



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, March 24, 2011

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

The Oakland City Council Rules and Legislation Committee convened at 10:52 a.m., with Council President Reid presiding as Chairperson.

1 Closed Session

A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, to *Approve as Submitted the scheduling of a 2:00 p.m. Special Closed Session on April 5, 2011 The motion carried by the following vote:

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

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

2 Approval of the Draft Minutes from the Committee meeting of March 10, 2011

A motion was made by Vice Mayor 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, Vice Mayor 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 Vice Mayor Brooks, to *Approve with the following amendments. The motion carried by the following vote:

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

From the Finance and Management Pending List:

1 Subject: Mayor's Salary Review
From: Council President Reid
Recommendation: Discussion and Possible Action On A Report Calculating The Oakland City Mayor's Salary In Conformity With The Oakland City Charter
[10-0520](#)

Scheduled to *Finance & Management Committee on 4/26/2011

[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[83394 CMS.pdf](#)

12 Subject: Event Table Purchases
From: Office Of Budget
Recommendation: Receive An Annual Informational Report On City-Funded Event Tables Purchased During Fiscal Year 2009-2010
[10-0517](#)

Scheduled to *Finance & Management Committee on 4/26/2011

[View Report.pdf](#)

13 Subject: Travel Expenditures
From: Office Of Budget
Recommendation: Recieve An Informational Report On Travel Expenditures Incurred By The City During The Fiscal Year
[10-0518](#)

Scheduled to *Finance & Management Committee on 4/26/2011

[View Report.pdf](#)
[View Supplemental Report.pdf](#)

16 Subject: Status Of Required Audits
From: Office Of Budget
Recommendation: Discussion And Possible Action On An Update On City Ordinance And Enacted Ballot Measure Mandated Audits
[10-0519](#)

Scheduled to *Finance & Management Committee on 4/26/2011

[View Report.pdf](#)

4 Scheduling of Agenda Items and revisions to the agenda(s) for the Special ORA/City Council meeting of March 29, 2011 (SUPPLEMENTAL) or future meetings
A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to *Approve with the following amendments. The motion carried by the following vote:

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

4-1 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,
 2011 Through June 30, 2012, 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 \$100,000 (One Hundred Thousand Dollars) To One Hundred
 Fifty Thousand Dollars(\$150,000)

[10-0513](#)

Scheduled to *Public Safety Committee on 4/12/2011

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[83305 CMS.pdf](#)

S-4-2 Subject: Ranked - Choice Voting Follow Up
 From: Office Of The City Clerk/Alameda County Registrar Of Voters
 Recommendation: Action And Discussion On A Follow Up Report Regarding
 Ranked-Choice Voting For The City Of Oakland's November 2, 2010 Election, A
 Review Of The Outreach And Education Program And Presentation By The
 Alameda County Registrar Of Voters Office Responses To Questions Submitted
 By The City Of Oakland

[10-0514](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 4/5/2011**

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

S-4-3 Subject: Updated Report Delivery Schedule
 From: The Office Of The City Clerk
 Recommendation: A Review Of The Revisions To The 2011 Council/Committee
 Meeting And Report Delivery Schedule

[10-0515](#)

S-4-4 Subject: Bricker-Mincolla Contract Award
From: Department Of Contracting And Purchasing
Recommendation: Adopt A Resolution Awarding A Contract To Bricker-Mincolla Uniform Company, A Small Local Business, And Lowest Responsive, Responsible Bidder In An Amount Not To Exceed Two Hundred Seventy Nine Thousand, Six Hundred Dollars (\$279,600.00) For The Purchase Of Four Hundred (400) Second Chance, Summit SM01, Level IIIA Body Armor Vests In Accordance With Specification No. 11-680-08-01/Request For Quote (RFQ) No. 1387
[10-0505](#)

Scheduled to *Finance & Management Committee on 4/26/2011

[View Report.pdf](#)
[83327 CMS.pdf](#)

