



City of Oakland Meeting Agenda

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, September 16, 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: Vice Mayor Jean Quan, District 4;
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 July 8, 2010 and July 15, 2010
- 3 Determination of Schedule of Outstanding Committee Items
- 4 Scheduling of Agenda Items and revisions to the agenda for the ORA/Council meeting of September 21, 2010 (SUPPLEMENTAL)
([91610item4](#))

- S-4-1 Subject: Homeland Security 2010 Assistance- Firefighter's Staffing
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate A Grant From The Department Of Homeland Security 2010 Assistance To Firefighter's Staffing For Adequate Fire And Emergency Response Program An Amount Not To Exceed One Million Five Hundred Thousand Dollars (\$1,500,000) To Fund The Salary And Benefits For Three (3) Firefighter Trainee Positions For A Two Year Period; On The October 12, 2010 Public Safety Committee Agenda
[\(10-0041\)](#)
- S-4-2 Subject: Vehicle Occupancy Protection And Bicycle Safety Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee On Behalf Of The City Of Oakland To: 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Four Hundred Ninety-One Thousand Three Hundred And Five Dollars (\$491,305) From The State Of California, Office Of Traffic Safety To The Oakland Police Department For The Fiscal Year 2011 Implementation Of The Vehicle Occupancy Protection And Bicycle Safety Program, And 2) Waive The Competitive Request For Proposal/Qualifications Process For The Purchase Of Services Associated With The Program From The East Bay Community Recovery Project In An Amount Not To Exceed Fifty Thousand Dollars (\$50,000), The Oakland Police Activities League In An Amount Not To Exceed Thirty Thousand Dollars (\$30,000), And The Alameda County Public Health Department - Community Health Academy, In An Amount Not To Exceed Thirty Thousand Dollars (\$30,000); On The September 28, 2010 Public Safety Committee Agenda
[\(10-0057\)](#)
- S-4-3 Subject: 2010-2011 DUI Enforcement And Awareness 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 The Amount Of Two Hundred Forty-One Thousand Two Hundred Dollars (\$241,200) From The State Of California, Office Of Traffic Safety, For The 2010-2011 DUI Enforcement And Awareness Program To Be Conducted By The Police Department For The Project Term Of October 1, 2010 Through September 30, 2011; On The September 28, 2010 Public Safety Committee Agenda
[\(10-0058\)](#)

- S-4-4 Subject: Animal Services Division - Funding Donations
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, On Behalf Of The City Of Oakland, To Accept Donations In The Amount Of Two Hundred Sixty-Five Thousand Five Hundred Nine Dollars (\$265,509) From The Estate Of Blanche Thomas, And Sixty-Six Thousand Five Hundred Dollars (\$66,500) From Maddie's Fund, And Appropriate Said Funds To The Oakland Police Department Animal Services Division To Help Fund Spay And Neuter Programs, Quality Of Life Projects For Animals, And Purchase Supplies/Equipment For The Volunteer Program; On The September 28, 2010 Public Safety Committee Agenda
[\(10-0059\)](#)
- S-4-5 Subject: 2009-10 Fourth Quarter R & E Results & Year-End Projections
From: The Budget Office
Recommendation: Receive A Report On Fiscal Year 2009 - 2010 Fourth Quarter Revenue & Expenditure Results & Year-End Projections For Four Selected Funds - General Purpose Fund (1010), Landscaping And Lighting Assessment District Fund (2310), Equipment Fund (4100) And City Facilities Fund (4400); Overtime Analysis For The General Purpose Fund (1010) And All Funds; On The September 28, 2010 Finance And Management Committee Agenda
[\(10-0049\)](#)
- S-4-6 Subject: Elmhurst Weed And Seed Initiative
From: Office Of The City Administrator
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 Fifty-Six Thousand Nine Hundred Seventy-Nine Dollars (\$156,979) From The U.S. Department Of Justice, Office Of Justice Programs, Community Capacity Development Office, In Support Of Fifth Year Program Operations Associated With The Elmhurst Weed And Seed Initiative In The Police Department; On The October 12, 2010 Public Safety Committee Agenda
[\(10-0043\)](#)
- S-4-7 Subject: Medical Marijuana Cultivation Facility
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Regarding Proposed Request For Permit Applications (RFPA) To Operate A Medical Marijuana Cultivation Facility Pursuant To Oakland Municipal Code Chapter 5.81; On The September 28, 2010 Public Safety Committee Agenda
[\(10-0044\)](#)

