



# 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, September 30, 2010**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call to Order

Excused: Member Reid

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

*The Oakland City Council Rules and Legislation Committee convened at 10:50a.m., with Councilmember Brunner presiding as Chairperson.*

### COMMITTEE MEMBERSHIP:

1 Closed Session

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

**Votes:** Excused; 1 - Member Reid

Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente

*Special Closed Session scheduled for October 5, 2010 at 2:30 p.m.*

2 Approval of the Draft Minutes from the Committee meeting of September 16, 2010.

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

**Votes:** Excused; 1 - Member Reid

Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente

*No minutes to approve, minutes will be available on the October 7, 2010 Rules agenda*

3 Determination of Schedule of Outstanding Committee Items

**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:** Excused; 1 - Member Reid

Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente

*The following individual spoke on this item:*

*- Sanjiv Handa*

[RULES930](#)

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- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting of October 5, 2010 (SUPPLEMENTAL)
- A motion was made by Member Quan, seconded by Member De La Fuente, to \*Approve with the following amendments. The motion carried by the following vote:**
- Votes:** Excused; 1 - Member Reid  
Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente

[rules930item4](#)

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- S-4-1 Subject: 2010 Forensic Casework DNA Backlog Reduction Grant  
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 Three Hundred Seventy-One Six Hundred Twenty-Two Dollars (\$371,622) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2010 Forensic Casework DNA Backlog Reduction Grant Program In The Police Department, 2) Approve A Waiver Of The Central Services Overhead, And 3) If Grant Funding Is Increased, Authorizing The City Administrator To Accept And Appropriate Additional Funds From USDOJ/NIJ Without Return To Council  
[10-0099](#)  
**Scheduled to \*Public Safety Committee on 10/12/2010**  
[View Report.pdf](#)

- S-4-2 Subject: Urban Strategies Council - Crime Analysis Services Contract  
From: Oakland Police Department  
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Urban Strategies Council To Provide Spacial Crime Data Analysis Services For The Oakland Police Department For The Period Of November 2010 Through October 2011, In An Amount Not-To-Exceed One Hundred Sixteen Thousand Dollars (\$116,000) And Waiving Advertising and The Request For Qualifications/Proposals Requirements; And  
[10-0100](#)  
**Scheduled to \*Public Safety Committee on 10/12/2010**  
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2) A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In An Amount Not To Exceed Thirty-Four Thousand One Hundred Forty-Three Dollars (\$34,143) From The State Of California, Juvenile Accountability Block Grant (JABG) Program  
[10-0100-1](#)

**Scheduled to \*Public Safety Committee on 10/12/2010**

S-4-3      Subject:      National Let's Move Campaign  
From:        Vice Mayor Quan  
Recommendation: Adopt A Resolution Related To The National Let's Move Campaign  
[10-0091](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 10/5/2010**

*This item requires an Urgency Finding*

*The following individual spoke on this item:*

- Sanjiv Handa  
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[82992 CMS.pdf](#)

S-4-4      Subject:      Freedom Bus Project  
From:        Councilmembers Kernighan And Nadel  
Recommendation: Adopt A Resolution Supporting The Freedom Bus Project In Its Celebration Of The Civil Rights Movement And Encouragement Of Youth Arts Participation  
[10-0092](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 10/19/2010**

*As a Ceremonial item*

*The following individual spoke on this item:*

- Sanjiv Handa  
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S-4-5      Subject:      Implementation Of The Municipal Identification Card  
From:          Offices Of The City Clerk, Councilmembers Quan And De La Fuente  
Recommendations: Action On A Report And Recommendations Regarding The Responses To The RFQ To Implement A Program To Issue A Municipal Identification Card With Additional Financial And City Systems Card Services Components  
[10-0094](#)

**Scheduled to \*Finance & Management Committee on 10/12/2010**

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S-4-6      Subject:      Small Local Business Enterprise Program Modifications  
From:          Department Of Contracting And Purchasing  
Recommendation: A Request To Reschedule A Resolution Adopting The Modifications To The City's Local And Small Local Business Enterprise Program As Recommended By The Fairness In Contracting And Purchasing Disparity Study: From the October 12, 2010 Community And Economic Development Committee to the December 14, 2010 Community And Economic Development Committee  
[10-0019](#)

