City of Oakland

Meeting Minutes

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

Tuesday, November 01, 2011 **5:30 PM** **Oakland City Hall, 3rd Floor**

1 Pledge of Allegiance

The Concurrent Meeting of the Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:55pm

2 Roll Call / ORA & Council

COUNCIL MEMBERS: Desley Brooks, Dist. 6; Jane Brunner, Dist. 1, Ignacio De La Fuente; Dist. 5; Rebecca Kaplan, At-Large; Pat Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Libby Schaaf, Dist. 4; Council President Larry Reid, Dist. 7

ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Present: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

There were 6 speakers during Open Forum.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

(Ceremonial Presentations, Reports/Presentations from the Mayor, Council Acknowledgements/Announcements):

Agency/Councilmember Nadel took a point of personal privilege and requested that the meeting be adjourned in memory of Bob Frey

4.1 Subject: Green Building Council
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Recognizing ZETA And The Entire Project Team Including Bill Malpas; DSA Architects; Tipping Mar; And Building Sciences Corporation For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Platinum Rating Through The U.S. Green Building Council's Leadership In Energy And Environmental Design For Homes Program And A GreenPoint Rating Through Build It Green For 610 Lancaster Street.
11-0061

A motion was made by Councilmember Nadel, seconded by President of the Council Reid, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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2) A Resolution Recognizing Mint Condition Homes And The Entire Project Team Including Mila Zelkha And Jordan Brown For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Greenpoint Rating Through Build It Green For The Property At 4700 Brookdale Avenue
11-0061-2

A motion was made by Councilmember Nadel, seconded by President of the Council Reid, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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A motion was made by Councilmember Nadel, seconded by President of the Council Reid, that this matter be Adopted. The motion carried by the following vote:

ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid

3) A Resolution Recognizing David And Sara Gottfried And The Entire Project Team For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Platinum Rating Through The U.S. Green Building Council's Leadership In Energy And Environmental Design For Homes Program And A Greenpoint Rating Through Build It Green For The Gottfried Residence
11-0061-3

A motion was made by Councilmember Nadel, seconded by President of the Council Reid, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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4) A Resolution Recognizing Bridge Housing Corporation And The Entire Project Team Including David Baker And Partners; JH Fitzmaurice Construction; And PGA Design For Their Commitment To Sustainability, And Green Building, And Congratulating Them On Attaining A Greenpoint Rating Through Build It Green For Ironhorse At Central Station
11-0061-4

A motion was made by Councilmember Nadel, seconded by President of the Council Reid, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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5) A Resolution Recognizing Mills College And The Entire Project Team Including Hathaway Dinwiddie Construction; Bohlin Cywinski Jackson; Rutherford & Chekene; Integral Group; Silverman & Light; Teecom; Charles M. Salter, Incorporated; BKF; Lutsko Associates; Hughes Associates, Incorporated; Nic Lehoux Photograghy; Pom Resource Group; And DPR Construction, Incorporated For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The U.S. Green Building Council's Leadership In Energy And Environmental Design New Construction Program For The Lorry I. Lokey Graduate School Of Business
11-0061-5

A motion was made by Councilmember Nadel, seconded by President of the Council Reid, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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6) A Resolution Recognizing Jetton Construction And The Entire Project Team Including Ingram/Dejesse Associates; Buttrick Wong Architects; Robert Harold; Rebecca Sullivan; And David Silbert For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Greenpoint Rating Through Build It Green For The Silbert Residence.
11-0061-6

A motion was made by Councilmember Nadel, seconded by President of the Council Reid, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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7) A Resolution Recognizing CB Richard Ellis, Inc. And The Entire Project Team Including Able Engineering Services And Crown Castle Maintenance For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The U. S. Green Building Council's Leadership In Energy And Environmental Design Operations And Maintenance Program For 505 14th Street
11-0061-7

A motion was made by Councilmember Nadel, seconded by President of the Council Reid, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETING OF October 18, 2011

A motion was made by Councilmember Kernighan, seconded by Councilmember Brunner, to *Approve as Submitted. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid

6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests to: Reschedule items from consent to Non-Consent to the next Council Agenda, Speak on Consent Calendar, Register Votes, Change order of Items, Reconsiderations, Pull Items held in Committee):

7. CONSENT CALENDAR (CC) ITEMS:

7.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The AIDS Epidemic
11-0111

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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7.2-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland
11-0112

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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7.3-CC Subject: Zoning Text Amendments
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance, Recommended By The Planning Commission, To: Adopt Zoning Text Amendments Including Minor Changes To Update Table 4.10.01 Of The Land Use Regulations Of The Wood Street Zoning District Consistent With The Rest Of The Oakland Planning Code, And Substantive Changes To 1) Divide Development Area 2 Into 2a And 2b. Development Area 2a Would Encompass The Pacific Cannery Lofts (PCL) Project And 2b Would Encompass The "Icehouse" Building; 2) Amend Table 4.10.01 To Conditionally Allow The Following Activities In The Following Development Areas: Development Area 2b - The "Icehouse" Property: A) General Wholesale Sales; B) Research Service; C) Research And Development; D) General Warehousing Storage And Distribution; And E) Self Mini Storage. Development Area 5 - The 16th Street Train Station Building: A) Recreational Assembly, Development Area 9 - The 16th Street Station Plaza: A) Community Assembly; B) Recreational Assembly; And C) Group Assembly.
11-0059

