 and April 20, 2010

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
(09-1386)

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
(09-1387)

7.3-CC Subject: Hepatitis B Awareness Week
From: Council President Brunner
Recommendation: Adopt A Resolution Declaring The Week Of May 16 Through 22,
2010 As Hepatitis B Awareness Week In The City Of Oakland And Encouraging
Residents To Support Programs To Promote Awareness And Treatment Of The Disease
In Oakland And Throughout Northern California
(09-1350)

7.4-CC Subject: Quan Pay-Go Funds
From: Vice Mayor Quan
Recommendation: Adopt A Resolution Authorizing A Grant Of \$1,000.00 From
Councilmember Jean Quan's Pay-Go Funds To The Woodminster Merchants Association
For The Purchase Of A Woodminster District Sign
(09-1380)

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7.5-CC Subject: Land Located at 8000 Joe Morgan Way,
From: Community And Economic Development Agency
Recommendation: Adopt An City Ordinance Authorizing The Sale Of The City's
Interest In Land Located At 8000 Joe Morgan Way, Adjacent To The Oakland-Alameda
County Coliseum Complex In The Coliseum Redevelopment Project Area, To The
Redevelopment Agency Of The City Of Oakland For \$3,500,000
(09-1278)

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE OF THE
ORDINANCE.**

**Introduction (First Reading) was approved April 20, 2010; 7 Ayes, 1
Excused - Brooks.**

7.6-CC Subject: Buddhist Church of Oakland - Landmark Designation
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Designating The Buddhist Church Of Oakland
825 Jackson Street As A Landmark Pursuant To Section 17.136.070 Of The Oakland
Planning Code
(09-1279)

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE OF THE
ORDINANCE.**

**Introduction (First Reading) was approved April 20, 2010; 7 Ayes, 1
Excused - Brooks**

7.7-CC Subject: Municipal Code Amendment - Cabarets
From: Councilmember Nadel
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 5.12, "Cabarets" To 1)
Update The Definition Of A Cabaret, 2) Streamline The Cabaret Permit Process, And 3)
Allow The Issuance Of Extended Hours Permits To Cabarets Within The Central District
To Remain Open Past 2 A.M. Through A Two-Year Pilot Program (TITLE CHANGE);
And
(09-0623)

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE OF THE
ORDINANCE.**

**Introduction (First Reading) was approved as amended on April 20, 2010;
7 Ayes, 1 Excused - Brooks.**

**The April 20, 2010 City Council meeting amended the ordinance in 1)
Section 5.12.040 "G" : Strike the sentence "if it is not practical to conduct
an administrative hearing within the required time, the suspension must be**

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lifted until such time as hearing can be held". Add the following language "If such suspension was the result of violent crime, narcotic related crime, melee, or gang activity emanating from or occurring on the premises the suspension shall not removed until a final decision from the hearing officer has been rendered. All other suspensions may be removed prior to the hearing if the hearing has been rendered. All other suspensions may be removed prior to the hearing if the hearing cannot be held within 10 days although the decision of the hearing officer may include additional suspension or revocation of the permit; And 2) Section 5.12.020 "C": Add additional language concerning Conditional Use Permits and Alcoholic Beverage Control Licenses and more detail for establishments with occupancy of 50 and less

The City Council directed staff to return with a future report on the requirements for establishments with occupancy under fifty (50)people

The City Council further directed staff to return with a follow-up report on the status of the Cabaret "Extended Hours" Pilot Program

2) An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Set And Change Fees For Annual Cabaret Permits And Extended Hours Cabarets Permits(TITLE CHANGE)
(09-0623-1)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE OF THE ORDINANCE.

Introduction (First Reading) was approved on the April 20, 2010; 7 Ayes, 1 Excused - Brooks.

7.8-CC

Subject: Installation of Additional Parking Meters
From: Finance And Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing Installation of Additional Parking Meters In The City Of Oakland And Adding Locations For Additional Meters To Approved Meter Zones; And
(09-1099)

The City Council directed staff to return with a furture report for alternative locations and price points for Districts 2,6, and 7 (DO NOT INCLUDE NEW PARKING METER LOCATIONS FOR DISTRICTS 1, 3, 4, and 5)

The City Council directed staff to amend the Resolution to keep parking meter locations for districts 1, 3, 4, and 5. ; 5 Ayes, 2 Noes - De La Fuente, Brunner; 1 Excused - Brooks.

