



SUPPLEMENTAL

City of Oakland

Meeting Agenda

*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>

Thursday, June 23, 2011

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 Desley Brooks, District 6; President Pro Tempore Ignacio De La Fuente, District 5; Libby Schaaf, District 4; and Chairperson Council President Larry Reid, District 7

- 1 Closed Session
 - 2 Approval of the Draft Minutes from the Committee meetings of June 2 and June 9, 2011
 - 3 Determination of Schedule of Outstanding Committee Items
([rules62311](#))
 - 4 Scheduling of Agenda Items and revisions to the agenda for the Council Committee Meetings of June 28, 2011 (SUPPLEMENTAL)
([rules62311item4](#))
- S-4.1 Subject: UASI Regional Training Program Grant
From: Oakland Fire Department

SUPPLEMENTAL

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator Or His Designee To: Enter Into A Memorandum Of Understanding (MOU) With The Alameda County Sheriff's Office To Provide Personnel Services In Connection With The Bay Area Urban Areas Security Initiative (UASI) Regional Training Program In Exchange For The Fiscal Year 2009 And Fiscal Year 2010 UASI Grant Allocations; And Accept, Appropriate And Administer Up To \$120,000 From The Federal Fiscal Year 2009 UASI Grant Allocation For Reimbursement Of Salaries And Benefits Paid To An Oakland Fire Department, Office Of Emergency Services Staff Member Assigned As A Bay Area UASI Region Training Officer, As Per The MOU Agreement; And
[\(10-0766\)](#)

2) A Resolution Authorizing The City Administrator Or His Designee To: Enter Into A Memorandum Of Understanding (MOU) With The Alameda County Sheriff's Office To Provide Personnel Services In Connection With The Bay Area Urban Areas Security Initiative (UASI) Regional Training Program In Exchange For The Fiscal Year 2009 And Fiscal Year 2010 UASI Grant Allocations; And Accept, Appropriate And Administer Up To \$225,000 From The Federal Fiscal Year 2010 UASI Grant Allocation For Reimbursement Of Salaries And Benefits Paid To An Oakland Fire Department, Office Of Emergency Services Staff Member Assigned As A Bay Area UASI Region Training Officer, As Per The MOU Agreement; On The July 12, 2011 Public Safety Committee Agenda
[\(10-0766-1\)](#)

S-4.2 Subject: OPD Reorganization
 From: Oakland Police Department
 Recommendation: Receive An Informational Report From The Office Of Chief Of Police Detailing The Department's Plan To Reorganize The Organization; On The July 5, 2011 City Council Agenda
[\(10-0746\)](#)

S-4.3 Subject: Oakland Museum Agreement
 From: Office Of The City Administrator
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Negotiate And Execute A Ten Year Grant Agreement With The Oakland Museum Of California Foundation To Support The Museum Activities Of The Foundation For The Care, Conservation, Stewardship And Presentation Of The City's Collection Of Art Works, Historical Artifacts And Natural Sciences Specimens Related To California's Cultural And Environmental History, With An Initial City Annual Grant Disbursement Of Five Million Dollars (\$5,000,000.00) On July 1, 2011 That Declines Annually To \$3 Million Over The Ten-Year Period, For A Total Grant Of Forty Three Million Dollars (\$43,000,000.00); And
[\(10-0741\)](#)

SUPPLEMENTAL

*Rules & Legislation Committee

Thursday, June 23, 2011

2) An Ordinance Authorizing The City Administrator To Negotiate And Execute A New Lease With The Oakland Museum Of California Foundation For Buildings And Improvements On City Property Located At 1000 Oak Street And 450 Lancaster Street For One Dollar Per Year In Rent As Authorized By Ordinance No. 11722 And Ordinance No.11603 For A Term Of Thirty Years; And
[\(10-0741-1\)](#)

3) An Agency Resolution Authorizing The Sale Of Museum Property To The City Of Oakland; And
[\(10-0741-2\)](#)