S-4-5 Subject: Summer Youth Employment Services
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute Grant Agreements Between The City Of Oakland With The Following Agencies With Corresponding Amounts: 1) Youth Employment Partnership Inc. (\$95,260): 2) Youth Radio (\$40,000), And 3) Youth Uprising (\$42,340): To Provide Summer Youth Employment Services To High Risk Youth In Accordance With The Measure Y Violence Prevention And Public Safety Act, For A Total Amount Not To Exceed \$177,600 For The Period Of May 5, 2011 To December 30, 2011
[10-0508](#)

Scheduled to *Community & Economic Development Committee on 3/30/2011

[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[83333 CMS.pdf](#)

S-4-6 Subject: Frank G. Mar Project - Interest Rate Reduction
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Amending Resolution No. 89-35 C.M.S. Authorizing A Loan To The East Bay Asian Local Development Corporation (EBALDC) For the Frank G. Mar Project To Reduce The Interest Rate To 3%, Extend The Time For Repayment, And Convert The Loan Into A Surplus Cash Flow Loan
[10-0486](#)

Scheduled to *Community & Economic Development Committee on 4/26/2011

Staff indicated that a title change was forthcoming changing this resolution to a City Resolution amending Resolution No. 66603.

[View Report.pdf](#)
[83369 CMS.pdf](#)

- S-4-7 Subject: Major Conditional Use Permit - 4514 Telegraph Avenue
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal (A10-324), Thereby Upholding The Planning Commission Decision To Approve A Revision (REV10-018) To A Major Conditional Use Permit At 4514 Telegraph Avenue For Fast-Food And Drive-Through Commercial Activity
[10-0487](#)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/3/2011
[View Report.pdf](#)
[83366 CMS.pdf](#)
- S-4-8 Subject: Pacific Renaissance Plaza Lawsuit Settlement
From: Community And Economic Development Agency
Recommendation: Adopt A City Resolution Amending City Resolution No. 82505 C.M.S. And Adopt An Agency Resolution Amending Agency Resolution No. 2010-11 C.M.S. Authorizing Settlement Of The Pacific Renaissance Plaza Lawsuit To (1) Extend The Timeline For Repaying The City's Legal Costs By Twenty-Four Months, And (2) Modify Affordability Restrictions On Pacific Renaissance Units To Restrict Only The Initial Sale Of Units
[10-0503](#)
Scheduled to *Community & Economic Development Committee on 4/26/2011
- S-4-9 Subject: Formation Of The Fruitvale Property Business Improvement District
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Sign The Petition For The Three (3) City-Owned Properties On Which Assessments Are To Be Levied (APN 025-0722-026-00, APN 033-2130-035-02, And APN 033-2135-026-02) To Support The Formation Of The Fruitvale Property Business Improvement District Of 2011; And
[10-0509](#)
Scheduled to *Community & Economic Development Committee on 4/12/2011
[View Report.pdf](#)
[83304 CMS.pdf](#)

2) An Agency Resolution Authorizing The Agency Administrator To Sign The Petition For The Three (3) Agency-Owned Properties On Which Assessments Are To Be Levied (APN 032-2115-037-01, APN 025-0719-007-01, APN 025-0690-008-01, And APN 032-2084-051-00) To Support The Formation Of The Fruitvale Property Business Improvement District Of 2011
[10-0509-1](#)

Scheduled to *Community & Economic Development Committee on 4/12/2011
[2011-0036 CMS.pdf](#)

S-4-10 Subject: Adult And Dislocated Worker Training And Employment Services
From: Community Of Economic Development Agency
Recommendation: Adopt A Resolution Amending Resolution No. 83122 C.M.S. Authorizing Contracts Under The Workforce Investment Act For Adult And Dislocated Worker Training And Employment Services, To Change The Initial Contract Completion Dates From June 30, 2012, To December 31, 2011, And Allow For A Negotiated Six-Month Extension
[10-0510](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 4/5/2011
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[83295 CMS.pdf](#)