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Segments To The Established Parking Meter Zones Throughout The City Of Oakland
(09-1099-1)

The City Council further directed staff to return with a future report for alternative locations and price points for Districts 2,6, and 7 (DO NOT INCLUDE NEW PARKING METER LOCATIONS FOR DISTRICTS 1, 3, 4, and 5)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE OF THE ORDINANCE.

Introduction (First Reading) was approved April 20, 2010 as amended to only keep parking meter locations for districts 1, 3, 4, and 5. ; 5 Ayes, 2 Noes - De La Fuente, Brunner; 1 Excused - Brooks.

7.9-CC

Subject: Establishing A Fiscal Policy
From: Councilmember De La Fuente
Recommendation: Adopt An Ordinance Amending Ordinance No. 12496 C.M.S. Which Sets Forth The City Council's General Purpose Fund (GPF) Financial Policies To Add A Fiscal Policy Requiring That Before The City Council Takes Any Action That Has A Fiscal Impact Or Cost, The Council Must (1) Identify And Approve The Funding Source To Fully Fund The Cost Of The Proposed Council Action, Such As The Approval Of Or Changes To A Policy, Program, Services, Or Positions; And (2) Make Any Adjustments To The Budget That Are Necessary To Maintain A Balanced Budget; And Setting Forth The Council's GPF Financial Policies In Their Entirety, As Amended (TITLE CHANGE)
(09-1171)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE OF THE ORDINANCE.

Introduction (First Reading) was approved as amended April 20, 2010; 7 Ayes, 1 Excused - Brooks.

7.10-CC

Subject: Environmental Monitoring Costs At Spunkmeyer Field
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Settlement Agreement In The Amount Of \$36,900, With The Port Of Oakland To Cover A Portion Of The Environmental Monitoring Costs At Spunkmeyer Field
(09-1326)

Council discussed this item in closed session on March 2, 2010. Motion Authorizing settlement passed by unanimous vote: 8 Ayes

7.11-CC

Subject: Municipal Clerk's Week
From: Office of the City Clerk
Recommendation: Adopt A Resolution Declaring May 2, 2010 Through May 8, 2010 As Municipal Clerk's Week
(09-1403)

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7.12-CC Subject: Vacant Land Located On 66th Avenue At Joe Morgan Way
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The Sale Of Vacant Land Located
On 66th Avenue At Joe Morgan Way, Adjacent To The Oakland-Alameda County
Coliseum Complex In The Coliseum Redevelopment Project Area, To The
Redevelopment Agency Of The City Of Oakland For \$1,000,000
(09-1222)

**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE OF THE
ORDINANCE.**

**Introduction (First Reading) was approved April 20, 2010; 7 Ayes, 1
Excused - Brooks.**

S-7.13-CC Subject: Citywide Parking Policy
From: Community And Economic Development Agency
Recommendation: Recieve An Informational Report On The Status Of A City-wide
Parking Study
(09-1343)

**The April 27, 2010 Public Works Committee received and forwarded the
report; 4 Ayes**

S-7.14-CC Subject: Create The Department Of Engineering And Construction
From: Public Works Agency
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland
Municipal Code, Entitled, "City Agencies, Departments And Offices", Which
Established The Organizational Structure Of The City Under The City Administrator's
Jurisdiction In Accordance With The Requirements Of City Charter Section 600, To
Transfer The Department Of Engineering And Construction From The Communtiy And
Economic Development Agency To The Public Works Agency
(09-1381)

**The April 27, 2010 Public Works Committee agenda approved
recommendations; 4 Ayes**

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION OF
THE ORDINANCE**

Final Passage (Second Reading) has been scheduled for May 18, 2010

S-7.15-CC Subject: Preliminary Annual Report - WPAD
From: Budget Office
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance
Of The Fiscal Year 2010-2011 Preliminary Annual Report For The City Of Oakland
Wildfire Prevention Assessment District And Setting June 1, 2010 As The Date For A
Public Hearing

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(09-1287)

The April 27, 2010 Finance and Management Committee approved recommendations; 4 Ayes

S-7.16-CC Subject: Various Providers Of Chemical Dependency
From: Department of Human Resources Management
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute Agreements Between The City of Oakland And (1) Merritt Peralta Institute/Summit Medical Hospital, (2) New Bridge Foundation And (3) Recovery Management Services For An Amount Not To Exceed \$50,000 Each Per Fiscal Year Covering The Period 2009-2012 For A Total Amount Not To Exceed \$450,000

