

SUPPLEMENTAL

City of Oakland

Meeting Agenda

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk



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

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

City of Oakland Website: <http://www.oaklandnet.com>

Thursday, July 22, 2010

5:30 PM

City Council Chambers - 3rd Floor

- 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 Subject: Just Cause For Eviction Ordinance
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Submitting Amendments to the Just Cause for Eviction Ordinance, On The City Council's Own Motion, To The Electors At The November 2, 2010 Statewide General Election, To Clarify the Original Intent of that Ordinance Regarding Vacating Tenants From Nonconforming (Illegal) Rental Units and Adding Additional Requirements Thereto, To Set Out the Rent Board's Existing Implied Regulatory Authority into the Ordinance, and To Expand the City Council's Authority to Revise the Ordinance in the Event Any Provision is Prospectively Found Invalid by a Court or Is Affected by State Law; Consolidating The Election With The Statewide General Election; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 2, 2010, Statewide General Election
[\(09-1631\)](#)
- 5 Subject: Tax Cannabis
From: Councilmember Kaplan
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Submitting, On The Council's Own Motion, To The Voters At The November 2, 2010 Statewide General Election, A Proposed Ordinance Amending The City's Business Tax, Chapter 5.04 Of The Oakland Municipal Code, To Increase The Business Tax Rate For Cannabis Businesses From \$18.00 Per \$1,000 Of Gross Receipts To [E.G., \$80.00 Or, \$100.00 Or \$112.00] Per \$1,000 Of Gross Receipts; Consolidating The Election With The Statewide General Election; Requesting The Services Of The Registrar Of Voters; And Directing The City Clerk To Fix The Date For Submission Of

SUPPLEMENTAL

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Arguments And Provide For Notice And Publication In Accordance With The November 2, 2010 Statewide General Election; Or Alternatively,
[\(09-1649\)](#)

2) A Resolution Submitting On The Council's Own Motion To The Voters At The November 2, 2010 Statewide General Election, Not Less Than 88 Days And Not More Than 150 Days From Passage Of This Resolution, A Proposed Ordinance Modifying The Business Tax, Chapter 5.04.Of The Oakland.Municipal Code Adding Section 5.04.481 Creating A New "Cultivation, Processing And Other Cannabis Related Activities" Business Classification With A Business Tax Rate Of \$ [For Example, \$80, \$100, \$120] Per \$1,000 Of Gross :Receipts And Amending Chapter 5.04 Of The Oakland Municipal Code, Section 5.04.480 Deleting Provisions Relating To Cannabis Cultivation And Other Related Activities; Directing The City Clerk To Fix The Date For Submission Of Arguments.And Provide For Notice And Publication In Accordance with The Novewiber 2, 2010 Statewide General Election; Or Alternatively
[\(09-1649-1\)](#)

6 Subject: Solid Waste Removal and New Water Users - Ballot Measure
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Submitting, On The Council's Own Motion, To The Electors At The November 2, 2010 Statewide General Election, A Proposed Ordinance Establishing A New Solid Waste Removal Users Tax And A New Water Users Tax Each Equal To 7.50% [Or _____ (New Rate)] Of The Service Charges [And/Or Reducing The Utility Users Tax Rate In Oakland Municipal Code Chapter 4.28, Including Sections 4.28.030, 4.28.040, 4.28.050, 4.28.060, And 4.28.070]; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 2, 2010 Statewide General Election
[\(09-1659\)](#)

7 Subject: Telephone Access Line Tax - Ballot Measure
From: Office Of City Attorney
Recommendation: Adopt A Resolution Submitting, On The Council's Own Motion, To The Electors At The November 2, 2010 Statewide General Election, A Proposed Ordinance Establishing A New Telephone Access Line Tax At A Rate Of \$1.99 Per Month Per "Access Line", And \$13 Per Month Per "Trunk Line"; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 2, 2010 Statewide General Election
[\(09-1660\)](#)

8 Subject: Temporary Transactions And Use Tax - Ballot Measure
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion, To The Electors At The November 2, 2010 Statewide General Election, A Proposed Ordinance Imposing A Temporary Transactions And Use Tax (Sales Tax) Of One-Quarter Of One Percent For Five Years With All Proceeds Placed In The City's General Fund; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November

SUPPLEMENTAL

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2, 2010 Statewide General Election.
(09-1661)

9 Subject: Ballot Measure 2010 - Measure Y Funding
 From: Vice Mayor Quan
 Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion,
 To The Electors At The November 2, 2010 Statewide General Election, A Proposed
 Ordinance Amending Measure Y, The "Violence Prevention And Public Safety Act Of
 2004", Which Established A Special Parcel And Parking Tax Funding Police Services,
 Fire Services And Violence Prevention Programs To, Among Other Things, Clarify That
 The City May Collect The Tax Whether Or Not It Appropriates Non-Measure Y Funds
 To Maintain Staffing At Fiscal Year 2003-2004 Levels; Consolidating The Election With
 The Statewide General Election; And Directing The City Clerk To Fix The Date For
 Submission Of Arguments And Provide For Notice And Publication In Accordance With
 The November 2, 2010, Statewide General Election
 (09-1600)

10 Subject: Telephone Utility Users Tax - Ballot Measure
 From: Office Of The City Attorney
 Recommendation: Adopt A Resolution Submitting, On The Council's Own Motion, To
 The Voters At The November 2, 2010 Statewide General Election, A Proposed
 Ordinance Amending Chapter 4.28 Of The Oakland Municipal Code, Telephone Utility
 Users Tax To Expand The Definition Of "Telephone Communication . Services" To
 Include More Forms Of Modern Communications Technology Not Currently Taxed
 Without Increasing The Tax Rate; And Directing The City Clerk To Fix The Date For
 Submission Of Arguments And Provide For Notice And Publication In Accordance With
 The November 2, 2010 Statewide General Election.
 (09-1663)

11 Subject: Public Safety Temporary Residential Parcel Tax - Ballot Measure
 From: Office Of The City Attorney
 Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion,
 To The Electors At The November 2, 2010 General Election, A Proposed Ordinance
 Establishing A Temporary Parcel Tax Solely To Assist The City In Preserving,
 Protecting And Enhancing "Vital Public Safety And Violence Prevention Services" And
 Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide
 For Notice And Publication In Accordance With The November 2, 2010, Statewide
 General Election [TITLE CHANGE]
 (09-1662)

Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

**(Meeting shall conclude no later than 12:00 a.m., unless extended by Majority Vote of the
Council)**

Americans With Disabilities Act

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If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

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[\(TDD\)](#)

**IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES
ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN
THE MEETINGS OF THE OAKLAND REDEVELOPMENT
AGENCY/CITY COUNCIL AND COMMITTEES PLEASE CONTACT
THE OFFICE OF THE CITY CLERK (510) 238-6406. NOTIFICATION**

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.

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

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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