S-4-11 Subject: Improvements To The Facility Located At 655 International Boulevard
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of \$100,000 From Central City East Redevelopment Funds To The City Of Oakland Under The Cooperation Agreement To Undertake Disabled Access Improvements To The Facility Located At 655 International Boulevard In Clinton Park
[10-0511](#)

Scheduled to *Community & Economic Development Committee on 4/26/2011
[View Report.pdf](#)
[2011-0040 CMS.pdf](#)

2) A City Resolution Accepting A Contribution Of \$100,000 From The Redevelopment Agency Under The Cooperation Agreement To Undertake Disabled Access Improvements To The Facility Located At 655 International Boulevard In Clinton Park
[10-0511-1](#)

Scheduled to *Community & Economic Development Committee on 4/26/2011
[83343 CMS.pdf](#)

S-4-12 Subject: Lake Merritt Institute For Professional Services
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Two Year Agreement From July 1, 2011, To June 30, 2013, With The Lake Merritt Institute For Professional Services To Provide Cleanup, Maintenance, Monitoring, Volunteer Coordination, Technical Assistance And Public Outreach Related To Lake Merritt In An Amount Not To Exceed Three Hundred Twenty Thousand Dollars (\$320,000), And To Extend The Initial Contract Period An Additional Two Years Through June 30, 2015, If The Tasks In The Scope Of Work Are Completed Satisfactorily.

[10-0512](#)

Scheduled to *Public Works Committee on 4/26/2011

[View Report.pdf](#)

[83324 CMS.pdf](#)

S-4-13 Subject: Police And Fire Retirement System Liability
From: Finance And Management Agency
Recommendation: Receive An Informational Report On A Proposed Resolution Of The City Council Of The City Of Oakland Authorizing The Available Option(s) And Terms For Funding The Police And Fire Retirement System Unfunded Accrued Actuarial Liability, And Approving The Termination Of The Swap Agreement Related To The Oakland Joint Powers Financing Authority, Lease Revenue Bonds, 1998 Series A1/A2 [TITLE CHANGE]; On The April 26, 2011 Finance And Management Committee Agenda

[10-0259](#)

Scheduled to *Finance & Management Committee on 4/26/2011

[View Report.pdf](#)

S-4-14 Subject: Women's Cancer Resource Center Anniversary
From: Councilmember Brunner
Recommendation: Adopt A Resolution Honoring The Women's Cancer Resource Center On Their 25th Anniversary

[10-0502](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 4/5/2011

[View Report.pdf](#)

[83279 CMS.pdf](#)

S-4-15 Subject: Alcohol Control Enforcement Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) From The State Of California, Department Of Alcoholic Beverage Control (ABC), Grant Assistance Program (Gap), For The Federal Fiscal Year 2012 Implementation Of The Alcohol Control Enforcement Program Within The Police Department
[10-0504](#)

Scheduled to *Public Safety Committee on 4/12/2011

[View Report.pdf](#)
[83306 CMS.pdf](#)

REQUESTS SUBMITTED ON THE DIAS

Subject: Global Era Conference, Seattle, WA - Brooks Travel
From: Vice Mayor Desley Brooks
Recommendation: Adopt A Resolution Authorizing Vice Mayor Desley Brooks To Travel To Seattle, Washington To Attend The National League Of Cities Leadership Academy On Local Economic Competitiveness In A Global Era Conference From April 19-21, 2011
[10-0516](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 4/5/2011**

[View Report.pdf](#)
[83288 CMS.pdf](#)

Subject: Support Of Senate Bill SB 729
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution To Support Senate Bills SB 729 (Leno/Steinberg) An Act To Amend Sections 2923.5 And 2924b Of, To Amend And Repeal Section 2924 Of And To Add Sections 2923.4, 2923.5, 2923.7, 2923.73, 2923.74 And 2923.75 To, The Civil Code To Prohibit A Mortgagee, Trustee, Beneficiary Or Authorized Agent From Recording A Notice Of Default Unless That Party Makes Reasonable And Good Faith Efforts To Evaluate The Borrower For All Available Loss Mitigation Options To Avoid Foreclosure.
[10-0527](#)