4) A Resolution Authorizing The Purchase Of Museum Property From The Redevelopment Agency; On The June 28, 2011 Special City Council Agenda
[\(10-0741-3\)](#)

S-4.4 Subject: Oakland Zoo Master Agreement Amendment
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend Master Agreement Between City Of Oakland And The East Bay Zoological Society / Oakland Zoo Pursuant To Grant Requirements From Proposition 84 Funds From The California Department Of Parks And Recreation, Which Require 1) Extension Of The Agreement To 30 Years; And 2) Elimination Of The "At-Will" Termination Clause.; On The July 12, 2011 Life Enrichment Committee Agenda
[\(10-0748\)](#)

S-4.5 Subject: Amending Cannabis Ordinances
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Title 5 Of The Oakland Municipal Code, Entitled Business Licenses And Regulations, To Amend Oakland Municipal Code Chapters 5.80 "Medical Cannabis Dispensary Permits" & Chapter 5.81 "Cultivation Of Medical Cannabis"; And
[\(10-0751\)](#)

2) An Ordinance Amending The Master Fee Schedule (Ordinance Number TBD, As Amended) To Establish A Medical Cannabis Dispensary Permit Application Fee And An Annual Regulatory Fee For A Medical Cannabis Dispensary Permit & To Establish A Cultivation Of Medical Cannabis Permit Application Fee And An Annual Regulatory Fee For A Medical Cannabis Cultivation Permit; On The July 12, 2011 Public Safety Committee Agenda And As A Public Hearing On The July 19, 2011 City Council Agenda
[\(10-0751-1\)](#)

S-4.6 Subject: Annual Compliance Plan - Equal Access
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On Annual Compliance Plan Of The Equal Access To Services Ordinance And Settlement Agreement; On The July 12,

SUPPLEMENTAL

*Rules & Legislation Committee

Thursday, June 23, 2011

2011 Finance And Management Committee Agenda
[\(10-0752\)](#)

- S-4.7 Subject: Evaluation Services Of The Measure Y Funded Programs
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The Contract Between The City Of Oakland And Resource Development Associates From July 1, 2011 To December 31, 2012 For Evaluation Services Of The Measure Y Funded Programs, In The Amount Up To Three Hundred And Fifty Thousand Dollars; On The July 12, 2011 Public Safety Committee Agenda
[\(10-0759\)](#)
- S-4.8 Subject: Review Of Special City Council Agenda
From: Office Of The City Clerk
Recommendation: A Request To Review The Agenda For The Special City Council Meeting Of June 28, 2011
[\(10-0750\)](#)
- S-4.9 Subject: Library Services
From: Councilmember Schaaf
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Enter Into Agreements With The County And/Or Neighboring Municipalities To Provide Library Services To Residents Of The County And/Or Neighboring Municipalities, Upon A Reasonable Annual Compensation To Be Paid By The County And/Or Neighboring Municipality That Is Not Less Than Oakland's Total Per Capita General Fund And Library Parcel Tax (Measure Q) Appropriation For Library Services And Establishes Procedures For Terminating Library Privileges When Such A Contract Is Not In Effect
[\(10-0578\)](#)
- S-4.10 Subject: Best Practice To Abate Problem Liquor Stores
From: Councilmember Kernighan
Recommendation: Receive A Report From The Office Of The City Attorney Regarding The City's Options And Best Practices To Abate Problem Liquor Stores
[\(10-0644\)](#)
- S-4.11 Subject: Lawrence Berkeley National Laboratory - Second Campus
From: Council President Reid And Councilmember Kernighan
Recommendation: Adopt A Resolution In Support Of Locating Lawrence Berkeley National Laboratory's Second Campus On The Brooklyn Basin Site In Oakland; On The July 5, 2011 City Council Agenda
[\(10-0737\)](#)
- S-4.12 Subject: Master Fee Amendment - Residential Parking Permit
From: Councilmember Kaplan And Council President Reid
Recommendation: Adopt An Ordinance Amending The Master Fee Schedule (Ordinance Number 9336, As Amended) To Increase The Annual Residential Parking Permit Fee From Thirty-Five Dollars (\$35.00) To Eighty Dollars (\$80.00), The One Day Temporary Permit Fee From One Dollar (\$1.00) To Five Dollars (\$5.00), And The Two