(09-1151)

The April 27, 2010 Finance and Management Committee approved recommendations; 4 Ayes

S-7.17-CC Subject: 2010-2011 Preliminary Engineer's Report - LLAD
From: Budget Office
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The Fiscal Year 2010-2011 Preliminary Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District And Setting June 1, 2010 As The Date For A Public Hearing

(09-1288)

The April 27, 2010 Finance and Management Committee approved recommendations; 4 Ayes

S-7.18-CC Subject: Summer Food Service Program
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate The Summer Food Service Program Grant From The California Department Of Education Nutrition Services Division In An Estimated Amount Of \$319,000 And To Negotiate And Execute A Professional Service Agreement Between The City And The San Lorenzo Unified School District In An Amount Not To Exceed \$230,000 And To Negotiate And Execute A Professional Service Agreement Between The City And Revolution Foods In An Amount Not To Exceed \$280,000 And To Apply For, Accept, And Appropriate An \$18,000 Grant From Kaiser Permanente Regional Community Benefit Program And To Apply For, Accept, And Appropriate A \$7,000 Donation From The East Bay Community Foundation For The 2010 Summer Food Service Program.[TITLE CHANGE]

(09-1245)

The April 27, 2010 Life Enrichment Committee approved Option B from staff's recommendation to split the contract 50/ 50 between San Lorenzo Unified School District and Revolution Foods based on securing \$18,000 from Kaiser Permanente; 4 Ayes

S-7.19-CC Subject: 17th Street Gateway Project

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From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Dan Corson In An Amount Not To Exceed Six Hundred Thousand Dollars (\$600,000) For Public Art Design Fabrication And Installation Services For The BART 17th Street Gateway Project
(09-1317)

The April 27, 2010 Life Enrichment Committee approved recommendations; 4 Ayes

S-7.20-CC Subject: 2010 Public Art Projects Plan
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution To Adopt The 2010 Public Art Projects Plan
(09-1318)

The April 27, 2010 Life Enrichment Committee approved recommendations but amended the plan to remove the first 2 sentences of the 3rd paragraph on page 3. Staff was further directed to include in future plan funding for neighborhood art; 4 Ayes

S-7.21-CC Subject: OPD Overtime Costs - Reimbursement Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee To Accept And Appropriate Reimbursement Funds In An Amount Not-To-Exceed Fifty-Five Thousand Dollars (\$55,000) In Federal Funds From The Department Of Justice, United States Drug Enforcement Administration (USDEA) To The Oakland Police Department (OPD) In Overtime Costs For (1) Lieutenant, (1) Sergeant, And (8) Police Officers, And Rental Vehicle Expenses For The Period Of March 18, 2010, Through December 31, 2010 For Work Associated With The USDEA San Francisco Metro Task Force (DEA Task Force) For A Narcotics Investigation
(09-1319)

The April 27, 2010 Public Safety Committee approved recommendations; 4 Ayes

S-7.22-CC Subject: Amending O.M.C 9.08.080 - Immoral Dress
From: Councilmember Kaplan
Recommendation: Adopt An Ordinance Amending Section 9.08.080 Of The Oakland Municipal Code To Delete The Language That Makes It Unlawful To Dress In Attire Of A Person Of The Opposite Sex
(09-1301)

The April 27, 2010 Public Safety Committee approved recommendations; 4 Ayes

ACTION ON THIS ITEM WILL RESULT ON INTRODUCTION OF THE ORDINANCE.

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Final Passage (Second Reading) has been scheduled for May 18, 2010

S-7.23-CC Subject: Detailing Service Implications - OPD
From: Oakland Police Department
Recommendation: Receive An Informational Report From The Oakland Police Department Detailing Service Implications Associated With Eliminating The Abandoned Auto Detail, And Any Considerable Options To Continue To Provide Abandoned Auto Detail Services Should Said Cut Occur, And How The Options Will Effect Overall Police Service Delivery
(09-1248)

The April 27, 2010 Public Safety Committee received and forwarded; 4 Ayes

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 9. CONSIDERATION OF NON-CONSENT CALENDAR ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS

9.1 Subject: Major Conditional Use Permit - 6400 Shattuck Avenue
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing To Consider A Major Conditional Use Permit And Variance At 6400 Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity And Adopting One Of The Following Two Alternative Resolutions:

