



City of Oakland Meeting Agenda

*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, May 13, 2010

10:45 AM

City Council Chambers - 3rd Floor

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

Roll Call / Call to Order

COMMITTEE MEMBERSHIP:

Jean Quan, District 4; Vice Mayor Ignacio De La Fuente, District 5; Larry Reid, District 7; and Chairperson Jane Brunner, District 1

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of April 29, 2010
- 3 Determination of Schedule of Outstanding Committee Items
[\(RLES2051310\)](#)
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting of May 18, 2010 and the Rules and Legislation Committee Meeting of May 20, 2010(SUPPLEMENTAL)
[\(May13item4\)](#)

S-4-1 Subject: Urban Search And Rescue (USAR) Team Grant Funding
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator
To: 1) Apply For, Accept And Appropriate A Cooperative Agreement
From The Federal Emergency Management Agency (FEMA) For The
Period May 01, 2010 To August 31, 2011 In The Amount Of One Million
Forty One Thousand Nine Hundred Dollars (\$1,041,900) To Meet
Continuing Management, Training And Equipment Needs Of The Fire
Department's Urban Search And Rescue (USAR) Team, 2) Enter Into A
Cooperative Agreement With The Federal Emergency Management
Agency (FEMA) For The Grant Period To comply With The Terms Of The
Grant, 3) Waive The City's Competitive Bidding Requirements And
Authorize Procurement Of Equipment From The General Services
Administration Agency And Or Other Government Pricing Schedules, And
4) Award Equipment Contracts Without Return To Council; And, 5)
Approve Travel For City Personnel Participating In The FEMA
Cooperative Agreement Program On Short Notice Without Return To
Council; On The June 8, 2010 Public Safety Committee Agenda
[\(09-1466\)](#)

S-4-2 Subject: Behavioral Science Consultation and Training Services
From: Oakland Police Department
Recommendation: Adopt A Report And Proposed Resolution Authorizing
The City Administrator To Exercise The Option To Extend For An
Additional Term, The Period Of July 1, 2010 Through June 30, 2011, The
Contract With Michael Palmertree To Continue Providing Behavioral
Science Consultation And Training Services To The Oakland Police
Department To Meet The Objectives Of The Personnel Assessment System
(PAS) Policy As Required By Tasks 40 And 41 Of The Memorandum Of
Understanding (Formerly The Negotiated Settlement Agreement) At A
Cost Not to Exceed Fifty Thousand Dollars (\$50,000) And Increase The
Total Contract Amount Cap from One Hundred Thousand Dollars
(\$100,000) To One Hundred Fifty Thousand Dollars (\$150,000); On The
June 8, 2010 Public Safety Committee
[\(09-1470\)](#)

- S-4-3 Subject: Urban Renewal (OCCUR) - Contract Approval
From: Office Of The City Administrator
Recommendation: Report And Resolution Authorizing The Approval Of Contracts To Oakland Citizens Committee For Urban Renewal (OCCUR), Regional Technical Training Center (RTTC), And Allen Temple Housing & Economic Development Corporation (ATHEDCO) For An Amount Not To Exceed \$100,000 Each To Conduct Community Outreach For The City's Weatherization And Energy Retrofit Loan Program Through The Community Development Block Grant Received From The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package"); On The June 8, 2010 Community And Economic Development Committee Agenda
[\(09-1481\)](#)
- S-4-4 Subject: Community Informational Budget Meetings
From: Vice Mayor Quan
Recommendation: Receive A Request To Schedule Community Informational Meetings On The City Budget; On The June 1, 2010 City Council Agenda
[\(09-1477\)](#)
- S-4-5 Subject: Quan's Pay-Go Funds - Snapshot Mosaics
From: Vice Mayor Quan
Recommendation: Adopt A Resolution Authorizing A Grant Of \$25,000.00 From Councilmember Jean Quan's Pay-Go Funds To Gina Dominguez Of Snapshot Mosaics For The Fabrication And Installation Of Five "Way Finding" Ceramic Mosaic Sidewalk Panels; On The June 1, 2010 City Council Agenda
[\(09-1478\)](#)
- S-4-6 Subject: Oakland Mother Of The Year 2010 - Barbara Newcombe
From: Council Member Nadel
Recommendation: Adopt A Resolution Recognizing And Honoring Barbara Newcombe As Recipient Of Oakland Mother Of The Year 2010: On The June 1, 2010 City Council Agenda
[\(09-1479\)](#)
- S-4-7 Subject: Declaring May 21, 2010 "Dallas Braden Day"
From: Councilmember Brooks
Recommendation: Adopt A Resolution Honoring Oakland Athletics' Pitcher Dallas Braden Who Pitched A Perfect Game On May 9, 2010 At The Oakland-Alameda County Coliseum And Became The 19th Pitcher In 134 Years History Of Major League Baseball To Achieve This Feat, And Declaring May 21, 2010 As "Dallas Braden Day"; On The May 18, 2010 City Council Agenda
[\(09-1480\)](#)