SUPPLEMENTAL

*Rules & Legislation Committee

Thursday, June 23, 2011

Week Temporary Permit Fee From Five Dollars (\$5.00) To Twenty Dollars (\$20.00); On The July 12, 2011 Finance And Management Committee Agenda And As A Public Hearing On The July 19, 2011 City Council Agenda
[\(10-0764\)](#)

S-4.13 Subject: Street Lighting And Traffic Signal - Contract Award
From: Department Of Contracting And Purchasing
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Francisco Electric, A Corporation, For Street Lighting And Traffic Signal Standards To The City Of Oakland In The Annual Amount Not To Exceed Eight Hundred Fifty Thousand Dollars (\$850,000.00) For The Period Of July 1, 2011 To June 30, 2012 Per Request For Quotation 1773, Specification No. 11-550-85-02 And The General Conditions Therefore On File In The Purchasing Division According To Its Bid Filed With The City On May 9, 2011; On The July 12, 2011 Public Works Committee Agenda
[\(10-0705\)](#)

S-4.14 Subject: BayRICS JPA Membership
From: Department Of Information Technology
Recommendation: A Request To Re-Title An Item Previously Scheduled To The July 12, 2011 Public Safety Committee Agenda

[NEW TITLE]

Adopt A Resolution Requesting Authority To: (1) Join The Bay Area Regional Interoperable Communications System Joint Powers Authority ("Bayrics JPA"; Or "JPA") By Executing The Proposed JPA Agreement ("Agreement"), Including An Annual Membership Fee In An Amount Not-To-Exceed Twenty Four Thousand Five Hundred Dollars (\$24,500), And (2) Sublease, Assign Or Transfer To The JPA Part Or All Of Oakland's Spectrum Waiver And/Or Lease Rights As May Be Granted By The Federal Communications Commission (The "FCC") Pursuant To The Petition Filed By Oakland, San Francisco And San Jose With The FCC, And (3) To Take Such Steps Necessary To Effectuate These Agreements On Behalf Of The City Of Oakland, Without Return To Council

[OLD TITLE]

Adopt A Resolution Requesting Approval To Join The Bay Area Regional Interoperable Communications System Joint Powers Authority ("Bayrics JPA"; Or "JPA") By Executing The Proposed JPA Agreement ("Agreement"), Including An Annual Membership Fee In An Amount Not-To-Exceed Twenty Four Thousand Five Hundred Dollars (\$24,500), And Authorizing The City Administrator To Execute The Agreement On Behalf Of The City Of Oakland
[\(10-0715\)](#)

S-4.15 Subject: Top Grade Construction Inc - Central Gateway Contract Award
From: Community And Economic Development Agency

SUPPLEMENTAL

Recommendation: A Request To Withdraw An Item Previously Scheduled To The July 12, 2011 Community And Economic Development Committee Agenda With No New Date

Adopt An Agency Resolution Waiving The City's Advertising, Bidding And Award To The Lowest Responsible Bidder Process And Authorizing The City Administrator To Negotiate And Award A Construction Contract To Top Grade Construction, Inc., For Environmental Remediation Work In The Central Gateway Area At The Oakland Army Base, Up To Or Less Than Two Million Dollars (\$2,000,000); On The June 28, 2011 Community And Economic Development Committee Agenda

REASON: Staff needs additional time to refine the scope of work for this contract
[\(10-0698\)](#)

S-4.16 Subject: Revocable And Conditional Permit - 14010 Broadway Terrace
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting Derek S. Kubota A Revocable And Conditional Permit To Allow Portions Of An Existing Garage, Stairs, Retaining Walls, And Courtyard For A Residence At 14010 Broadway Terrace To Encroach Into The Public Right-Of-Way; On The July 12, 2011 Public Works Committee Agenda
[\(10-0738\)](#)