1) A Resolution Denying The Appeal (A09-220), Thereby Upholding The Planning Commission Decision To Approve A Major Conditional Use Permit And Variance At 6400 Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity; Or
Alternatively,
(09-1133)

2) A Resolution Upholding And Approving The Appeal (Case No. A09-220), Thereby Reversing The Planning Commission Decision And Denying The Major Conditional Use Permit And Variance At 6400 Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity
(09-1133-1)

9.2 Subject: UCOP Garage With SKS Broadway - Agreement
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Amendments To The Owner Participation Agreement For The 1100 Broadway Redevelopment Project And The Purchase And Sale Agreement For The University Of California Office Of The President

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Garage With SKS Broadway, LLC, To Extend Development And Purchase Deadlines
[TITLE CHANGE]
(09-1239)

9.3 Subject: U.S. Department Of Housing - Consolidated Plan
From: Community And Economic Development Agenda
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution 1) Authorizing The City Administrator To Prepare And Submit To The U.S. Department Of Housing And Urban Development The Consolidated Plan For Fiscal Years 2010-2015 And The Annual Action Plan For Fiscal Year 2010-2015; 2) Accepting And Appropriating Funds Totaling \$16,439,906 For The Home, Emergency Shelter Grant (ESG), Housing Opportunities For Persons With Aids (HOPWA), And The Community Development Block Grant Programs; 3) Appropriating \$670,480 In Program Income And Any Amounts In Excess Thereof For Housing Rehabilitation Revolving Loan Fund; 4) Reprogramming Fiscal Year 2007-2009 And Fiscal Year 2009-2011 Cdbg Funds In The Amount Of \$219,671; And 5) Reprogramming Home Funds In The Amount Of \$167,862; And
(09-1240)

The April 27, 2010 Community and Economic Development Committee approved recommendation and amended the resolution to include \$112,000 dollars in funding for the Josie De La Cruz Park.

The Committee further directed staff to submit a supplemental report with information on what types of services each program provides that receive Federal grant awards from Home Investment Partnerships (HOME), Emergency Shelter Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA); 3 Ayes; 1 Excused - Reid

2) A Resolution Authorizing A Loan In An Amount Not To Exceed \$200,000 To Resources For Community Development Under The HUD Neighborhood Stabilization Program For The Acquisition And Rehabilitation Of The Marin Way Court Project Located At 2000 International Boulevard, And Authorizing Loan Extensions And Changes In Terms For Existing City Loans For The Project; And
(09-1240-1)

The April 27, 2010 Community and Economic Development Committee approved recommendation; 3 Ayes; 1 - Excused - Reid

3) A Resolution Authorizing A Loan In An Amount Not To Exceed \$1,159,031 To East Bay Asian Local Development Corporation Under The HUD Neighborhood Stabilization Program For The Acquisition And Rehabilitation Of The Drasnin Manor Apartments Located At 2530 International Boulevard
(09-1240-2)

The April 27, 2010 Community and Economic Development Committee approved recommendation; 3 Ayes; 1 - Excused - Reid

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9.4 Subject: Coliseum Redevelopment Project Area
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation

1) An Agency Resolution Allocating Funding In An Amount Not To Exceed \$180,000 Under The Coliseum Redevelopment Neighborhood Project Initiative (NPI) Program For (1) Art Garden Beautification Project At Peterson Street Between Ford Street And Chapman Street (2) Street Banners Beautification Project Along International Boulevard In The Fruitvale District (3) Mural Beautification Project At 1446 High Street (4) Improvements To Rainbow Recreation Center At 5800 International Boulevard (5) Corridor Beautification Project Along International Boulevard From 67TH Avenue To 72nd Avenue (6) Street Banners And Light pole Painting Beautification Project Along International Boulevard In The Elmhurst District (7) Interior And Exterior Improvements To The East Oakland Boxing Community Center At 816 98th Avenue; And (8) Landscaping Improvements To Sobrante Park, And Authorizing A Contribution Of Agency Funds In An Amount Not To Exceed \$74,000 To The City Under The Cooperation Agreement For The Rainbow Recreation Center And Sobrante Park Improvements; And
(09-1219)

