



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, April 03, 2008

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Excused: Member Brunner

Present: Member Chang, Vice Mayor Reid and Chair De La Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:46 AM with Council President Ignacio De La Fuente presiding as Chairperson.

1 **Closed Session**

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A motion was made by Vice Mayor Reid, seconded by Member Chang, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Member Brunner

Aye; 3 - Member Chang, Vice Mayor Reid and Chair De La Fuente

The Office of the City Attorney scheduled a Closed Session for Tuesday, April 15, 2008 for 4 PM - 6 PM

2 **Approval of the Draft Minutes from the Committee meetings of March 13, 2008 and March 20, 2008**

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A motion was made by Vice Mayor Reid, seconded by Member Chang, to *Approve the Minutes. The motion carried by the following vote:

Votes: Excused; 1 - Member Brunner

Aye; 3 - Member Chang, Vice Mayor Reid and Chair De La Fuente

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

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A motion was made by Member Chang, seconded by Vice Mayor Reid, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Member Brunner

Aye; 3 - Member Chang, Vice Mayor Reid and Chair De La Fuente

[rules 04-03-08](#)

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4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of April 8, 2008 SUPPLEMENTAL)

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A motion was made by Vice Mayor Reid, seconded by Member Chang, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Member Brunner

Aye; 3 - Member Chang, Vice Mayor Reid and Chair De La Fuente

S-4-1 Subject: Gang Reduction, Intervention And Prevention Grant
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 Four Hundred Thousand Dollars (\$400,000) From The State Of California, Governor's Office Of Emergency Services, For Use By The The Oakland Police Department For The California Gang Reduction, Intervention And Prevention (CalGRIP) Grant Program For The Program Period April 1, 2008 Through December 31, 2010 And Authorizing The Oakland Police Department To Enter Into Memoranda Of Understanding With The Alameda County Probation Department And The Oakland Department Of Human Services
[07-1001](#)

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***Withdrawn and Rescheduled to *Public Safety Committee on 4/22/2008**

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S-4-2 Subject: 21 Day Seat Belt Compliance Campaign 2008
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In An Amount Not To Exceed Nineteen Thousand Nine Hundred And Forty-Eight Dollars (\$19,948) From The State Of California, Office Of Traffic Safety, Administered By The University Of California-Berkeley Traffic Safety Center For The Police Department's Participation In The 2008 Implementation Of The 21-Day California Seat Belt Compliance Campaign And Appropriate Said Funds To The Police Department
[07-1218](#)

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Scheduled to *Public Safety Committee on 4/22/2008

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S-4-3 Subject: Schedule Of Budget Presentations
From: Budget Office
Recommendation: Action On A Request To Schedule A Series Of Special City Council Workshops And Meetings To Discuss And Adopt Modifications To The Fiscal Year 2008-2009 Midcycle Budget. (See Attached For A Detailed Proposal, With Specific Dates And Discussion Issues.)
[07-0955](#)

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Accepted

The following individual spoke on this item:

- *Sanjiv Handa*

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S-4-4 Subject: Teammate Audit Management - Contract
From: Office of the Auditor
Recommendation: Adopt A Resolution Waiving (1) The Competitive Bidding And (2) The Competitive RFP/RFQ Selection Requirements Of The Oakland Purchasing Ordinance And Authorizing The City Auditor To Award A Contract To Wolters Kluwer For Teammate, An Integrated Audit Management Software Program, In An Amount Not To Exceed Twenty Seven Thousand Five Hundred Dollars (\$27,500) In Software Licensing Fees And Training Costs And For One Year Of Maintenance And Upgrades, With Three Options To Renew The Maintenance And Upgrades Services Contract For Three Additional One-Year Terms At An Annual Rate Of Fifty Five Hundred (\$5,500.00), For A Total Not To Exceed Contract Amount Of Forty Five Thousand Dollars (\$45,000.00)
[07-1227](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 4/15/2008

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S-4-5 Subject: Canada Goose Management
From: Councilmember Pat Kernighan
Recommendation: Action On A Report And Recommendations On The Establishment Of A Program Of Canada Goose Management Techniques At Lake Merritt
[07-1059](#)

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***Withdrawn and Rescheduled to *Public Works Committee on 4/22/2008**

The following individual spoke on this item:

- *Sanjiv Handa*

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S-4-6 Subject: Babe Ruth League Grant
 From: Councilmember Desley Brooks
 Recommendation: Adopt A Resolution Authorizing A Grant Of \$1500.00 From
 Councilmember Desley Brooks' Priority Project Funds To The Oakland, California,
 Babe Ruth League For Expenses Associated With Two Members Of The All Star
 Team Participating In The 2008 College Tour
 07-1214

