



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>

Thursday, May 13, 2010

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Absent: Chair Brunner

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

The Oakland City Council Rules and Legislation Committee convened at 10:54am, with Councilmember Reid presiding as Chairperson.

1 **Closed Session**

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

Votes: Absent; 1 - Chair Brunner

Aye; 3 - Member Quan, Member Reid and Member De La Fuente

2 **Approval of the Draft Minutes from the Committee meeting of April 29, 2010**

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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: Absent; 1 - Chair Brunner

Aye; 3 - Member Quan, Member Reid and Member De La Fuente

3 **Determination of Schedule of Outstanding Committee Items**

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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: Absent; 1 - Chair Brunner

Aye; 3 - Member Quan, Member Reid and Member De La Fuente

[RLES2051310](#)

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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)**

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[May13item4](#)

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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 Grant From The Federal Emergency Management Agency (FEMA) 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, And 2) Enter Into A Cooperative Agreement With The Federal Emergency Management Agency (FEMA) For The Period Of May 01, 2010 To August 31, 2011 To Provide Training To The Task Force, Respond As Requested To Local, State And National Incidents, And To Purchase Equipment To Support Our Response Capability As Directed By FEMA, And 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
[09-1466](#)

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Scheduled to *Public Safety Committee on 6/8/2010

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S-4-2 Subject: Behavioral Science Consultation and Training Services
From: Oakland Police Department
Recommendation: Adopt A 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)
[09-1470](#)

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Scheduled to *Public Safety Committee on 6/8/2010

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S-4-3 Subject: Urban Renewal (OCCUR) - Contract Approval
From: Office Of The City Administrator
Recommendation: Adopt A 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")
[09-1481](#)

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Scheduled to *Community & Economic Development Committee on 6/8/2010

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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](#)

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***Rescheduled to *Rules & Legislation Committee on 5/27/2010**

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

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
[09-1478](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/1/2010

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 The 2010 Oakland "Mother Of The Year"
[09-1479](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/1/2010**

The following individual spoke on this item:

- Sanjiv Handa
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[82780 CMS.pdf](#)

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"
[09-1480](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/18/2010**

Requires an Urgency Finding

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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
[09-1482](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/1/2010**

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S-4-9 Subject: Local 1021 Part-Time Unit - MOU
From: Department of Personnel and Management
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The Service Employees International Union, Local 1021 Part-Time Unit, Representing Employees In Representation Units SI1, Covering The Period From July 1, 2008 Through June 30, 2011
[09-1471](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/1/2010

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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
[09-1465](#)

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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](#)

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Scheduled to *Community & Economic Development Committee on 7/13/2010

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

2) An Agency Resolution Authorizing The Agency Administrator To Negotiate Award, 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](#)

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Scheduled to *Community & Economic Development Committee on 7/13/2010

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](#)

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Scheduled to *Public Works Committee on 6/8/2010

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; No New Date

[09-1467-1](#)

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Scheduled to *Public Works Committee on 6/8/2010

S-4-13 Subject: Vacating (Abandoning) A Portion Of Peralta Street
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One OfThe Following Pieces Of Legislation:

1) A Resolution Adopting Findings And Setting A Hearing To Receive Supporting Evidence And Public Comment On A Proposed Conditional Vacation Of A Portion Of Peralta Street At Its Intersection With 36th Street Without Costs To The Emeryville Redevelopment Agency To Facilitate Construction Of The Ambassador Affordable Housing Project; Or

[09-1468](#)

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Scheduled to *Public Works Committee on 6/22/2010

as a Public Hearing on the July 6, 2010 City Council Agenda

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2) An Ordinance Conditionally Vacating A Portion Of Peralta Street At Its Intersection With 36th Street Without Cost To The Emeryville Redevelopment Agency To Facilitate Construction Of The Ambassador Affordable Housing Project

[09-1468-1](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/22/2010

as a Public Hearing on the July 6, 2010 City Council Agenda

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](#)

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Scheduled to *Community & Economic Development Committee on 6/8/2010