S-4-7      Subject:      Oakland Food Policy Council - Strategic Plan  
From:          Department of Human Services  
Recommendation: Receive A Report From The Oakland Food Policy Council On Their Strategic Plan For 2010/2011 Entitled "Transforming The Oakland Food System: A Plan For Action"; On The December 14, 2010 Life Enrichment Committee Agenda  
[10-0095](#)

**Scheduled to \*Life Enrichment Committee on 12/14/2010**

*The following individual spoke on this item:*  
*- Sanjiv Handa*

S-4-8      Subject:      Sustainable Green Building  
From:          Community And Economic Development Agency  
Recommendation: Adopt An Ordinance, Adopting Oakland Municipal Code Title 18 - Sustainability, Chapter 18.02 Sustainable Green Building Requirements For Private Development To Establish Environmentally Sustainable Regulations For Building Construction, Remodeling, Landscaping And Demolition  
[09-1436](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 10/19/2010**

*For Final Passage*

*The following individual spoke on this item:*

- Sanjiv Handa

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S-4-9      Subject:      10700 MacArthur Boulevard - Encroachment Permit  
From:          Community And Economic Development Agency  
Recommendation: A Request To Withdraw An Item Already Scheduled To The October 12, 2010 Public Works Committee Agenda

Adopt A Resolution Granting MacArthur Boulevard Associates A Conditional And Revocable Permit To Allow A Soil Shoring System To Encroach Under The Public Right-Of-Way Along Foothill Boulevard For A New Grocery Store In The Foothill Square Shopping Center Located At 10700 MacArthur Boulevard

[10-0056](#)

**\*Withdrawn with No New Date**

S-4-10      Subject:      Cultural Services Grants  
From:          Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Fifty-Seven (57) Cultural Services Grants To Fifty-One (51) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2010-2011 In A Total Amount Not To Exceed \$925,126.00

[10-0090](#)

**Scheduled to \*Life Enrichment Committee on 10/26/2010**

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S-4-11      Subject:     319 Chester Street - Sale Of Property DDA  
From:        Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Authorizing A Disposition And  
Development Agreement With The Alliance For West Oakland Development For  
The Sale At No Cost, And Development Of Affordable Housing On, One  
City-Owned Parcel At 319 Chester Street  
[10-0096](#)

**Scheduled to \*Community & Economic Development Committee on  
10/26/2010**

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S-4-12      Subject:     Central City East Homeownership Rehabilitation Program  
From:        Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Amending Resolution No. 2006-0036 C.M.S. To Modify  
The Central City East Homeownership Rehabilitation Program (CCEHRP) To  
Include Interior And Structural Repairs And Increase The Maximum Loan Amount  
From \$75,000 To \$150,000, And Authorizing The Agency Administrator To Make  
Loans For The Program Without Returning To The Agency;

[10-0097](#)

**Scheduled to \*Community & Economic Development Committee on  
10/26/2010**

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2) An Agency Resolution Adopting The West Oakland Vacant Housing Acquisition/  
Rehabilitation/ New Construction Program, And Allocating \$735,000 For The Program From  
Fiscal Year 2010-2011 Low And Moderate Income Housing Funds And Authorizing The  
Agency Administrator To Make Loans For The Program Without Returning To The Agency;

[10-0097-1](#)

**Scheduled to \*Community & Economic Development Committee on  
10/26/2010**

3) An Agency Resolution Adopting The West Oakland Automatic Gas Shut-Off Valve  
Program, And Allocating \$210,000 For The Program From Fiscal Year 2010-2011 Low And  
Moderate Income Housing Funds And Authorizing The Agency Administrator To Make Loans  
For The Program Without Returning To The Agency; And

[10-0097-2](#)

**Scheduled to \*Community & Economic Development Committee on  
10/26/2010**

4) An Agency Resolution Adopting The West Oakland Owner Rehabilitation Program, And Allocating \$1,939,000 For The Program From Fiscal Year 2010-2011 Low And Moderate Income Housing Funds And Authorizing The Agency Administrator To Make Loans For The Program Without Returning To The Agency  
[10-0097-3](#)

**Scheduled to \*Community & Economic Development Committee on 10/26/2010**  
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S-4-13      Subject:      Brownsfields Assessment - 2114 & 2154 Macarthur Boulevard  
From:            Community & Economic Development Agency  
Recommendation: Adopt A Resolution To Apply For, Accept, And Appropriate A Targeted Site Assessment Brownfields Technical Assistance Grant From The Department Of Toxic Control Substances For Environmental Assessment At 2114 & 2154 MacArthur Boulevard To Encourage Cleanup For Mixed-Use Commercial Development; On The October 26, 2010 Community & Economic Development Agenda  
[10-0098](#)