S-4.17 Subject: Department Of Labor Grant
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate \$600,000 In Workforce Investment Act (WIA) Federal Grant From The U.S. Department Of Labor Employment Training Agency For The East Bay Green Jobs Project; And Enter Into Contracts With Cypress Mandela Training Center In The Amount Of \$120,000, Laney Community College In The Amount Of \$78,000, Solar Richmond In The Amount Of \$200,000, Rising Sun Energy Center In The Amount Of \$66,500, And RichmondBUILD In The Amount Of \$45,500 To Collaboratively Provide Employment Training And Job Placement Services For A Minimum Of 80 Low-Income Adults For The Term Beginning July 19, 2011 And Ending March 2013; To Procure A Contract Not To Exceed \$26,500 For Program Performance Evaluation Without Returning To Council; And To Allocate \$64,200 For City Administration Of The Grant; On The July 12, 2011 Community And Economic Development Committee Agenda
[\(10-0739\)](#)

S-4.18 Subject: Temescal/Telegraph Avenue - Security Lighting Project
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Consent To The The Temescal/Telegraph Avenue Property Business Improvement District (PBID) Of 2005 Execution Of An Assignment Agreement Pledging Special Assessment District Funds Held In Trust By The City As Collateral For A Private Bank Loan Of Up To \$150,000 To Be Received And Administered By The Temescal Telegraph Avenue Community Association Of Oakland On Behalf Of The PBID To Fund Installation Of Special Benefit Pedestrian Security Lighting In Accordance With Recommendations

SUPPLEMENTAL

*Rules & Legislation Committee

Thursday, June 23, 2011

And Guidelines Contained In The Approved July 2005 City Of Oakland Telegraph Avenue Pedestrian Streetscape Improvement Project, The Management District Plan For The Temescal/Telegraph Avenue PBID And Related Annual Reports Submitted By The Temescal Telegraph Avenue Advisory Board; On The July 12, 2011 Community And Economic Development Committee Agenda

[\(10-0747\)](#)

S-4.19 Subject: WIA Youth Services Contract Extensions
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending Resolution No. 83121 C.M.S. Authorizing The City Administrator To Extend WIA Youth Service Contracts Of Scotlan Youth And Family Center (Alameda County Youth Development Inc.), Spanish Speaking Citizens' Foundation, Lao Family Community Development Inc., Pivotal Point Youth Services Inc., Youth Employment Partnership Inc.-In School, Youth Employment Partnership Inc.-Out Of School, And Youth Uprising From June 30, 2011 End Date To June 30, 2012;
And

[\(10-0749\)](#)

2) A Resolution Amending Resolution No. 83121 C.M.S. Authorizing The City Administrator To Augment Contracts To Add An Additional \$30,000 To Scotlan Youth And Family Center (Alameda County Youth Development Inc.), \$27,000 To Spanish Speaking Citizens' Foundation, \$30,000 To Lao Family Community Development Inc., \$30,000 To Pivotal Point Youth Services Inc., \$27,000 To Youth Employment Partnership Inc.-In School, \$27,000 To Youth Employment Partnership Inc.-Out Of School, And \$27,000 To Youth Uprising To Fund The 2011 Mayor's Summer Jobs Program; On The July 12, 2011 Community And Economic Development Committee Agenda

[\(10-0749-1\)](#)

S-4.20 Subject: Jack London Square Site C Transfer
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Consenting To A Non-Affiliate Transfer Of Site C (Located At 10 Clay Street) Relating To The Development Agreement Between The City Of Oakland, Jack London Square Partners LLC, And CEP-JLS I LLC, Dated July 6, 2004 (DA) To 10 Clay Street LLC Pursuant To The Development Agreement And Planning Code Section 17.138.080 (Development Agreement Procedure); On The July 12, 2011 Community And Economic Development Committee Agenda And As A Public Hearing On The July 19, 2011 City Council Agenda

