



City of Oakland Meeting Minutes

*Rules & Legislation Committee

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

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

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

Thursday, February 02, 2012

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Present: Member Brooks, Member Schaaf, Member Reid and President Pro Tempore De La Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:55 a.m., with Council President Reid presiding as Chairperson.

1 Determinations of Closed Session

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to *Approve as Submitted to schedule a Special Closed Session on February 7, 2012 from 3:00 - 5:30 pm. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente

2 Approval of the Draft Minutes from the Committee meeting of January 19, 2012.

A motion was made by Member Brooks, seconded by President Pro Tempore De La Fuente, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente

3 Determination of Schedule of Outstanding Committee Items

A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente

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- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting of February 7, 2012 (SUPPLEMENTAL)

[rules020212item4](#)

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- S-4.1 Subject: Wildfire Prevention Assessment Audit Report
From: Finance And Management Agency
Recommendation: Receive A Report Presenting The Oakland Wildfire Prevention Assessment District Audit Report For Fiscal Year Ended June 30, 2011
[11-0266](#)

Scheduled to *Public Safety Committee on 2/28/2012

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- S-4.2 Subject: Professional Services Agreement Amendment - Police Performance Solutions
From: Department Of Contracts And Compliance
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Waive The Advertising, Competitive Bid And Request To Proposals/ Qualifications Requirements For Awarding Professional Services Contracts; 2) Amend The Existing Agreement Between The City Of Oakland And Police Performance Solutions, LLC (Warshaw) To Include The Current Services And Expand Oversight As Articulated In The Two Court Orders; And 3) Increase The Dollar Amount Of The Agreement By \$100,000.00 To The Total Amount Of One Million Seven Hundred Eighty Four Thousand Dollars (\$1,784,000) For The Purposes Of Implementation Of The Negotiated Settlement Agreement (NSA) And Court Ordered Compliance Efforts And For An Agreement Term Through December 31, 2012; On The February 7, 2012 City Council Agenda
[11-0272](#)

Scheduled to Office Of The City Council on 2/21/2012

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- S-4.3 Subject: Arcadia Park Residential Development
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Summarily Vacating Sections Of G Street, F Street, And Ellington Way Previously Dedicated On The Final Map For Tract 7640 And Reserving Emergency Access And Utility Easements In The Arcadia Park Subdivision Located At 921 98th Avenue
[11-0263](#)

Scheduled to *Public Works Committee on 2/14/2012

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S-4.4 Subject: Regional Sustainable Communities Strategy
From: Community And Economic Development Agency
Recommendation: Receive A Report And Approve Recommendations To Provide An Update On The Development Of The Regional Sustainable Communities Strategy (SCS) Pursuant To California Senate Bill 375, Including Alternative Land Use And Transportation Scenarios, The OneBayArea Grant Program, Results Of The Performance Targets And Equity Analyses, And Key Considerations For The City Of Oakland
[11-0271](#)

Scheduled to *Community & Economic Development Committee on 2/14/2012

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S-4.5 Subject: Cesar Chavez Park Improvement
From: Public Works Agency
Recommendation: Adopt A Resolution: 1) Rejecting All First Round Bids For The Cesar Chavez Park Improvement Project (No. C329410); And 2) Award A Construction Contract To The Lowest, Responsive And Responsible Second Round Bidder, Bay Construction In Accord With Plans And Specifications For The Project (No. C329410) And Contractor's Bid In The Amount Of One Million Six Hundred Seventy Four Thousand Five Seventy Eight Dollars (\$1,674,578.00)
[11-0264](#)

Scheduled to *Public Works Committee on 2/14/2012

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S-4.6 Subject: Zero Waste Service Contracts
From: Public Works Agency
Recommendation: Adopt A Resolution Adopting The Recommended Process And Schedule, And Protocol For Process Integrity, For A Request For Proposals For Zero Waste Service Contracts
[11-0265](#)

