



# 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>**

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**Thursday, January 07, 2010**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call to Order

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#### **Scheduled**

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

*The Oakland City Council Rules and Legislation Committee convened at 10:56a.m. with Council President Brunner presiding as Chairperson.*

1 **Closed Session**

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**A motion was made by Member De La Fuente, seconded by Member Reid, to \*Approve as Submitted to schedule a Closed Session January 19, 2010 at 4:00 pm. The motion carried by the following vote:**

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

2 **Approval of the Draft Minutes from the Committee meeting of December 3, 2009.**

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**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

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

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**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

[RULES010710](#)

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4 Scheduling of Agenda Items and revisions to the agenda for the Council Committee meeting of January 12, 2010 (SUPPLEMENTAL)

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[rules item 4 0107](#)

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S-4-1 Subject: Police Overtime Reimbursement - Koreatown/Northgate  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To Accept And Appropriate Reimbursement Funds In An Amount Not-To-Exceed One Hundred Thousand Three Hundred Twenty-Six Dollars And Seventy-Two Cents (\$100,326.72) Annually Without Return To Council, In Private Funds From Koreatown Oakland, On Behalf Of The Koreatown/Northgate Community Benefit District (CBD), To The Oakland Police Department (OPD) To Reimburse Overtime Costs For One (1) Police Officer Providing Police Services Twenty-Four (24) Hours Per Week, For A Period of One Year  
[09-1100](#)

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**Scheduled to \*Public Safety Committee on 2/9/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

- Sanjiv Handa

S-4-2 Subject: Conflict Of Interest Code Amendments  
From: City Attorney's Office  
Recommendation: Adopt An Ordinance Amending The City Of Oakland's Conflict Of Interest Code (Ordinance Number 11562 C.M.S. Adopted March 23, 1993, As Amended, Oakland Municipal Code Chapter 3.16) Enacting A Conflict Of Interest Code For City Of Oakland Employees, Members Of Boards And Commissions, And Consultant Positions To Update The Designation Of Positions Covered By The Code  
[09-1113](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 1/19/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

- Sanjiv Handa  
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[12990 CMS.pdf](#)

S-4-3      Subject:      Leash Requirements For Grove Shafter Park Dog Play  
From:            Council President Brunner  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Title 6, Chapter 6.04, Section 6.04.080 "Dogs At Large In Parks", To Allow Dogs To Be Off-Leash, Under Specific Conditions, In The Grove Shafter Park Dog Play Areas And To Permit Dogs On A Six Foot Leash On Hardscape Paths In Grove Shafter Park As Authorized By The Parks & Recreation Advisory Commission  
[09-1098](#)

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**Scheduled to \*Life Enrichment Committee on 1/26/2010**

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S-4-4      Subject:      Update On The Implementation Of CompStat  
From:            Councilmember Larry Reid  
Recommendation: Action On A Report From The Oakland Police Department With An Update On The Implementation Of CompStat Including Current Progress, Phases, Next Steps, Challenges, And Information Regarding The Award, Allocation And Expenditures Related To Stimulus, Non-Stimulus Grants And The Recent \$1,325,000 Appropriation From The Federal Government Used To Fund The Initiative; On The March 9, 2010 Public Safety Committee Agenda  
[09-1105](#)

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**Scheduled to \*Public Safety Committee - CANCELLED on 3/9/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

*- Sanjiv Handa*

S-4-5      Subject:      Recently Implemented Gang Injunctions  
From:            Councilmember Reid  
Recommendation: Discussion And Action On A Joint Informational Report From The Oakland Police Department And The City Attorney's Office Concerning The Feasibility Of Implementing Civil Gang Injunctions In The City Of Oakland; Including Opt-Out Provisions In The Injunctions To Allow Gang Members To Repudiate The Gang; And Providing Information About The Successes And Challenges Of San Francisco's Gang Injunction Program  
[09-1106](#)

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**Scheduled to \*Public Safety Committee on 2/9/2010**

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S-4-6      Subject:    East Oakland Faith Deliverance Center Recognition  
From:        Councilmember Reid  
Recommendation: A Resolution Honoring The Angelic Voices Of The East Oakland Faith Deliverance Center For Earning The Right To Compete In The National Finals Of The How Sweet The Sound Best Church Choir In America Competition In Detroit, Michigan.  
[09-1107](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 1/19/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