The following individual spoke on this item:

- *Sanjiv Handa*

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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;

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Scheduled to *Community & Economic Development Committee on 6/8/2010

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

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Scheduled to *Community & Economic Development Committee on 6/8/2010

4) An Agency Resolution Authorizing A Contribution Of Funds From The Redevelopment Agency To The City of Oakland Under The Cooperation Agreement To Fund The Required Local Matches For Grant Applications To The Transportation For Liveable Communities Programs As Follows: \$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

[09-1469-3](#)

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Scheduled to *Community & Economic Development Committee on 6/8/2010

S-4-15 Subject: Senate Bill 1100 And Assembly Bills 1343, 2193,2176 and 2398
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution To Support California Senate Bill (SB)1100 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Household Batteries They Sell In California After Their Useful Life
[09-1445-1](#)

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2) Adopt A Resolution To Support California Assembly Bill (AB)1343 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Architectural Paint They Sell In California After Its Useful Life

[09-1446](#)

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3) Adopt A Resolution To Support California Assembly Bill 2139 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose of Household Medical Needles, Household Pesticides, And Household Single-Use Butane Containers They Sell In California After Their Useful Life

[09-1447](#)

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4) Adopt A Resolution In Support Of California Assembly Bill (AB) 2176 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Mercury-Containing Lamps They Sell In California After Their Useful Life

[09-1448](#)

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5) Adopt A Resolution To Support California Assembly Bill (AB) 2398 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Carpet They Sell In California After Its Useful Life

[09-1449](#)

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S-4-16

Subject: Annual Fleet Report

From: Public Works Agency

Recommendation: Receive A Follow-Up Report - Action Items Discussed During The Annual Fleet Report

[09-1472](#)

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Scheduled to *Finance & Management Committee on 6/8/2010

The following individual spoke on this item:

- Sanjiv Handa

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S-4-17

Subject: Assessment Of Liens - Delinquent 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

[09-1473](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/15/2010

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S-4-18 Subject: Delinquent Mandatory Garbage Fees
From: Finance And Management Agency
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Public Hearing On Delinquent Mandatory Garbage Fees For October/November/December 2009, Monthly Accounts And January/February/March 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
[09-1474](#)

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S-4-19 Subject: Assessment Of Liens - 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
[09-1475](#)

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S-4-20 Subject: Assessment Of Liens - Transient Occupancy Taxes
From: Finance And Management Agency
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy 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 Transient Occupancy Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 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
[09-1476](#)

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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
[09-1483](#)

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Scheduled to *Finance & Management Committee on 5/25/2010
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[82812 CMS.pdf](#)

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)

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

[matrix513](#)

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- 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

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[may13item6.1](#)

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- 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](#)

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A motion was made by Member Quan, seconded by Member De La Fuente, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on May 18, 2010 as a Consent calendar item The motion carried by the following vote:

Votes: Absent; 1 - Chair Brunner

Aye; 3 - Member Quan, Member Reid and Member De La Fuente

The following individual spoke on this item:

- *Sanjiv Handa*

- *TC Everett*

- *Richard Lee*

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[82774 CMS.pdf](#)

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](#)
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A motion was made by Member Quan, seconded by Member De La Fuente, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on May 18, 2010 as a Consent Calendar item The motion carried by the following vote:

Votes: Absent; 1 - Chair Brunner
 Aye; 3 - Member Quan, Member Reid and Member De La Fuente
The following individuals spoke on this item:
 - Shirley Burnell
 - Sanjiv Handa
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 [82775 CMS.pdf](#)

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](#)
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A motion was made by Member De La Fuente, seconded by Member Quan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on May 18, 2010 as a Consent calendar item The motion carried by the following vote:

Votes: Absent; 1 - Chair Brunner
 Aye; 3 - Member Quan, Member Reid and Member De La Fuente
The following individual spoke on this item:
 - Shirley Burnell
 - Sanjiv Handa
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OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual spoke under Open Forum:
 - Sanjiv Handa

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:52am.

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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* 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