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 4/15/2008**

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S-4-7 Subject: Priority Project Funds - District Six
 From: Councilmember Desley Brooks
 Recommendation: Adopt A Resolution Authorizing A Grant Of \$65,000.00 From
 Councilmember Desley Brooks' Priority Project Funds To OCCUR: Oakland
 Citizen's Committee For Urban Renewal For Co-Sponsorship Of The Annual
 Concert At Arroyo Park Series, Sponsorship Of A 3 On 3 Basketball Tournament,
 District 6 Mainstreet Activities, And Co-Sponsorship Of A Black College Tour For
 Youth Sponsored In Collaboration With First African Methodist Episcopal
 ("A.M.E.") Church Oakland
 07-1215

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 4/15/2008**

The following individual spoke on this item:

- Sanjiv Handa
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S-4-8 Subject: Police Security Services - Black Cowboy Parade
 From: Councilmember Nancy Nadel
 Recommendation: Adopt A Resolution Authorizing \$1,672.65 From Councilmember
 Nancy J. Nadel's Pay-Go Funds To Reimburse The Oakland Department For Police
 Security Services For The 33rd Annual Black Cowboy Parade, And Authorizing The
 City Administrator To Transfer Said Funds To The Police Fiscal Services Division
 07-1226

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 4/15/2008**

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S-4-9 Subject: Local Employment And Apprenticeship Program Analysis
From: Contracting and Purchasing
Recommendation: Receive An Informational Report On The Status Of Compliance Analysis Performed On Construction Projects Closed During Fiscal Year 2003-2004 And Fiscal Year 2004-2005 Without Benefit Of Local Employment Program And 15% Apprenticeship Program Compliance Analysis
[07-1210](#)

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Scheduled to *Public Works Committee on 5/27/2008

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S-4-10 Subject: 2008-2009 Senior Services Grants
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute Grant Agreements Between The City And Eight Oakland Nonprofit Agencies (Alameda Community Food Bank, Alzheimer's Services Of The East Bay, Bay Area Community Services, Lifelong Medical Care, Inc., Rebuilding Together Oakland, Mercy Retirement And Care Center, St. Mary's Center And Vietnamese Community Development, Inc.) To Provide Services To Senior Citizens Under The Senior Services "Set-Aside" Funding For Fiscal Year 2008-09 In A Total Amount Not To Exceed \$295,000
[07-1216](#)

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Scheduled to *Life Enrichment Committee on 5/13/2008

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S-4-11 Subject: 2008-2009 Head Start And Early Head Start Grants
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Head Start Basic, Head Start Training And Technical Assistance, Early Head Start Basic, And Early Head Start Training And Technical Assistance Grants For Program Year 2008-2009 From The U.S. Department Of Health And Human Services, Administration For Children And Families (DHHS/ACF) In The Estimated Amount Of \$14,732,735, And Authorizing A Grant Agreement With The Unity Council For The Estimated Amount Of \$4,707,290 To Fund Child Development Services In Accord With Said Grants And To Approve The Program Planning, Shared Decision Making, And Internal Dispute Resolution Policies Of The City Of Oakland's Head Start Program
[07-1217](#)

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S-4-12 Subject: 2008 Summer Food Service Program
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On
Behalf Of The City Of Oakland, To Apply For, Accept And Appropriate The
Summer Food Service Program Grant From The California Department Of
Education Nutrition Services Division In An Estimated Amount Of \$550,000 And
To Execute A Professional Service Agreement Between The City And The San
Lorenzo Unified School District In An Amount Not To Exceed \$200,000 To Provide
Food Services For The 2008 Summer Food Service Program For Children
[07-1224](#)

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Scheduled to *Life Enrichment Committee on 4/22/2008

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S-4-13 Subject: Commission On Aging - Annual Report
From: Department of Human Services
Recommendation: Receive The Annual Report From The Mayor's Commission On
Aging
[07-1228](#)

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Scheduled to *Life Enrichment Committee on 5/13/2008

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S-4-14 Subject: 17th Street Entry Project - Contract
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Waiving Competitive Bidding And
Awarding A Contract To Rockridge Builders For The 17th Street Entry Project For
The Oakland Ice Center In An Amount Not-To-Exceed \$190,000.00
[07-1114](#)

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**Scheduled to *Community & Economic Development Committee on
4/22/2008**

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[2008-0038 CMS.pdf](#)

S-4-15 Subject: Oakland Retail Enhancement Strategy - Implementation
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The June 10, 2008 Community
And Economic Development Committee Agenda Action On A Report Implementing
Recommendations From The Conley Consulting Group's Oakland Retail
Enhancement Strategy; And Reschedule To The June 24, 2008 Community And
Economic Development Committee Agenda

Reason: Staff needs to reschedule due to timing conflicts with retail convention.
[07-1175](#)

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**Withdrawn and Rescheduled to *Community & Economic Development
Committee on 6/10/2008**

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

S-4-16 Subject: Purchase Of Real Property - 9418 Edes Avenue
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real
Property At 9418 Edes Avenue, Oakland (APN 044-5014-005) From Paul Staley
For \$600,000, Plus Real Estate Closing Costs
[07-1219](#)

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Scheduled to *Finance & Management Committee on 5/13/2008

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[2008-0041 CMS.pdf](#)