- Sanjiv Handa  
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[82485 CMS.pdf](#)

S-4-7      Subject:    Deputy Chief David Kozicki - Honorarium  
From:        Councilmember Reid  
Recommendation: Adopt A Resolution Honoring Deputy Chief David Kozicki On His Retirement From The Oakland Police Department And For His Many Years Of Service To The Citizens Of Oakland  
[09-1108](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 1/19/2010**

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S-4-8      Subject Barbara Killey - Retirement  
From:        Councilmembers Reid And Nadel  
Recommendation: Adopt A Resolution Honoring Barbara Killey For Her Many Years Of Valuable Service And Congratulating Her On Her Retirement  
[09-1109](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 2/16/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

- Sanjiv Handa  
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S-4-9      Subject:     Vice Mayor - One Year Term  
From:        President Jane Brunner  
Recommendation: Adopt A Resolution Electing Councilmember \_\_\_\_\_ As  
Vice Mayor Of The City Of Oakland For A One-Year Term Pursuant To City  
Charter Section 208  
[09-1112](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 1/19/2010**

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S-4-10      Subject:     Disparity Study - Fairness In Contracting And Purchasing  
From;        Department Of Contracting And Purchasing  
Recommendation: Action On A Report On The Seven (7) Major Findings And  
Recommendations Of The Fairness In Contracting And Purchasing Disparity  
Study; On The February 23, 2010 Community And Economic Development  
Committee Agenda  
[09-1095](#)

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**Scheduled to \*Community & Economic Development Committee on  
2/23/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

- Sanjiv Handa

S-4-11      Subject:     Mason Tillman - Mason Tillman Contract Amendment  
From:        Department Of Contracting And Purchasing  
Recommendation: Adopt A Resolution Amending City Council Resolution No.  
79385 C.M.S., Which Authorized A Contract With Mason Tillman Associates To  
Perform A Fairness In Contracting And Purchasing Study (Disparity Study), To  
Increase The Contract By Fourteen Thousand One Hundred Twenty Five Dollars  
(\$14,125), From Four Hundred Eighty-Nine Thousand Six Hundred Twenty  
Dollars (\$489,620) To Five Hundred Three Thousand Seven Hundred Fortyfive  
Dollars (\$503,745), To Cover Additional Public Hearing Services  
[09-1104](#)

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**Scheduled to \*Community & Economic Development Committee on  
2/9/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

- Sanjiv Handa  
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S-4-12      Subject:      Unused Storm Drain Easement  
From:            Community and Economic Development Agency  
Recommendation: Adopt A Resolution Summary Vacation Of An Unused Storm Drain Easement Located At 70 Sotelo Avenue To The Ephraim Heller Separate Property Trust  
[09-1092](#)

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**Scheduled to \*Public Works Committee on 1/26/2010**

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S-4-13      Subject:      Unimproved Portion Of The 66th Avenue Right Of Way  
From:            Community And Economic Development Agency  
Recommendation: Adopt A Resolution Summary Vacation An Unimproved Portion Of The 66th Avenue Right-Of-Way Adjacent To The Oakland-Alameda County Coliseum Complex For The Purchase And Future Development By The Oakland Redevelopment Agency  
[09-1093](#)

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**Scheduled to \*Public Works Committee on 1/26/2010**

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S-4-14      Subject:      Purchase of Real Property - 3050 International Blvd.  
From:            Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 3050 International Boulevard In The Coliseum Revolpment Project Area And The Derby Avenue Lot Located Adjacent To 3028 International Boulevard, In The Central City East Redevelopment Project Area, From Melrose Real Estate Holdings For \$3,250,000, Less The Cost Of Any Environmental Site Remediation, And Authorizing Up To \$20,000 For Real Estate Closing Costs  
[09-1094](#)

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**Scheduled to \*Community & Economic Development Committee on 1/26/2010**

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S-4-15      Subject:      500 Hegenberger Road - Major Conditional Use Permit  
From:            Community And Economic Development Agency  
Recommendation: A Request To Withdraw From The February 16, 2010 City Council Agenda Conduct A Public Hearing to Consider an Appeal of the Approval of a Major Conditional Use Permit at 500 Hegenberger Road to Re-establish a Hotel (Transient Habitation) That Has Been Closed for Greater Than One Year and Adopting One of the Following Two Alternative Resolutions:

- 1) A Resolution Denying the Appeal (A09-264), thereby Upholding the Planning Commission Decision to Approve a Major Conditional Use Permit at 500 Hegenberger Road to Re-establish a Hotel (Transient Habitation) That Has Been Closed for Greater Than One Year; Or Alternatively,  
[09-1102](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 2/16/2010**

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S-4-16      Subject:      Upgrade The City's 800 Mhz Radio Network Equipment  
From:            Fire Department  
Recommendation: Adopt The Following Pieces Of Legislation:

- 1) A Resolution Authorizing The City Administrator To: 1) Accept, Appropriate And Allocate Fiscal Year 2009 Urban Areas Security Initiative ("UASI") Interoperability Grant Funds In The Amount Of One Million Three Hundred Thousand Dollars (\$1,300,000) To The 800 Mhz Radio Network Upgrade Project; And 2) Amending Resolution No. 79706 C.M.S., Which Authorized A Contract With Dailey Wells, Inc. For 800 Mhz Radio Network Project Engineering, Radio Replacement, And Upgrades, To Authorize An Amendment For The Additional Purchase Of Design, Engineering, Installation And Upgrade Services And Goods For The City's 800 Mhz Radio Network Equipment To Make It Interoperable Internally And With Other Regional Public Safety Agencies, In An Amount Not To Exceed \$2,600,000, For A Total Contract Not-To-Exceed \$5,600,000; And 3) Waiving Advertising, Bidding And The Request For Proposals/Qualifications Processes For Said Additional Services And Goods; And  
[09-1097](#)

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**Scheduled to \*Special Public Safety Committee on 2/9/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

- *Sanjiv Handa*  
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S-4-17      Subject:    Caltrans Maintenance Activities  
From:        Public Works Agency  
Recommendation: Receive A Progress Report On Caltrans Maintenance Activities  
In The City Of Oakland  
[09-1103](#)

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**Scheduled to \*Public Works Committee on 1/26/2010**

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S-4-18      Subject:    City's Long-Term Pension Liabilities  
From:        Finance and Management Agency  
Recommendation: Receive An Informational Report Regarding The City's  
Long-Term Pension Liabilities Including The Police And Fire Retirement System  
(PFRS), The Oakland Municipal Employees Retirement System (OMERS), The  
California Public Employees Retirement System (CalPERS), And Other Post  
Employment Benefits (OPEB)  
[09-1096](#)

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**Scheduled to \*Finance & Management Committee on 2/23/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

*- Sanjiv Handa*

S-4-19      Subject:    Installation of Additional Parking Meters  
From:        Finance And Management Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing Installation of Additional Parking Meters In The City  
Of Oakland And Adding Locations For Additional Meters To Approved Meter  
Zones; And  
[09-1099](#)

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*The following individual(s) spoke and did not indicate a position on this item:*

*- Sanjiv Handa*

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S-4-20      Subject:    2008-2009 Single Audit Report  
                 From:        Finance And Management Agency  
                 Recommendation: Receive An Informational Report Presenting The Fiscal Year  
                 2008-2009 Single Audit Report;  
                 [09-1101](#)

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**Scheduled to \*Finance & Management Committee on 2/9/2010**

**ADDITIONAL REQUESTS SUBMITTED ON THE DIAS**

Subject:    Workforce Investment Board Contracts  
From:        Council President Jane Brunner  
Recommendation: Adopt A Resolution To Approve All Workforce Investment Board (WIB)  
Funded Contracts For Fiscal Year 2009-2010, Including The Total Budget, Amount For Each  
Contract, Service Goals And Past Evaluations For Each Contract  
[09-0281](#)

**\*Rescheduled to \*Community & Economic Development Committee on  
2/9/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

- *Sanjiv Handa*  
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Subject:    Citywide Performance Management And Reporting System  
From:        Budget Office  
Recommendation: Discussion And Possible Action On Recommended Improvements To  
Oakland's Citywide Performance Management And Reporting System; On The January 26,  
2010 Finance And Management Committee Agenda  
[09-1048](#)