The April 27, 2010 Community and Economic Development Committee approved recommendations and amended the resolution as follows: 1) Remove the \$28,000 dollars in grant funds from the High Street Mural; 2) Re-issue the RFP just for \$28,000 and High Street area to select a new project(s)(As long as the selected project is approved by the Area 4 SDS Team and is determined by the City Attorney's Office to meet all program criteria) and 3) The grant will not return to Council for approval, unless the grant involves improvements to public land, in which case the grant would return to Council for approval and required findings; 4 Ayes

2) A Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$74,000 For (1) Improvements To The Rainbow Recreation Center At 5800 International Boulevard, And (2) Landscaping Improvements To Sobrante Park At 470 El Paseo Drive Within The Coliseum Redevelopment Project Area Under The Neighborhood Project Initiative (NPI) Program
(09-1219-1)

The April 27, 2010 Community and Economic Development Committee approved recommendations; 4 Ayes

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

S-10 Subject: Denouncing Senate Bill 1070
From: Councilmembers Brunner, Quan and De La Fuente
Recommendation: Adopt A Resolution Denouncing Senate Bill 1070, A Law That Seeks To Implement Arizona's Own Scheme Of Immigration Regulation That Will

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Inevitably Lead To Racial Profiling Of People Of Color And Limited English Proficient Persons, And Calling For A Boycott Of The State Of Arizona And Arizona-Based Businesses
(09-1424)

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

11 Subject: Development Of The Countywide Transportation Plan

From: Councilmembers Reid and Kaplan

Recommendation: Receive An Update On The Development Of The Countywide Transportation Plan, Funding Strategies And Opportunities
(09-1371)

2) A Resolution To Approve The Creation Of The Alameda County Transportation Commission Of The Joint Powers Agreement And Approval Of Amendment To Joint Powers Agreement For Alameda County Congestion Management Agency
(09-1374)

12 Subject: Voting Outreach And Education Campaign Fund

From: Councilmembers De La Fuente and Kaplan

Recommendation: Adopt An Ordinance Suspending For The 2010 Municipal Election The City Of Oakland's Limited Public Financing Program (Chapter 3.13 Of The Oakland Municipal Code) And Authorizing The Transfer Of \$100,000 From The Election Campaign Fund To The Instant Run-Off Voting (IRV) Outreach And Education Campaign Fund For The November 2010 Municipal Election. And Authorizing The City Administrator To Issue An Expedited RFQ Within 30 Days, To Community Non Profit Organizations With Demonstrated Ability, Expertise And Successful History Of Reaching And Working Effectively In And With Low Voter Propensity Communities, In A Culturally Competent Manner For The Purposes Of Targeted Ranked Choice Voting (RCV)/Instant Run Off Voting (IRV) Outreach And Education (TITLE CHANGE)
(09-1186)

Pursuant to Rule 29, of the Council's of Procedures, Resolution Number 82580 C.M.S, and the City Charter Section 200, the Mayor appeared before the City Council and cast his tie breaking vote in favor of the SUBSTITUTE motion that amended the ordinance to allocate \$100,000 of 2010 Campaign Contribution funds from the District races of 2, 4 and 6 to a Ranked Choice voting Education Fund, with the requirement that the City determine which entities/organizations will receive the funds to perform voter education by utilizing an expedited Request For Proposals within 30 days of final passage and further requiring that the selected organizations only disseminate Ranked-Choice Voting information accepted as a friendly amendment from Councilmember Nadel.

The final vote on the item passed with Ayes: Quan, Nadel, Kernighan, Brunner, Mayor Dellums - 5 Noes: Kaplan, Brooks Reid and De La Fuente

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**ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE OF THE
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**Introduction (First Reading) was approved as amended April 20, 2010; 5
Ayes, 4 Noes - Kaplan, Brooks, Reid and De La Fuente**

