



# 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

## \*Rules & Legislation Committee

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

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

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**Thursday, October 28, 2010**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call to Order

Present: Member Quan, Member Reid, Chair Brunner and Member De La Fuente

*The Oakland City Council Rules and Legislation Committee convened at 10:47 a.m., with Councilmember Brunner presiding as Chairperson.*

1 Closed Session

2 Approval of the Draft Minutes from the Committee meeting of October 14, 2010

**A motion was made by Member Quan, seconded by Member De La Fuente, to \*Approve the Minutes. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

3 Determination of Schedule of Outstanding Committee Items

**A motion was made by Member Reid, seconded by Member Quan, to \*Approve with the following amendments. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

#1 Subject: Redevelopment Agency's Fiscal Year 2009-2010 Report

From: Community and Economic Development Agency

Recommendation: Receive An Informational Report Presenting The Redevelopment Agency's Fiscal Years 2009-2010 Annual Reports On Blight, Housing Activity, Loans, Property, And Time Limits In Accordance With The Reporting Requirements Of The California Community Redevelopment Law

[10-0143](#)

**Scheduled to \*Community & Economic Development Committee on 12/14/2010**

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#2            Subject: Wildfire Prevention Assessment- District 1 Appointment  
From:            Council President Brunner  
Recommendation: Adopt A Resolution Appointing David Kessler As The District 1  
Representative To The Wildfire Prevention Assessment District (WPAD) Advisory Board For  
The Seat Previously Held By Robert Sieben, For The Term Beginning April 30, 2009 To May  
1, 2011  
[10-0173](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 11/9/2010**

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[View Supplemental.pdf](#)  
[83047 CMS.pdf](#)

[rules102810](#)

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4            Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting  
of November 9, 2010

**A motion was made by Member De La Fuente, seconded by Member Reid,  
to \*Approve with the following amendments. The motion carried by the  
following vote:**

**Votes:** Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La  
Fuente

[102810r1sitem4](#)

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S-4-1            Subject:    NIMS/SEMS Multi-Hazards Emergency Response Plan  
From:            Oakland Fire Department  
Recommendation: Adopt A Resolution Dispensing With The Advertising  
Requirement And Authorizing The City Administrator Or His Designee To Select  
A Vendor And Award A Contract For The Update And Revision Of The City Of  
Oakland's NIMS/SEMS Multi-Hazards Emergency Response Plan In An Amount  
Not To Exceed \$149,500 Without Return To Council

[10-0155](#)

**Scheduled to \*Special Public Safety Committee on 12/14/2010**

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S-4-2      Subject:      Forensic DNA Unit Efficiency Improvement Grant Program  
From:          Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On  
Behalf Of The City Of Oakland, To 1) Accept And Appropriate Grant Funds In An  
Amount Not To Exceed One Hundred Fourteen Thousand Six Hundred Dollars  
(\$114,600) From The U.S. Department Of Justice, National Institute Of Justice  
(USDOJ/NIJ), For Implementation Of The Fiscal Year 2010 Forensic DNA Unit  
Efficiency Improvement Grant Program In The Police Department, 2) Hire One,  
Part-Time, 18-Month Limited Duration Professional Staff Position For The  
Criminalistics Division In The Police Department, And 3) Approve A Waiver Of  
The Central Services Overhead Costs  
[10-0154](#)

**Scheduled to \*Special Public Safety Committee on 12/14/2010**

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S-4-3      Subject:      Fiscal Impacts - Informational Report  
From:          Budget Office  
Recommendation: Receive An Informational Report Presenting (1) Fiscal Impacts  
Of The November 2, 2010 General Election Outcomes On Fiscal Year 2010-2011;  
(2) The Five-Year Financial Forecast For Fiscal Years 2010-2011 Through  
2015-2016; And (3) Balancing Strategies To Address Projected Deficits In Fiscal  
Years 2010-2011 Through 2015-2016; On The November 30, 2010 Special City  
Council Agenda  
[10-0160](#)

**\*Withdrawn with No New Date**

S-4-4      Subject:      Revenue & Expenditures for Fiscal Year 2010-2011  
From:          Budget Office  
Recommendation: Receive A Report On Fiscal Year 2010-2011 First Quarter  
Revenue & Expenditure Results & Year-End Projections For General Purpose  
Fund (1010), Landscaping And Lighting Assessment District Fund (2310),  
Equipment Fund (4100) And City Facilities Fund (4400); The Status Of  
Implementing The Fiscal Year 2010-2011 Amended Budget; And Adopt A  
Resolution Amending The Fiscal Year 2010-2011 Midcycle Budget To Reflect  
Anticipated Changes To Revenues And Expenditures In The General Purpose Fund  
Appropriation  
[10-0162](#)