Scheduled to *Public Works Committee on 2/14/2012

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S-4.7 Subject: Measure WW- East Bay Regional Park Local Grant
From: Public Works Agency
Recommendation: Adopt A Resolution To 1) Authorize The Reallocation Of Three Million Three Hundred Thousand Dollars (\$3,300,000.00) From The East Bay Regional Park District Local Grant Program Of The Open Space, Wildlife, Shoreline And Parks Bond (2008 Measure WW) For Bushrod Park Soccer Field To The Golden Gate Community Recreation Center Expansion And Improvement Project, And 2) Authorize The City Administrator Or Her Designee To Apply For, Accept, And Appropriate Grant Funds In The Amount Of Three Million Three Hundred Thousand Dollars (\$3,300,000.00) From The Measure WW East Bay Regional Park District Local Grant Program For The Golden Gate Community Recreation Center Expansion And Improvement Project
[11-0269](#)

Scheduled to *Public Works Committee on 2/14/2012

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S-4.8 Subject: Oakland Park Capital Improvement Projects
From: Public Works Agency
Recommendation: Adopt A Resolution Adopting The Updated Fiscal Year 2011-2013 Park Project Prioritization List For City Of Oakland Park Capital Improvement Projects
[11-0270](#)

Scheduled to *Public Works Committee on 2/14/2012

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S-4.9 Subject: Measure Y Violence Prevention Report
From: Finance And Management Agency
Recommendation: Receive An Informational Report Presenting The Measure Y - Violence Prevention & Public Safety Act Of 2004 Audit And Program Status Report For Fiscal Year Ended June 30, 2011
[11-0268](#)

Scheduled to *Public Safety Committee on 2/28/2012

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S-4.10 Subject: Oakland Vegetarian Week
From: Vice Mayor Brooks and Councilmember Nadel
Recommendation: Adopt A Resolution Declaring The Week Of April 15-21, 2012, As "Oakland Veg Week" In The City Of Oakland
[11-0267](#)

Scheduled to Office Of The City Council on 4/3/2012

As a ceremonial item.

At this time Vice Mayor Brooks was added as a co-sponsor of this item.

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S-4.11 Subject: Prohibiting Loitering In Possession Of An Illegal Firearm
From: Councilmember Kaplan
Recommendation: Adopt An Ordinance Adding Chapter 9.37 To The Oakland Municipal Code
(1) Prohibiting Loitering In Possession Of An Illegal Firearm For The Purpose Of Engaging In
Enumerated Gun Activities; And (2) Providing For Civil Penalties, Infractions And Other Civil
Remedies; On The March 13, 2012 Public Safety Committee Agenda
[11-0238](#)

No Action Taken

This item was withdrawn with no new date.

Items Submitted on the Dais

Subject: Registration Of Foreclosed And Vacant Residential Buildings
From: Council President Reid
Recommendation: Adopt An Ordinance Re-Enacting Oakland Municipal Code Chapter 8.54
Requiring The Registration Of Foreclosed And Vacant Residential Buildings
[11-0274](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Member Brooks, that this matter be Scheduled to the Office Of The City Council, to be heard at the February 7, 2012 meeting. The motion carried by the following vote:

Votes: No; 1 - Member Schaaf

Aye; 3 - Member Brooks, Member Reid and President Pro Tempore De La Fuente

Council President Pro Tempore De La Fuente made a motion seconded by Councilmember Brooks to approve the urgency finding for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting.

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5 A review of the Agendas for the Council Committees for the meeting(s) February 14, 2012 and the Rules and Legislation Committee meeting of February 16, 2012.

A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente

At this time, the February 14, 2014 Life Enrichment Committee and Public Safety Committee meetings were cancelled.

[rules020212item5](#)

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S-6 Subject: Supporting The California Cancer Research Act
 From: Councilmember Brunner
 Recommendation: Adopt A Resolution Supporting Proposition 29 "The California Cancer Research Act Of 2012" To Reduce Smoking, Especially Among Children And Fund Critical Research To Prevent And Treat Cancer, Heart Disease And Stroke, Lung Disease And Other Tobacco-Related Illnesses
 [11-0234](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the Office Of The City Council, due back on February 7, 2012. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente
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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 11:11a.m.

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* In the event a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however, no final City Council action can be taken.

City Clerk and Clerk of the Council