This Matter was Approved for Final Passage on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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7.4-CC Subject: Two Tier Retirement Amendment
From: Department Of Human Resources
Recommendation: Adopt An Ordinance Of The City Of Oakland To Approve An Amendment To The Contract Between The City Of Oakland And The Board Of Administration Of The California Public Employees' Retirement System (CalPERS) To Provide 1) Section 20475, Different Level of Benefits, Section 21354.4 (2.5% @ 55 Full Formula) And Section 20037 (Three-Year Final Compensation) Applicable To Local Miscellaneous Members Entering Membership For The First Time In The Miscellaneous Classification After The Effective Date Of This Amendment To Contract; 2) Section 20475, Different Level of Benefits, Section 21363.1 (3% @ 55 Full Formula and Section 20037 (Three-Year Final Compensation) Applicable To Local Safety Members Entering Membership For The First Time In the Safety Classification After The Effective Date Of This Amendment To Contract; And (3 To Include Section 20516 (4% Employees Sharing Cost of Additional Benefits) For Second Tier Local Fire Members
11-0044-1

This Matter was Approved for Final Passage on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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7.5-CC Subject: CPAB Appointment - Haller-Teixera And Mitchell
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Angela Haller - Teixeira And Joanne Mitchell As Members Of The Community Policing Advisory Board
11-0113

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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~~7.6~~ ~~Subject: Budget Advisory Committee Appointment - Nye~~
~~From: Office Of The Mayor~~
~~Recommendation: Adopt A Resolution Confirming The Mayor's Re-Appointment Of Bruce Nye To The Budget Advisory Committee~~
~~11-0123~~

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 11/15/2011
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~~7.7~~ ~~Subject: Library Advisory Commission Appointment - Gonzales~~
~~From: Office Of The Mayor~~
~~Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Shanthi Gonzales As A Member Of The Library Advisory Commission~~
~~11-0122~~

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 11/15/2011
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7.8-CC Subject: Settlement Agreement - Dupont
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Jean-Luc And Jeanne Dupont, In The Amount Of $18,000.00, As A Result Of Property Damage Sustained Caused By An Obstructed City Sewer Main. (Public Works Agency)
11-0121

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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7.9-CC Subject: Settlement Agreement - Thompson
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Cheryl Thompson V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG09462790, City Attorney's File No. 26975, In The Amount Of Four Hundred Eighty-One Thousand Four Hundred Twenty Dollars And No Cents ($481,420.00). Ms. Thompson's Lawsuit Alleges Employment Discrimination By City Of Oakland Officials And Employees (City Administrator's Office)
11-0120

A motion was made by Vice Mayor Brooks, seconded by Councilmember Nadel, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Noes: 2 - President Pro Tempore De La Fuente and Councilmember Brunner
ORA\Councilmember Ayes: 5 - Vice Mayor Brooks, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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7.10-CC Subject: Settlement Agreement - Amaro And Montoya
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of The Estate Of Jerry A. Amaro III And Geraldine Montoya V. City Of Oakland, Et Al., United States District Court Case No. C-09-01019 WHA, City Attorney's File No. 20784, In The Amount Of One Million Seven Hundred Thousand Dollars ($1,700,000). (Police Department) - Excessive Force/Wrongful Death
11-0119

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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7.11 Subject: Travel Authorization - Phoenix, AZ
From: Vice Mayor Desley Brooks
Recommendation: Adopt A Resolution Authorizing Vice Mayor Desley Brooks To Travel To Phoenix, Arizona To Attend The National League Of Cities Congress Of Cities And Exposition From November 9-12, 2011
11-0114

***Withdrawn with No New Date**
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7.12-CC Subject: Deputy City Attorney V And Special Counsel MOU
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Approving Memorandum Of Understanding Between The City Of Oakland And The Deputy City Attorney V And Special Counsel Association, Representing Employees In Representation Unit U41 Covering The Period From July 1, 2011, Through June 30, 2013
11-0070

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid
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Passed The Consent Agenda

A motion was made by Vice Mayor Brooks, seconded by Councilmember Nadel, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid

8 Oral Report of Final Decisions Made During Closed Session & Disclosure of Non-Confidential closed session discussions

A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Schaaf, to *Approve as Submitted the report of the City Attorney of final decisions made during closed session. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid

COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:

9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 6:36 p.m.

2 individuals spoke on this item.