**Scheduled to \*Special Finance & Management Committee on 11/16/2010**

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S-4-5      Subject:      Wildfire Prevention Assessment District - Appointment  
From:            Council President Brunner  
Recommendation: Adopt A Resolution Appointing Dr. Robert Sieben As A District 1 Representative On The Wildfire Prevention Assessment District For The Seat Previously Held By Barry Pilger, For The Term Beginning July 1, 2010 And Ending June 30, 2014; On The November 9, 2010 Special City Council Agenda [10-0171](#)

**Scheduled to \*Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 11/9/2010**

S-4-6      Subject:      Conditional And Revocable Permit - 23rd Street  
From:            Councilmember Nadel  
Recommendation: Adopt A Resolution Revoking A Conditional And Revocable Permit Granted To Rock Paper Scissors Collective And Granting A Conditional And Revocable Permit To Oakland Art Murrur To Allow The First Friday Community Cultural Event To Encroach Into 23rd Street Between Valley Street And Telegraph Avenue On The First Friday Of Each Month Between The Hours Of 5:00 P.M. And 10:00 P.M.

[10-0172](#)

**Scheduled to \*Public Works Committee on 12/14/2010**

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S-4-7      Subject:      Façade And Tenant Improvement Programs  
From:            Community And Economic Development Agency  
Recommendation: A Request To Re-Title An item Already Scheduled For The November 16, 2010 Special Community And Economic Development Committee Agenda

New Title: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Amending Resolution No. 2009-0078 C.M.S. To Increase Third Party Design Contracts For The Façade And Tenant Improvement Programs By \$196,000 For A Total Of \$726,000 For Fiscal Year 2010-2011 Utilizing Funds Appropriated In The Fiscal Year 2009-2011 Redevelopment Agency Budget, And Authorizing The Agency Administrator To Negotiate, Execute And Amend All Third Party Design Contracts Without Returning To The Redevelopment Agency Board; And

[10-0107](#)

**Scheduled to \*Special Community & Economic Development Committee on 11/16/2010**

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[2010-0120 CMS.pdf](#)

2) An Agency Resolution Allocating An Additional \$300,000 From Coliseum Redevelopment Funds For A Total Allocation Of \$500,000 For Fiscal Year 2010-2011 To The Coliseum Commercial Façade Improvement Program; And  
[10-0107-1](#)

**Scheduled to \*Special Community & Economic Development Committee  
on 11/16/2010**  
[2010-0121 CMS.pdf](#)

2) An Agency Resolution Allocating \$150,000 To The West Oakland Redevelopment Project Area Façade Improvement Program And Allocating \$150,000 To The West Oakland Redevelopment Project Area Tenant Improvement Program For Fiscal Year 2010-2011

Old Title: An Agency Resolution Amending Resolution No. 2009-0078 C.M.S. To Increase Third Party Design Contracts For The Façade And Tenant Improvement Programs By \$196,000 For A Total Of \$726,000 For Fy 2010-2011 Utilizing Funds Appropriated In The Fiscal Year 2009-2011 Redevelopment Agency Budget, And Authorizing The Agency Administrator To Negotiate, Execute And Amend All Third Party Design Contracts Without Returning To The Redevelopment Agency Board

Reason: Two Resolutions Being Added To Action, To Allocate Sufficient Funds For Fy 10-11 Façade And Tenant Programs In These Redevelopment Areas.  
[10-0107-2](#)

**Scheduled to \*Special Community & Economic Development Committee  
on 11/16/2010**  
[2010-0122 CMS.pdf](#)

S-4-8      Subject:      Coliseum Industrial Infrastructure Improvements  
From:          Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Contributing An Amount Not To Exceed \$460,000 To The City Of Oakland Under The Cooperation Agreement To Complete Feasibility Studies And Construction Documents With \$260,000 For The Proposed Coliseum Industrial Infrastructure Improvements And \$200,000 For The Proposed Tyrone Carney Park Reconfiguration In The Coliseum Project Area; And  
[10-0156](#)

**Scheduled to \*Special Community & Economic Development Committee  
on 11/16/2010**  
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[2010-0119 CMS.pdf](#)

2) A City Resolution Accepting A Contribution In An Amount Not To Exceed \$460,000 From The Redevelopment Agency Under The Cooperation Agreement To Complete Feasibility Studies And Construction Documents With \$260,000 For The Proposed Coliseum Industrial Infrastructure Improvements And \$200,000 For The Proposed Tyrone Carney Park Reconfiguration

[10-0156-1](#)

**Scheduled to \*Special Community & Economic Development Committee**

[83077 CMS.pdf](#)

S-4-9

Subject: Code Enforcement Relocation Program  
From: Community And Economic Development Agency  
Recommendation: Adopt A City Resolution 1) Creating A Revolving Fund To Provide Relocation Assistance To Eligible Tenants Under The Code Enforcement Relocation Program, And Appropriating \$150,000 In Community Development Block Grant Funds For This Purpose; And 2) Creating A Vacant, Blighted Property Board Up, Clean Up Revolving Fund With \$150,000 In Appropriated Fiscal Year 2010-2011 Community Development Block Grant Funds

[10-0157](#)