**\*Withdrawn with No New Date**

S-4-14      Subject:      Rehabilitation Of Sanitary Sewers - Andes Construction  
From:            Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes Construction, Inc. For The Rehabilitation Of Sanitary Sewers In The Area Bounded By East 24th Street, 17th Avenue, International Boulevard, And 13th Avenue (Sub-Basin 58-01 - Project No. C96110) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Four Million Four Hundred Seventy-Six Thousand Seven Hundred Thirty-One Dollars (\$4,476,731.00);  
[10-0087](#)

**Scheduled to \*Public Works Committee on 10/26/2010**  
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S-4-15      Subject:      Rehabilitation Of Sanitary Sewers - Mosto Construction  
From:            Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Mosto Construction For The Rehabilitation Of Sanitary Sewers In The Easement By Doncaster Place And By Colton Boulevard And On Mandana Boulevard (Project No. C329118) In Accord With Plans And Specifications For the Project And Contractor's Bid In The Amount Of One Hundred Ninety-Seven Thousand Seven Hundred Seventy-One Dollars (\$197,771.00);  
[10-0088](#)

**Scheduled to \*Public Works Committee on 10/26/2010**  
[View Report.pdf](#)

S-4-16      Subject:    Clean Air Funds  
                 From:        Public Works Agency  
                 Recommendation: Adopt The Following Pieces Of Legislation:  
                 1) Resolution Authorizing The City Administrator, Or His Designee, To Accept  
                 And Appropriate Ninety Thousand Dollars (\$90,000.00) In Transportation For  
                 Clean Air Funds For The Webster/Franklin Streets Bikeway Project; And  
                 [10-0089](#)

**Scheduled to \*Public Works Committee on 10/26/2010**

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2) Resolution Authorizing The Installation Of Class II Bicycle Lanes On Webster And Franklin  
Streets By Reducing Travel Lanes From Four (4) Through Lanes To Three (3) Through Lanes  
On Franklin Street Between 14th Street And 20th Street, And On Webster Street Between 14th  
Street And 19th Street; And From Three (3) Through Lanes To Two (2) Through Lanes On  
Franklin Street Between 20th Street And 22nd Street, And On Webster Street Between 19th  
Street And 25th Street

[10-0089-1](#)

**Scheduled to \*Public Works Committee on 10/26/2010**

S-4-17      Subject:    Tax Allocation Bonds, Series 2010-T  
                 From:        Finance and Management Agency  
                 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of The City Council Of The City Of Oakland Approving Issuance  
By The Redevelopment Agency Of The City Of Oakland Of Not To Exceed  
\$8,050,000 Aggregate Principal Amount Of Redevelopment Agency Of The City  
Of Oakland Broadway/MacArthur/San Pablo Redevelopment Project Second Lien  
Tax Allocation Bonds, Series 2010-T (Federally Taxable Recovery Zone  
Economic Development Bonds - Direct Payment); And

[10-0086](#)

**Scheduled to \*Finance & Management Committee on 10/12/2010**

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2) An Agency Resolution Of The Redevelopment Agency Of The City Of Oakland: (1) For The Purpose Of Financing A Portion Of The Agency's Obligations To The Broadway/MacArthur/San Pablo Redevelopment Project, Authorizing The Issuance Of The Redevelopment Agency Of The City Of Oakland Broadway/MacArthur/San Pablo Redevelopment Project Second Lien Tax Allocation Bonds, Series 2010-T (Federally Taxable Recovery Zone Economic Development Bonds - Direct Payment) In An Amount Not To Exceed \$8,050,000; (2) Approving The Form Of And Authorizing The Execution And Delivery Of An Indenture Of Trust And A Bond Purchase Contract; (3) Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing Execution And Delivery Of An Official Statement; (4) Approving The Form Of A First Supplemental Indenture Of Trust Relating To The Agency's Series 2006C Bonds; (5) Authorizing Payment Of Costs Of Issuance; (6) Allocating Bond Proceeds To Finance Redevelopment Activities In The Redevelopment Project Area; And (7) Authorizing Agency Officials To Take Such Other Actions Necessary To Issue The Bonds

[10-0086-1](#)