- 13 ~~Subject: OFCY Committee Appointment~~
~~From: Office Of The Mayor~~
~~Recommendation: Adopt A Resolution Appointing Nina Horne As A Member Of The~~
~~Children's Fund Planning And Oversight Board~~
~~(09-1404)~~
- 14 ~~Subject: Measure Z Appointment - Dhar Mann~~
~~From: Councilmember Brooks~~
~~Recommendation: Adopt A Resolution Appointing Dhar Mann As A Member Of The~~
~~Measure Z Community Oversight Committee, To Oversee The Implementation Of The~~
~~Oakland Cannabis Regulation And Revenue Ordinance~~
~~(09-1275)~~
- 15 ~~Subject: Violence Prevention And Public Safety Committee Appointment~~
~~From: Office Of The Mayor~~
~~Recommendation: Adopt A Resolution Reappointing Nicole R. Lee As A Member Of~~
~~The Violence Prevention And Public Safety Committee~~
~~(09-1407)~~
- 16 ~~Subject: Wildfire Prevention Appointment~~
~~From: Office Of The Mayor~~
~~Recommendation: Adopt A Resolution Appointing Dinah Fischbach Benson As A~~
~~Member Of The Wildfire Prevention Assessment District Advisory Board~~
~~(09-1408)~~
- 17 ~~Subject: Budget Advisory Committee~~
~~From: Office Of The Mayor~~
~~Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of~~
~~Kenneth Benson, Michael Killian And Sherbeam Wright As Members Of The Budget~~
~~Advisory Committee~~
~~(09-1409)~~
- 18 ~~Subject: Cultural Affairs Commission Appointment~~
~~From: Office Of The Mayor~~
~~Recommendation: Adopt A Resolution Appointing Georgia Fraizer As A Member Of~~
~~The Cultural Affairs Commission~~
~~(09-1410)~~
- 19 ~~Subject: Parks and Recreation Advisory Commission~~
~~From: Office Of The Mayor~~
~~Recommendation: Adopt A Resolution Appointing Ellen Wu As A Member Of The~~
~~Parks And Recreation Advisory Commission~~

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Redevelopment Agency / City Council

Tuesday, May 04, 2010

[\(09-1411\)](#)

20 Subject: ~~Youth Advisory Commission – District 6 Appointment~~
From: ~~Councilmember Brooks~~
Recommendation: ~~Adopt A Resolution Appointing Olivia Lucas As The District 6
Representative To The Youth Advisory Commission~~

[\(09-1322\)](#)

**Items 13-20 were withdrawn at the April 29, 2010 Rules and Legislation
Committee meeting**

S-21 Subject: Increasing The Sewer Service Charge - OMC Amendment
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Of Intention To Amend Chapter 13 Of The
Oakland Municipal Code Increasing The Sewer Service Charge, Initiating A Majority
Protest Proceeding Under Article XIII-D Of The California Constitution, And Setting
The Date For A Public Hearing To Consider Sewer Service Charge Increase

[\(09-1299\)](#)

**The April 27, 2010 Public Works Committee approved recommendations
and amended the resolution to include an additional 4th year at 16% for
the rate increase for a Single Family Dwelling of Sewer Service Charges.**

**The Committee further directed a supplemental report with the following
information: 1) Cost Analysis of the Sewer Service Charge for each year
(including the consultants' analysis); and 2) A description of what impacts
public will see; 4 Ayes**

S-22 Subject: Fee Charge Associated With False Alarm Services
From: Oakland Police Department
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Ordinance Amending Oakland Municipal Code (OMC) Chapter 8.02, Burglar
Alarm Systems, To Modify Alarm Company Responsibilities; And

[\(09-1223\)](#)

**The April 27, 2010 Finance and Management Committee approved
recommendations and amended the Ordinance to delete the line under
Section 3 8.02.050 “Alarm Company Business Responsibilities” and under
Section G. delete “prior to” and add “within (30) days of the installation of
a new alarm system”. Staff also directed to provide in a supplemental
report what the savings would be to the city if staff mails out renewal
notices.; 4 Ayes**

2) An Ordinance Amending Ordinance No. 12809 (Master Fee Schedule) To Create A
Fee Associated With Failure To Report Discounted Alarm Users

[\(09-1223-1\)](#)

**The April 27, 2010 Finance and Management Committee approved
recommendation and directed staff to return with a separate report for the**

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reduced Senior permit fees being implemented and add it to the Master Fee Schedule The committee further directed to provide a revised copy of the education materials mailed to customers regarding renewing their alarm services.; 4 Ayes

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION OF
THE ORDINANCES**

Final Passage (Second Reading) has been scheduled for May 18, 2010

S-23 Subject: Assembly Bill 2567
From: Councilmember Kaplan
Recommendation: Adopt A Resolution To Support Assembly Bill 2567, Authorizing Local Public Agencies To Install And Operate Automated Parking Enforcement Systems As Part Of Public Agency Street Sweepers
(09-1296)

**The April 29, 2010 Rules and Legislation Committee approved
recommendations; 3 Ayes, 1 Abstain - Brunner**

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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(TTD)

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(...)

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

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Tuesday, May 04, 2010

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