**Scheduled to \*Special Community & Economic Development Committee on 11/16/2010**

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S-4-10

Subject: Improvements To Agency-Owned Site - 66th Ave /San Leandro Street  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces of Legislation:

1) An Agency Resolution Resolution Authorizing An Additional \$300,000 Of Agency Funds For A Total Allocation Of \$1,300,000 For The Improvement Of An Agency Owned Site Located At The Northeast Corner Of 66th Avenue And San Leandro Street ("The Property"); Authorizing The Agency Administrator To Award A Contract Or Contracts On The Open Market For Improvements To The Property, Including But Not Limited To Demolition Of Structures, Trailers And Concrete, Removal Of Hazardous Materials And Restoration Of Facilities Such As Utilities, Storm Drainage, Sewage And Water Facilities, Parking Areas And Driveways, In An Amount Or Amounts Not To Exceed, Cumulatively, \$130,000.00; Waiving Advertising And Bidding Requirements For Said Work; And Authorizing From The Total Budget Of \$1,300,000 A Contribution Of Agency Funds In An Amount Of \$200,000 To The City Under The Cooperation Agreement For Payment Of City Staff Costs For Project Management; And

[10-0158](#)

**Scheduled to \*Special Community & Economic Development Committee on 11/16/2010**

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[2010-0128 CMS.pdf](#)

2) A City Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Of \$200,000 For Payment Of City Staff Costs For Management Of Improvements To The Oakland Redevelopment Agency Site Located At The Northeast Corner Of 66th Avenue And San Leandro Street  
[10-0158-1](#)

**Scheduled to \*Special Community & Economic Development Committee on 11/16/2010**  
[83106 CMS.pdf](#)

S-4-11      Subject:      Film Incentives Program  
From:            Community And Economic Development Agency  
Recommendation: Receive A Report And Recommendation To Create A Film Incentives Program And Authorize The City Administrator To Waive Related Permit Fees ; On The November 16, 2010 Special Community And Economic Development Committee Agenda  
[10-0159](#)

**\*Withdrawn with No New Date**

S-4-12      Subject:      City's First-Time Homebuyer Loan Programs  
From:            Community And Economic Development Agency  
Recommendation: Adopt A Resolution Combining Loan Funds for the Mortgage Assistance Program (MAP) and the Downpayment Assistance Program (DAP), Creating a Revolving Fund for Loan Repayments, and Changing the Loan Terms for the DAP  
[10-0163](#)

**Scheduled to \*Community & Economic Development Committee on 12/14/2010**  
[View Report.pdf](#)

S-4-13      Subject:      Oakland Energy And Climate Action Plan  
From:            Public Works Agency  
Recommendation: Adopt A Resolution Directing That Appropriate California Environmental Quality Act Review Be Performed By Staff For The Draft Oakland Energy And Climate Action Plan  
[10-0161](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 1/4/2011**  
[View Report Pt 1.pdf](#)  
[View Report pt 2.pdf](#)  
[View Report.pdf](#)

S-4-14      Subject:     Delinquent Mandatory Garbage Fees  
From:        Finance And Management Agency  
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For April/May/June 2010, Monthly Accounts And July/August/September 2010 Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[10-0164](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 12/7/2010**  
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[83103 CMS.pdf](#)

S-4-15      Subject:     Delinquent Business Taxes  
From:        Finance And Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or  
[10-0165](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 12/7/2010**  
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[83104 CMS.pdf](#)



S-4-16      Subject:      Real Property Transfer Taxes  
From:              Finance And Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or [10-0166](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 12/7/2010**

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[83105 CMS.pdf](#)

S-4-17      Subject:      Parking Access & Control Systems - Lease Agreement  
From:              Finance And Management Agency  
Recommendation: Adopt A Resolution Awarding A Lease Financing To Chase Equipment Finance, Inc. In An Amount Not-To-Exceed Two Million Five Hundred Thousand Dollars (\$2,500,000.00) To Acquire Parking Access And Control Systems And Authorizing The Execution And Delivery Of A Lease Purchase Agreement, Escrow Agreement And Related Documents  
[10-0170](#)

**Scheduled to \*Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 11/9/2010**

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[83046 CMS.pdf](#)

5              A review of the Council Committees' actions from October 26, 2010 and determination of scheduling to the ORA/City Council meeting of November 9, 2010 or future dates (MATRIX)

**A motion was made by Member De La Fuente, seconded by Member Quan, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

[102810r1sitem5](#)  
[View Report.pdf](#)

- 6 A review of the Agendas for the ORA/City Council meeting(s) of November 9, 2010 and CANCELLATION Notice for the November 11, 2010 Rules and Legislation Committee.  
**A motion was made by Member Reid, seconded by Member De La Fuente, to \*Approve as Submitted. The motion carried by the following vote:**  
**Votes:** Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

[102810rlsitem6](#)  
[View Report.pdf](#)

**OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)**

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:10 a.m*

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*City Clerk and Clerk of the Council*