Agency/Councilmember Schaaf made a motion, seconded by Agency/Councilmember De La Fuente, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kernighan, Nadel, Schaaf, and President Reid - 7, Excused: Kaplan - 1

9.1 Subject: Planning Commission Appeal - 6045 Shirley Dr.
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying Appeal # A 11-114 And Upholding The Decision Of The Planning Commission To Deny Case # DR 10-331 To Attach A 8'-4" Concealed Antenna/Extension To A 38'-6" Wooden Utility Pole Adjacent To 6045 Shirley Drive Given The Project Would Negatively Impact Significant Views From Primary Living Areas At 6933 Wilton Drive
11-0060

A motion was made by Councilmember Schaaf, seconded by President Pro Tempore De La Fuente, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Nadel
ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 6 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Schaaf and President of the Council Reid
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ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Cure And Correct - Port Commission Appointments
From: Member Of The Public - Sanjiv Handa
Recommendation: Hearing Pursuant To Oakland Municipal Code Section 2.20.270(D) To (A) Consider Whether To "Cure And Correct" An Alleged Violation Of The Sunshine Ordinance Resulting From Complaints That All Public Speakers Were Not Given An Opportunity To Speak Before Council Passed A Motion Appointing Victor Uno And Jakada Imani To The Port Board Of Commissioners At The Council's October 18, 2011 Meeting; And (B) If So, Whether To Affirm Or Supersede The Challenged Action After First Taking Public Testimony
11-0117

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 11/15/2011
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12 Subject: Port Commission Appointments - Uno And Imani
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Victor Uno And Jakada Imani To The Board Of Port Commissioners
11-0019

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 11/15/2011
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13 Subject: Oakland Army Base Demolition And Remediation Contracting
From: Council President Reid And Vice Mayor Brooks
Recommendation: Adopt An Ordinance Amending Ordinance 12389 C. M. S. To Add Local And Small Local Business Contracting Requirements To Oakland's Local And Small Local Business Enterprise Program Specific To The Demolition And Remediation Carried Out At The Oakland Army Base
11-0045

A motion was made by Councilmember Kernighan, seconded by Councilmember Schaaf, that this matter be Referred to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on November 15, 2011 to provide sufficient time to draft and consolidate the following amendments and elements within the ordinance:
1) Correct the title by striking: "Adding Oakland Residency Workforce Requirements for Prime Contractors Bidding on Contracts" and in its place add:
"Adding Eligibility Screening Requirements to Be Considered an Oakland Firm"

2) Adding the following findings to the ordinance;
WHEREAS, the U.S. Supreme Court has ruled that "local government should have considerable leeway in analyzing local evils and prescribing appropriate cures, particularly when government is merely setting conditions on the expenditure of funds it controls and it is limited in scope to employees working directly on city public works projects"; and
WHEREAS, in accordance with the leeway granted by the U.S. Supreme Court and based upon the 17% official unemployment rate, the unofficial unemployment rate of 25+% and African-American male and Latinos male unemployment rate upwards to 35% the City Council desires to prescribe that for purposes of this program that to be eligible to apply for contracts for the demolition and remediation work at the Oakland Army Base, 33% of the firm's core workforce must be Oakland residents. This screening mechanism is necessary and narrowly tailored to bolster the number of Oaklanders work on city funded construction projects and decrease Oakland's unemployment and poverty levels. this program is necessary and narrowly tailored so as not to unduly infringe upon the privileges and immunities of nonresidents, and
WHEREAS, Oakland LBEs that are qualified to do demolition and remediation work are underutilized for such work in Oakland; and
WHEREAS, a sheltered market for Army Base demolition and remediation contracts for Oakland LBEs may increase the number of firms with primary business offices in Oakland by encouraging firms to move to Oakland and creating opportunities for the formation of new Oakland-based firms; and
WHEREAS, Army Base demolition and remediation contracts present a significant financial opportunity for underutilized LBEs to get work and thereby bolster Oakland's economy; and
WHEREAS, Army Base demolition and remediation contracts present a significant opportunity for Oakland LBEs to build capacity and experience as prime contractors in the demolition and remediation fields, and will later assist them in gaining additional work in these fields in Oakland and other jurisdictions, which would significantly bolster

Oakland's economy;

3) If less than three bids are received which meet the core workforce eligibility requirement the contract may be re-bid without the core requirement

4) ADDING THE FOLLOWING WHEREAS READ INTO RECORD BY THE CITY ATTORNEY:
WHEREAS, research shows that for every dollar paid by a jurisdiction to a "resident" contract seven dollars are circulated in the jurisdiction's local economy; and

5) ADDING 4 POINTS ON PAGE 3 AND 4 PONTS ON PAGE 4 OF THE SUPPLEMENTAL STAFF REPORT FOR THIS ITEM

6) In addition to the following amendments from the October 11, 2011 Community and Economic Development Committee:

1. Change the language on page 2, Ordinance Sec. 1, part one to read "all demolition and remediation contracts shall be awarded through a competitive bid process" (i.e., strike language which referenced sole source).
2. Amend the 2nd numbered paragraph to strike the phrase "and their subcontractors" from Sec. 2 (i.e., so the policy applies only to Primes).
3. In the same section *also written in the 8th Whereas*, change the word regarding 33% residents from "will" to "must" In Section 3 * also in the 7th Whereas*,
4. the Committee clarified this policy is to be applied only to the current remediation and demolition project, and not to the wider Army Base efforts. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid

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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)

There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Bob Frey and Abram Pringle at 8:13 p.m.

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