[\(10-0755\)](#)

S-4.21 Subject: Broadway/MacArthur/San Pablo Redevelopment Project Extension
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing a One-Year Extension of the Project Area Committee for the Broadway/MacArthur/San Pablo Redevelopment Project to July 25, 2012; On The July 12, 2011 Community And Economic Development Committee

SUPPLEMENTAL

Agenda
[\(10-0758\)](#)

- S-4.22 Subject: Operation And Maintenance Agreement -ACTC
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Memorandum Of Understanding And An Operation And Maintenance Agreement With The Alameda County Transportation Commission For The Interstate 80 Integrated Corridor Mobility (I-80 ICM) Project To Provide Transportation Improvements On San Pablo Avenue And West Grand Avenue In Oakland With An Estimated Value Of Nine Hundred Eighty-Six Thousand, Four Hundred Dollars (\$986,400.00); On The July 12, 2011 Public Works Committee Agenda
[\(10-0753\)](#)
- S-4.23 Subject: Leveling The Playing Field Phase II Project
From: Public Works Agency
Recommendation: Adopt A Resolution: 1) Rejecting All Bids, Waiving Any Further Advertising And Bidding And Authorizing The City Administrator To Negotiate And Award A Construction Contract On The Open Market For The Leveling The Playing Field Phase II Project In An Amount Not To Exceed Two Million One Hundred Fifty One Thousand Dollars (\$2,151,000.00) Without Return To Council, And 2) Appropriate Up To Two Hundred Thousand Dollars (\$200,000.00) Of The Remaining Measure WW Funds From Poplar Field (No. C376810), Central Reservoir Field (No. C377010), And Owen Jones Field (No. C376710) To The Brookdale Park Field (No. C290810) For The Project; On The July 12, 2011 Public Works Committee Agenda
[\(10-0754\)](#)
- S-4.24 Subject: Implementation Of The Bay Trail Project - High Street Bridge
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Cooperative Agreement With The County Of Alameda For The Implementation Of The Bay Trail Project At The High Street Bridge; On July 12, 2011 Public Works Committee Agenda
[\(10-0756\)](#)
- S-4.25 Subject: Seismic Retrofit Of Campus Drive Bridge
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Bugler Construction, The Lowest, Responsive, Responsible Bidder, For The Seismic Retrofit Of Campus Drive Bridge (Project No. C346710), In The Amount Of Eight Hundred Eighty-Seven Thousand Six Hundred Fifty-Three Dollars (\$887,653.00); On The July 12, 2011 Public Works Committee Agenda
[\(10-0757\)](#)
- S-4.26 Subject: SeeClickFix Licence Agreement
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving Advertising And Bidding Requirements Of The Oakland Municipal Code For The Integration, Subscription And Licensing For

SUPPLEMENTAL

SeeClickFix, An On-Line And Mobile Application Enabling The Public To Report And Track Infrastructure Maintenance Issues In The City Of Oakland, So That The City Administrator May Enter Into An Agreement With SeeClickFix, In An Amount Not To Exceed \$10,000 In The First Year And The Option To Renew For The Next Year For \$8,000, With A Maximum Five Percent Increase Each Year Thereafter For A Total Five Year Period, For A Total Contract Amount Not To Exceed \$45,000; On The July 12, 2011 Finance And Management Committee Agenda
[\(10-0761\)](#)

S-4.27 Subject: Earlene Williams Retirement
From: Finance And Management Agency
Recommendation: Adopt A Resolution Commending Earlene Williams For More Than 31 Years Of Devoted And Dedicated Service And Congratulating Her On Retirement; On The July 19, 2011 City Council Agenda As A Ceremonial Item
[\(10-0760\)](#)

5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the Meeting of July 5, 2011 and the Rules and Legislation Committee Meeting of July 7, 2011
[\(rules6231item5\)](#)

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.

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
[\(TTD\)](#)

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

SUPPLEMENTAL

***Rules & Legislation Committee**

Thursday, June 23, 2011

- * 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