- S-4-8 Subject: Health Element - General Plan Amendment
From: Vice Mayor Quan
Recommendation: Action On A Report And Recommendation To Direct Staff To Work With The Alameda County Public Health Department To Develop A Framework For Incorporating A Health Element Into The General Plan And Seek Funding To Implement This Framework; On The September 28, 2010 Public Safety Committee Agenda
[\(10-0047\)](#)
- S-4-9 Subject: 2010 United Nations Day
From: Councilmember Nadel
Recommendation: Adopt A Resolution Declaring October 2010 United Nations Month And October 24th 2010 United Nations Day In The City Of Oakland And Authorizing The City Of Oakland To Serve As An Honorary Sponsor Of The United Nations Anniversary Flag Raising Ceremony; On The October 5, 2010 City Council Agenda As A Ceremonial Item
[\(10-0048\)](#)
- S-4-10 Subject: Small Local Business Enterprise Program
From: Community and Economic Development Agency
Recommendation: A Request To Reschedule An Item Previously Scheduled To The September 28, 2010 Community and Economic Development Agenda And Schedule To The October 12, 2010 Community And Economic Development Committee Agenda

Adopt A Resolution Adopting The Modifications To The City's Local And Small Local Business Enterprise Program As Recommended By The Fairness In Contracting And Purchasing Disparity Study
[\(09-1651\)](#)
- S-4-11 Subject: City Administrator's Purchases And Contracts
From: Contracting And Purchasing
Recommendation: Receive An Informational Report Listing All Purchases And Contracts Authorized By The City Administrator, Or The City Administrator Designee, Within The City Administrator's Contract Authority During Fiscal Year 2009-2010 In Accordance With Oakland Municipal Code Section 2.04.020.D.2; On The September 28, 2010 Finance And Management Committee Agenda
[\(10-0040\)](#)
- S-4-12 Subject: Sanitary Sewer Root Foaming
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Root Tamers For The Sanitary Sewer Root Foaming (Project No. P188440) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Three Hundred Twenty-Five Thousand Dollars (\$325,000.00); On The September 28, 2010 Public Works Committee Agenda

[\(10-0042\)](#)

S-4-13 Subject: Rent Adjustment Program
From: Community And Economic Development Agency
Recommendation: Receive An Annual Report Of The Rent Adjustment Program For Fiscal Year 2009-2010; On The October 12, 2010 Community And Economic Development Committee Agenda

[\(10-0046\)](#)

S-4-14 Subject: Broadway/MacArthur/San Pablo Redevelopment Plan Change
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Agency Resolution Accepting The Preliminary Plan For An Amendment To The Broadway/MacArthur/San Pablo Redevelopment Plan Expanding The Project Area To Incorporate The Lowell Street/Golden Gate/Gaskill Area, Authorizing Preparation Of A Redevelopment Plan Amendment, And Authorizing Transmittal Of A Statement Of Preparation Of A Plan Amendment To The State, Country, And Taxing Entities; And

[\(10-0050\)](#)

2) A Resolution Amending The Procedures For The Formation Of The Project Area Committee For The Broadway/MacArthur/San Pablo Project Area To Expand The Membership To Include Representatives Of The Lowell Street/Golden Gate/Gaskill Area; On The September 28, 2010 Community And Economic Development Agenda

[\(10-0050-1\)](#)

S-4-15 Subject: Martin Luther King Jr. Way/Peralta - Streetscape Design
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The Agency Administrator To Negotiate And Execute A Contract With Gates + Associates In An Amount Not To Exceed \$ 480,000 To Prepare Streetscape Plans And Design Documents For Martin Luther King Jr. Way And Peralta Street in West Oakland; On the September 28, 2010 Community and Economic Development Committee Agenda

[\(10-0051\)](#)

S-4-16 2) A Resolution Authorizing Application For And Acceptance And Appropriation Of A \$470,000 Grant Under The California Department Of Housing And Community Development Building Growth And Equity In Neighborhoods Program To Assist The Edes Development And Authorizing Loans To Purchasers Of Units In The Edes Development; On The September 28, 2010 Community And Economic Development Committee Agenda

[\(10-0052-1\)](#)