**Scheduled to \*Finance & Management Committee on 10/12/2010**

*The following individual spoke on this item:*

*- Sanjiv Handa*

S-4-18      Subject:      Piedmont Avenue Library  
From:          Oakland Public Library  
Recommendation: Receive A Status Report On The Piedmont Avenue Library Planning Process; On The October 26, 2010 Life Enrichment Committee Agenda  
[10-0093](#)

**\*Withdrawn with No New Date**

S-4-19      Subject:      Rent Relief To Oakland Golf LLC  
From:          Office Of Parks And Recreation  
Recommendation: Adopt A Resolution To Approve Fifty Percent (50%) Of The Minimum Rent Relief To Oakland Golf LLC For The Operation Of The Metropolitan Golf Links During Fiscal Year July 1, 2010 Through June 30, 2011 In The Amount Of \$138,103 As Authorized In The First Sublease And Operating Agreement Approved By Resolution No. 81274 C.M.S. On May 6, 2008  
[10-0045](#)

**\*Rescheduled to \*Finance & Management Committee on 10/26/2010**

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**Request submitted on the Dias**

- #1      Subject:    Oakland Food Policy Analysis  
From:        Council President Brunner  
Recommendation: Receive A Report Providiing An Analysis Of The Oakland Food Policy Council's Recommendations Regarding The City's Food-Related Code Regulations  
[10-0082](#)  
  
                 **Scheduled to \*Life Enrichment Committee on 10/26/2010**
- #2      Subject:    City's Food-Related Regulations  
From:        Council President Brunner  
Recommendation: Receive An Informational Report On Food- And Agriculture- Related Zoning Changes To Be Included In Phase I Of The Citywide Zoning Update And A Plan For Future Analysis Of The Oakland Food Policy Council's Major Recommendations Regarding The City's Food-Related Code Regulations  
[10-0082-1](#)  
  
                 **Scheduled to \*Community & Economic Development Committee on 10/26/2010**  
[View Report.pdf](#)
- #3      Subject:    Medical Cannabis Dispensaries  
From:        Councilmembers Reid And Kaplan  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.80 "Medical Cannabis Dispensary Permits" To Increase The Total Number Of Dispensary Permits From Four (4) To Eight (8), And Increase Fees, Delete And Move Section 5.80.90 "Performance Standards" To City Administrator Guidelines, And Add Appeal Timeline  
[09-1619](#)  
  
                 **Scheduled to \*Public Safety Committee on 10/12/2010**  
[View Report.pdf](#)  
[View Report.pdf](#)  
[View Report.pdf](#)  
[View Report.pdf](#)
- 5      A review of the Council Committees' actions from September 28, 2010 and determination of scheduling to the ORA/City Council meeting of October 5, 2010 or future dates (MATRIX)  
  
                 **A motion was made by Member Quan, seconded by Chair Brunner, to \*Approve as Submitted. The motion carried by the following vote:**  
  
                 **Votes:** Excused; 1 - Member Reid  
                 Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente  
                 *The following individual spoke on this item:*  
                 - Sanjiv Handa  
                 - Naomi Schiff  
  
[Rules930item5](#)  
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6 A review of the Agendas for the Council Committees for the meeting(s) of October 12, 2010

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

**Votes:** Excused; 1 - Member Reid  
Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente  
*The following individual spoke on this item:*  
- Sanjiv Handa

[rules930item6](#)

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S-7 Subject: Expenditure Limit Processes (Spending Cap)  
From: Councilmembers Kaplan And Quan  
Recommendation: Discussion And Action Regarding A Procedure To Clarify The Process For Determining When Expenditure Ceilings (Spending Caps) Under The Campaign Finance Reform Act (Oakland Municipal Code Section 3.12.220) Are Lifted  
[10-0084](#)

**A motion was made by Member Reid, seconded by Member De La Fuente, that this matter be Accepted Report forwarded to the Public Ethics Commission for Review. The motion carried by the following vote:**

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

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

*The following individual spoke on this item:*

- Sanjiv Handa
  - Dan Siegel
  - Richard Mead
  - Gebrekidan Mael
  - Pamela Drake
  - Carey Dall
  - Deven Adams
- [View Report.pdf](#)

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

*The following individual spoke under Open Forum:*  
- Sanjiv Handa

**Adjournment**

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

*There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 12:09 p.m.*

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*City Clerk and Clerk of the Council*