Scheduled to *Rules & Legislation Committee on 4/7/2011

[View Report.pdf](#)
[83334 CMS.pdf](#)

Subject: Support Of Assembly Bill 1321
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution To Support Assembly Bill 1321 (Wieckowski) An Act To Amend Section 2934 Of , And Add Sections 1214.5 And 2923.7 To, The Civil Code, And To Amend Section 27280 Of The Government Code, A Bill Prohibiting The Mortgagee, Trustee, Or Beneficiary Of A Property From Recording A Notice Of Default Until 45 Days After It Has Recorded The Mortgage Or Deed Of Trust And Any Assignment Of The Mortgage And Deed Of Trust
[10-0528](#)

Scheduled to *Rules & Legislation Committee on 4/7/2011

[View Report.pdf](#)
[83335 CMS.pdf](#)

Subject: Support Of Assembly Bill 935
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution To Support Assembly Bill 935 And Act To Amend Section 27360 Of The Government Code, Relating To The Collection Of County Recorder Fees
[10-0529](#)

Scheduled to *Rules & Legislation Committee on 4/7/2011

The Committee asked that this title be expanded to give more detail on this Assembly Bill.

[View Report.pdf](#)
[83336 CMS.pdf](#)

The Special City Council Meeting to be held at 5:30 p.m. on March 29, 2011 was cancelled.

- 5 A review of the Council Committees' actions from March 22, 2011 and determination of scheduling to the ORA/City Council meeting of April 5, 2011 or future dates (MATRIX)
A motion was made by Vice Mayor 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, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

[rules32411item5](#)
[View Report.pdf](#)

- 6 A review of the Agendas for the Concurrent Meeting of ORA/City Council for April 5, 2011 and the Rules and Legislation Committee meeting of April 7, 2011
A motion was made by President Pro Tempore De La Fuente, seconded by Vice Mayor Brooks, to *Approve with the following amendments. The motion carried by the following vote:

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

[rules32411item6](#)
[view Report.pdf](#)

RESCHEDULING ITEMS PREVIOUSLY SCHEDULED TO THE ORA/CITY COUNCIL
MEETING OF APRIL 5, 2011

Subject: Authorizing Sale Of 319 Chester Street
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The Sale Of A City-Owned Parcel At 319 Chester Street To The Alliance For West Oakland Development For A Purchase Price Of \$94,000, Authorizing Seller Financing For The Purchase Price, Authorizing A \$400,000 Construction Loan, And Authorizing A Disposition And Development Agreement With The Developer To Develop The Parcel With A Single-Family Home
[10-0096](#)

***Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/17/2011**

[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Report.pdf](#)
[View Supplemental Report.pdf](#)

S-7 Subject: Seismic Safety Finance Act
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Supporting Assembly Bill 184 (Swanson) Which Will Add A New Section 5899, Entitled The Seismic Safety Finance Act, To The California Streets And Highways Code To Allow The Voluntary Creation Of Contractual Assessment Programs For Property Owners To Seismically Retrofit Residential, Commercial, Industrial, And Agricultural Buildings
[10-0492](#)

Continued to *Community & Economic Development Committee on 4/12/2011

The Committee directed staff to return with a report explaining how this bill will impact Oakland's current program.

[View Report.pdf](#)
[83315 CMS.pdf](#)

S-8 Subject: Enterprise Zone Program
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution In Support Of AB 231, AB 232, And ABX 11; Proposed Amendments To Reform The California Enterprise Zone Program
[10-0497](#)

Continued to *Community & Economic Development Committee on 4/12/2011

The Committee directed staff to return with a report explaining how this bill will impact Oakland's current program.

[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[83314 CMS.pdf](#)

The Public Hearing on MacArthur Transit Village will be added to the April 5, 2011 Agenda.

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

There were no speakers during Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:55 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.

Office of the City Clerk - Agenda Management Unit
Phone: (510) 238-3226
Fax: (510) 238-6699
Recorded Agenda: (510) 238-2386
Telecommunications Display Device: (510) 839-6451
[TTD](#)

* 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