- S-4-8 Subject: Manufacturing Medical Cannabis
From: Councilmembers Reid and Kaplan
Recommendation: Adopt An Interim Ordinance Of The City Of Oakland Adopted As An Urgency Measure Pursuant To California Government Code Section 65858 Making Findings And Establishing A Temporary Moratorium On The Establishment Of Any New Activity Or Facility Cultivating And/Or Manufacturing Medical Cannabis; On The June 1, 2010 City Council Agenda
[\(09-1482\)](#)
- S-4-9 Subject: Local 1021 Part-Time Unit - MOU
From: Department of Personnel and Management
Recommendation: Adopt A Resolution Approving Memoranda Of Understanding Between The City Of Oakland And The Service Employees International Union, Local 1021 Part-Time Unit Representing Employees In Representation Units SI1 For The Period Of July 1, 2008 Through June 30, 2011: On The June 1, 2010 City Council Agenda
[\(09-1471\)](#)
- S-4-10 Subject: Measure B Gap Grant Funds
From: Department of Human Services
Recommendation Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Measure B Funds In The Amount Of \$751,487 And Measure B Gap Grant Funds Up To \$240,224 From The Alameda County Transportation Improvement Authority (ACTIA) For Fiscal Year 2010-2011 To Provide Paratransit Services; And Authorizing The City Administrator To Negotiate And Execute Contracts To Provide These Services In Amounts Not To Exceed: 1) \$380,000 To V.I.P. Express Transport, Inc., 2) \$200,000 To Friendly Transportation, Inc. DBA Friendly Transportation, Friendly Cab Company, Metro Yellow Cab Company And Yellow Cab Company, And 3) \$200,000 To Veterans Transportation, Inc. DBA Veterans Transportation And Veterans Cab Company; And Authorizing The City Administrator To Execute Amendments To The Contracts For Any Additional Amounts Received Under Measure B Without Returning To City Council; On The June 8, 2010 Life Enrichment Committee Agenda
[\(09-1465\)](#)
- S-4-11 Subject: As-Needed Economic Consulting Services
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation

1) A Resolution Appropriating Up To \$1,000,000 From Broadway/MacArthur/San Pablo, Central City East, Central District, Coliseum, Oakland Army Base, And West Oakland Redevelopment Funds For As-Needed Economic Consulting Services, And
[\(09-1440\)](#)

And Execute Professional Services Agreementt With Economic Consultants To Provide As-Needed Economic Consulting Services For The Broadway/MacArthur/San Pablo, Central City East, Central District, Coliseum, Oakland Army Base, And West Oakland Redevelopment Project Areas In An Amount Not To Exceed \$250,000 Per Contract Without Returning To The Agency; On The July 13, 2010 Community And Economic Development Committee Agenda

[\(09-1440-1\)](#)

S-4-12 Subject: Rehabilitation of Adeline Street Overpass
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Awarding A Construction Contract To Bay Line Cutting And Coring, Inc. For Rehabilitation of Adeline Street Overpass, Between West Oakland, Interstate 880 And The Port Of Oakland (Project No. C319710) In Accord With The Project Plans And Specifications And Contractor's Bid In The Amount Of Six Hundred Forty Thousand Six Hundred Twenty-Four Dollars And Thirty-Two Cents (\$640,624.32); And

[\(09-1467\)](#)

2) A Resolution Authorizing the City Administrator Or His Designee to Accept and Appropriate One Million Seventy-Six Thousand Three Hundred Fifty Dollars (\$1,076,350.00) Of Federal Highway Administration (FHWA) - Highway Bridge Program (HBP) Grant Funds Under The California Department Of Transportation Bridge Preventive Maintenance Program (BPMP) For Rehabilitation Of The Adeline Street Overpass, Between West Oakland, Interstate 880 And The Port Of Oakland, City Project Number C319710; On The June 8, 2010 Public Works Committee Agenda

[\(09-1467-1\)](#)

S-4-13 Subject: Vacating (Abandoning) A Portion Of Peralta Street
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting Findings And Setting a Hearing To Receive Supporting Evidence And Public Comments; And

[\(09-1468\)](#)

2) An Ordinance Conditionally Vacating (Abandoning) A Portion Of Peralta Street Adjoining The Northeast Corner Of Its Intersection With 36th Street Without Cost To The Emeryville Redevelopment Agency To Facilitate Construction Of The Ambassador Affordable Housing Project; On The June 22, 2010 Public Works Committe And As A Public Hearing At July 6, 2010 City Council Agenda

[\(09-1468-1\)](#)

S-4-14 Subject: Federal Surface Transportation Program Funding
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces of Legislation:
1) A Resolution Authorizing Applying For, Accepting, And Appropriating \$1.7 Million In Federal Surface Transportation Program And/Or Congestion Mitigation And Air Quality Improvement Grant Funds From The Alameda County Congestion Management Agency's And The Metropolitan Transit Commission's Transportation For Liveable Communities Programs For The MacArthur Boulevard Streetscape Project; Committing \$3.3 Million In Local Match Funds; Stating The City's Assurance To Complete The Project; And Accepting A Contribution From The Redevelopment Agency Under The Cooperation Agreement For The Local Match Funds;

[\(09-1469\)](#)