**\*Rescheduled to \*Finance & Management Committee on 1/26/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

- *Sanjiv Handa*

Subject: Historical Fox Theater Renovation  
From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Apply For, Accept, And Appropriate Grant Funds From The California Cultural And Historical Endowment Program Under State Of California Clean Water, Clean Air, Safe Neighborhood Parks, And Costal Protection Act Of 2002, For The Historic Fox Theater Renovation In An Amount Not To Exceed One Million (\$1,000,000)  
[09-1115](#)

**Scheduled to \*Community & Economic Development Committee on 1/26/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

- Sanjiv Handa  
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[View Supplemental Report.pdf](#)  
[2010-0014 CMS.pdf](#)

Subject: Teen Dating Violence Awareness And Prevention Month  
From: Councilmember Jean Quan  
Recommendation: Adopt A Resolution Proclaiming The Month Of February 2010 As Teen Dating Violence Awareness And Prevention Month  
[09-1116](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 1/19/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

- Sanjiv Handa  
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[82486.pdf](#)

Subject: Amendment To Negotiate Settlement Agreement Contract  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Amending Resolution No. 82448 C.M.S. (1) To Reflect The Name Change Of The Alexandria Group Of MPRI, The Contractor That The Council Authorized To Perform Independent Monitoring Services In An Amount Not To Exceed \$1,500,000, To Assure Compliance With A Court Order In Delphine Allen, Et Al V. City Of Oakland, USDC Case No. COO-4599 THE, A Lawsuit Alleging That Certain Oakland Police Officers Violated Plaintiffs' Civil Rights, And (2) To Authorize The City Administrator To Execute The Agreement With The Contractor Under The Contractor's New Name, Police Performance Solutions, LLC  
[09-1117](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 1/19/2010**

*The following individual(s) spoke and did not indicate a position on this item:*

- Sanjiv Handa  
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[82491.pdf](#)

Subject: Public Safety And Transportation Protection Act  
 From: Councilmember Jean Quan  
 Recommendation: Adopt A Resolution In Support Of The Local Taxpayer, Public Safety And Transportation Protection Act Of 2010, Which Will Prohibit The State From Taking Local Revenue  
[09-1118](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 1/19/2010**  
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[82506.pdf](#)

Subject: Immediate Hiring Freeze  
 From: Council President Brunner And Vice-Mayor De La Fuente  
 Recommendation: Adopt A Resolution Implementing An Immediate Hiring Freeze On All Positions Funded By The General Fund And Requiring That The City Administrator And Other Appointing Authorities Obtain City Council Authorization/Approval To Fill Any Positions Funded By The General Fund  
[09-1119](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 1/19/2010**  
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[82502.pdf](#)

Subject: City-Wide Records Management Program  
 From: Oakland Public Ethics Commission/Office Of The City Clerk  
 Recommendation Adopt An Ordinance Amending Chapter 2.20 Of The Oakland Municipal Code (Aka "The Oakland Sunshine Ordinance") Incorporating Amended Provisions Of The "City-Wide Records Management Ordinance" (Ordinance No. 11370) Into The Sunshine Ordinance To Codify And Establish A City-Wide Records Management Program  
[09-1042](#)

**\*Rescheduled to \*Finance & Management Committee on 1/26/2010**  
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5 A review of the Agendas for the Council meeting of January 19, 2010 and the Rules and Legislation Committee meeting of January 21, 2010  
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**A motion was made by Member De La Fuente, seconded by Member Reid, 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

*The following individual(s) spoke and did not indicate a position on this item:*

*- Sanjiv Handa*

[rules item 5 0105](#)  
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6            Subject:    Tracking Of Council Items  
               From:        Council President Brunner  
               Recommendation: Receive A Monthly Report Tracking Significant Items Passed by Council As Identified By The Council President  
               [09-0488-4](#)

**A motion was made by Member Reid, seconded by Member De La Fuente, that this matter be \*Received and Filed. The motion carried by the following vote:**

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

*The following individual(s) spoke and did not indicate a position on this item:*

- *Sanjiv Handa*  
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**OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)**

*The following individual(s) 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 11:50 a.m.*

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.

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*City Clerk and Clerk of the Council*