S-4-17 Subject: Sanitary Sewer Easement - 25 Chadbourne Way
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Summarily Vacating A Portion Of A Sewer
Easement At 25 Chadbourne Way To Brian And Shelley Turner
[07-1220](#)

Scheduled to *Public Works Committee on 5/13/2008

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[81288 CMS.pdf](#)

S-4-18 Subject: 81st Avenue Library Project - Bid Process
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Reject All Bids For The 81st Avenue Library Project, Re-Bid The Project, And Award A Construction Contract To NBC General Contractors Corporation In The Amount Of Eight Million Three Hundred Twenty Thousand Dollars (\$8,320,000.00) (TITLE CHANGE)
[07-1221](#)

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Scheduled to *Public Works Committee on 4/22/2008

The following individual spoke on this item:

- Sanjiv Handa
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S-4-19 Subject: Revocable And Conditional Permit - 2100 23rd Avenue
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting David Underwood, Gregory Greer, And Jill Jaffe A Revocable And Conditional Permit To Allow Oriel Windows For An Existing Building At 2100 23rd Avenue To Encroach Over The Public Sidewalk Along 23rd Avenue And East 21st Street
[07-1222](#)

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S-4-20 Subject: Fire Station No. 18 Project - Swinerton Builders
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Manager At Risk Contract To Swinerton Builders For An Amount Not To Exceed Six Million Eight Hundred Thousand Dollars (\$6,800,000.00) For The Fire Station No. 18 Project
[07-1223](#)

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Scheduled to *Public Works Committee on 4/22/2008

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S-4-21 Subject: Disabled Adults Employment Program - Oakland Museum
From: Oakland Museum
Recommendation: Adopt A Resolution Waiving The Competitive Bid/Request For Proposal Process And Awarding A Contract To The Arc Of Alameda County, Which Runs An Employment Program For Developmentally Disabled Adults, In An Amount Not To Exceed Sixty Thousand Nine Hundred And Sixty Dollars (\$60,960.00) With A Two Year Option To Renew For Non-Technical Landscape And Grounds Maintenance Services At The Oakland Museum Of California (TITLE CHANGE)
[07-1225](#)

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[81299 CMS.pdf](#)

S-4-22 Subject: Oakland Museum - Renovation Project
From: Oakland Museum
Recommendation: Receive An Informational Report From The Oakland Museum Of California On Progress With Its Capital Renovation Project And Campaign And Highlights Of 2008 Exhibitions And Educational Programs
[07-1209](#)

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Scheduled to *Life Enrichment Committee on 5/13/2008

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S-4-23 Subject: National Public Works Week
From: Public Works Agency
Recommendation: Adopt A Resolution Celebrating The Week Of May 18 Through May 24, 2008, As National Public Works Week In The City Of Oakland
[07-1208](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/6/2008

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ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Amicus Brief In Support Of San Francisco's Petition
From: City Attorney
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Join In An Amicus Brief In Support Of San Francisco's Petition Asking The California Supreme Court To Reverse A Lower Court's Decision In Fiscal V. City And County Of San Francisco, No. S160968 That Invalidated San Francisco's Ban On The Sale, Manufacture, Distribution And Transfer Of Firearms And Ammunition
[07-1230](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 4/15/2008**
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Subject: State Legislative Proposals And Agenda
From: City Council
Recommendation: Action On The City Council's State Legislative Proposals And Agenda
[07-0948](#)

*This item was withdrawn from the April 17, 2008 Rules and Legislation
Committee agenda*
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[View Report.pdf](#)

[04-03-08 Item 4](#)
[View Report.pdf](#)

5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of April 15, 2008 and the Rules and Legislation Committee meeting of April 17, 2008
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**A motion was made by Member Chang, seconded by Vice Mayor Reid, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Excused; 1 - Member Brunner
Aye; 3 - Member Chang, Vice Mayor Reid and Chair De La Fuente
The following individual spoke on this item:
- Sanjiv Handa

[04-03-08 Item 5](#)
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6 Subject: State Legislative Proposals And Agenda
From: City Council
Recommendation: Action On The City Council's State Legislative Proposals And Agenda
[07-0948](#)
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**Accepted and forwarded to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 4/15/2008**
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Subject: Support Of Assembly Bill 2001
 From: Office of the City Auditor
 Recommendation: Adopt A Resolution In Support Of Assembly Bill No. 2001 (Swanson), A Proposal To Amend The Government Code For The Purpose Of Authorizing City And County Auditors And City And County Controllers To Hold In Confidence The Identities Of Individuals Who Provide Information That Result In Investigative Audits
[07-1157](#)

A motion was made by Vice Mayor Reid, seconded by Member Chang, 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 April 15, 2008. The motion carried by the following vote:

Votes: Excused; 1 - Member Brunner
 Aye; 3 - Member Chang, Vice Mayor Reid and Chair De La Fuente
The following individual spoke on this item:
 - Sanjiv Handa
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[View Report.pdf](#)
[81213 CMS.pdf](#)

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 11:30 a.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