2) A Resolution Authorizing Applying For, Accepting, And Appropriating \$2.0 Million In Federal Surface Transportation Program And/Or Congestion Mitigation And Air Quality Improvement Grant Funds From The Alameda County Congestion Management Agency's And The Metropolitan Transit Commission's Transportation For Liveable Communities Programs For The Fruitvale/Foothill Boulevard Streetscape Project; Committing \$1.37 Million In Local Match Funds; Stating The City's Assurance To Complete The Project; And Accepting A Contribution From The Redevelopment Agency Under The Cooperation Agreement For The Local Match Funds;

[\(09-1469-1\)](#)

3) A Resolution Authorizing Applying For, Accepting, And Appropriating \$3.6 million In Federal Surface Transportation Program And/Or Congestion Mitigation And Air Quality Improvement Grant Funds From The Metropolitan Transit Commission's Transportation For Liveable Communities Program For The Telegraph Temescal Pedestrian Streetscape Project; Committing \$901,800 Million In Local Match Funds; Stating The City's Assurance To Complete The Project; And Accepting A Contribution From The Redevelopment Agency Under The Cooperation Agreement For \$661,800 Of The Local Match Funds; And

[\(09-1469-2\)](#)

4) An Agency Resolution Authorizing A Contribution Of The Following Funds From The Redevelopment Agency To The City of Oakland Under The Cooperation Agreement To Fund The Required Local Matches For The Following Grant Applications To The Transportation For Liveable Communities Programs: \$661,800 For The Telegraph Temescal Pedestrian Streetscape Project From The Broadway/MacArthur/San Pablo Redevelopment Project Area, \$3.3 million For The MacArthur Boulevard Streetscape Project From The Central City East Redevelopment Project Area, And \$1.37 Million For The Fruitvale/Foothill Boulevard Streetscape Project From The Central City East Redevelopment Project Area: On The June 8, 2010 Community And Economic Development Committee

[\(09-1469-3\)](#)

- S-4-18 [Subject: Delinquent Mandatory Garbage Fees
From: Finance And Management Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution On Delinquent Mandatory Public Hearing On Delinquent Mandatory Garbage Fees For October/November/December 2009, Monthly Accounts And January/ February/March 2010 Quarterly Accounts; On The June 15, 2010 City Council Agenda
[\(09-1474\)](#)

- S-4-19 Subject: Assessment Of Liens - Business Taxes
From: Finance And Management Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution On Assessment Of Liens For Delinquent Business Taxes; On The June 15, 2010 City Council Agenda
[\(09-1475\)](#)

- S-4-20 Subject: Assessment Of Liens - Transient Occupancy Taxes
From: Finance And Management Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution On The Assessment Of Liens For Delinquent Transient Occupancy Taxes; On The June 15, 2010 City Council Agenda
[\(09-1476\)](#)

- S-4-21 Subject: Tax And Revenue Anticipation Notes
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing The Sale Of 2010-2011 Tax And Revenue Anticipation Notes In An Amount Not To Exceed Two-Hundred Million Dollars (\$200,000,000); Authorizing The Execution And Delivery Of Related Documents And Approving Certain Related Actions; On The May 25, 2010 Finance And Management Committee Agenda
[\(09-1483\)](#)

5 A review of the Council Committees' actions from May 11, 2010 and determination of scheduling to the ORA/City Council meeting of May 18, 2010(MATRIX)
[\(matrix513\)](#)

6.1 A review of the Agendas for the Council Committees for the meeting(s) of May 25, 2010 and the Rules and Legislation Committee meeting of May 27, 2010
[\(may13item6.1\)](#)

6 Subject: Tax Cannabis Act Of 2010
From: City Administrator Office
Recommendation: Adopt A Resolution Supporting The 2010 California Initiative Measure 09-0024, Entitled, Regulate, Control And Tax Cannabis, Which Would Legalize And Regulate Cannabis (Marijuana) (TITLE CHANGE)
[\(09-1235\)](#)

Pursuant to Rule 28 of the Council's Rules of Procedure Resolution 79006

C.M.S., this item was placed on this agenda

- 7 Subject: Assembly Bill 2492
 From: Councilmember Kaplan
 Recommendation: Adopt A Resolution Supporting Assembly Bill 2492, An Act To Amend Sections 62, 64, And 65.1 Of, And To Add Sections 64.1 And 64.5 To, The Revenue And Taxation Code, Relating To Taxation Which Would Change The Requirements For Reassessment Of The Value Of Commercial Properties.
[\(09-1427\)](#)
- 8 Subject: Senate Bill 1275
 From: Councilmember Kaplan
 Recommendation: Adopt A Resolution Supporting Senate Bill 1275, Requiring A Loan Servicer To Provide An Application For A Loan Modification To A Homeowner, And Determine Eligibility For A Modification Or Other Alternative To Foreclosure For Those Who Complete The Application, Prior To Filing Of A Notice Of Default.
[\(09-1426\)](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

NOTE: Americans With Disabilities Act
 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.

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[\(TDD\)](#)

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

* 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.

LATONDA SIMMONS
Agency Secretary/City Clerk
and Clerk of the Council

ORA - Oakland Redevelopment Agency
S - Supplemental Item