- S-4-17 Subject: Temporary Construction Easements - 42nd/High Improvement Project
From: Community And Economic Development Agency
Recommendation: Adopt an Ordinance Authorizing The City Administrator Or His Designee To Acquire Property Rights, Including Fee Interests, Permanent Easements, And Temporary Construction Easements, In Ten Parcels For The 42nd Avenue And High Street Access Improvement Project Without Returning To Council; On The October 12, 2010 Community And Economic Development Agenda
[\(10-0053\)](#)
- S-4-18 Subject: Regillus Homeowners Association - Encroachment Permit
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Permit To The Regillus Homeowners Association To Allow Existing Balconies And A New Handicapped Ramp Located At 200 Lakeside Drive To Encroach Into The Public Right-Of-Way Along Jackson Street; On The October 12, 2010 Public Works Committee Agenda
[\(10-0054\)](#)
- S-4-19 Subject: 967 Stanford Avenue - Encroachment Permit
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Stanford Triangle Company A Conditional And Revocable Permit to Allow A Portion Of An Existing Building And A Retaining Wall Located At 967 Stanford Avenue To Encroach Into The Public Right-Of-Way Along Lowell Street; On The October 12, 2010 Public Works Committee Agenda
[\(10-0055\)](#)
- S-4-20 Subject: 10700 MacArther Boulevard - Encroachment Permit
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting MacArthur Boulevard Associates A Conditional And Revocable Permit To Allow A Soil Shoring System To Encroach Under The Public Right-Of-Way Along Foothill Boulevard For A New Grocery Store In The Foothill Square Shopping Center Located At 10700 MacArthur Boulevard; On The October 12, 2010 Public Works Committee Agenda
[\(10-0056\)](#)

- S-4-21 Subject: Chabot/OUSD Conditional Assignment Agreement
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Conditional Assignment Agreement With The Chabot Space And Science Center ("Chabot") And The Oakland Unified School District ("OUSD") To: (1) Subordinate The City's Right To Assume The Ground Lease For The Property; And (2) Consent To A Restructuring Of OUSD's Loan To Chabot; On The September 28, 2010 Community And Economic Development Committee Agenda
[\(10-0060\)](#)
- S-4-22 Subject: Uptown Mixed-Income Project
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Approving A Final Map For Tract No. 8046 For The Uptown Project At 500/ 600/ 601 William Street To Convert 665 Rental Units To Three Market-Rate And Three Affordable-Rate Condominiums To Facilitate Private Investment In The Uptown Mixed-Income Project By Low Income Housing Tax Credit Investors; On The October 5, 2010 City Council Agenda
[\(10-0061\)](#)
- S-4-23 Subject Tall Monopole Wireless Telecommunications Facility - Appeal
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying Appeal #A10223 And Upholding The Decision Of The Planning Commission To Deny Case #CM10140 For A 41'-5"-Tall Monopole Wireless Telecommunications Facility In The Open Space Zone Section Of Public Right-Of-Way On Skyline Blvd. North Of The Roberts Park Street Entrance; On The October 19, 2010 City Council Agenda
[\(10-0062\)](#)
- S-4-24 Subject: Wireless Telecommunications Facility - Skyline Blvd.
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying Appeal #A10224 Submitted August 16, 2010 And Upholding The Decision Of The Planning Commission To Deny Case #CM10140 On August 4, 2010 For A 36'-4"-Tall Monopole Wireless Telecommunications Facility In The Open Space Zone Section Of Public Right-Of-Way On Skyline Blvd. North Of The Chabot Space And Science Center Street Entrance: On The October 19, 2010 City Council Agenda
[\(10-0063\)](#)

S-4-25 Subject: Dunsmuir Hellman Historic Estate
From: Office Of Parks And Recreation
Recommendation: Receive An Informational Report On The Status Of The Operations And Management Of The 50 Acre Dunsmuir Hellman Historic Estate By The City Of Oakland Office Of Parks And Recreation As Of May 3, 2010; On The September 28, 2010 Life Enrichment Committee Agenda
[\(10-0039\)](#)

S-4-26 Subject: Rent Relief To Oakland Golf LLC
From: Office Of Parks And Recreation
Recommendation: Adopt A Resolution To Approve Fifty Percent (50%) Of The Minimum Rent Relief To Oakland Golf LLC For The Operation Of The Metropolitan Golf Links During Fiscal Year July 1, 2010 Through June 30, 2011 As Authorized In The First Sublease And Operating Agreement Approved By Resolution No. 81274 On May 6, 2008; On The October 12, 2010 Life Enrichment Committee Agenda
[\(10-0045\)](#)

5 A review of the Council Committees' actions from September 14, 2010 and determination of scheduling to the ORA/City Council meeting of September 21, 2010 (MATRIX)
[\(91610item5\)](#)

6 A review of the Agendas for the Council Committee meetings of September 28, 2010 and Rules and Legislation Committee of September 30, 2010
[\(91610item6\)](#)

7 Subject: Opposing Proposition 23
From: Councilmember Nadel
Recommendation: Adopt A Resolution Opposing Proposition 23, A Ballot Initiative To Suspend The Clean Energy And Air Pollution Control Standards Of The Global Warming Solutions Act Of 2006 (AB32)
[\(10-0007\)](#)

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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**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