



# 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>**

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**Thursday, May 29, 2008**

**10:30 AM**

**City Council Chambers - 3rd Floor**

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#### ***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:**

**Jane Brunner, District 1 ; Larry Reid, District 7; Vice Mayor Henry Chang, At-Large; and Chairperson Ignacio De La Fuente, District 5**

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meetings of May 8, 2008 and May 15, 2008
- 3 Determination of Schedule of Outstanding Committee Items
- 4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of June 3, 2008 CANCELLATION NOTICE  
[\(05-29 Rules Item 4\)](#)

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\*Rules & Legislation Committee

Thursday, May 29, 2008

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- S-4-1      Subject:    Oakland Zoo Parcel Tax  
From:        Office of the City Administrator  
Recommendation: Adopt A Resolution Declaring Council Support For The Oakland Zoo Humane Animal Treatment, Repair, Improvement, And Services Protection Act, Which Would Establish A Parcel Tax In Alameda County To Fund Additional Services And Projects Of The Oakland Zoo; On The June 12, 2008 Rules And Legislation Committee Agenda  
[\(07-1416\)](#)
- S-4-2      Subject:    Measure K Audit  
From:        Office of the City Auditor  
Recommendation: Receive A Report On The Measure K Performance Audit: The City Exceeded Required Funding For Children And Youth Services; On The June 10, 2008 Finance And Management Committee Agenda  
[\(07-1433\)](#)
- S-4-3      Subject:    Overtime Reports  
From:        Councilmember Quan  
Recommendation: Adopt A Resolution Requiring The City Administrator To Produce Biannual Overtime Reports, Including Budgeted, Year-To-Date Actual, And Projected Overtime Expenditures; On The June 10, 2008 Finance And Management Committee Agenda  
[\(07-1429\)](#)
- S-4-4      Subject:    Fourth Quarter Revenue And Expenditure Report  
From:        Councilmember Quan  
Recommendation: Adopt A Resolution Amending Resolution No. 78615 C.M.S. Regarding Quarterly Revenue And Expenditure Reporting To Require The City Administrator's Budget Office To Produce A Fourth Quarter Revenue And Expenditure Report; On The June 10, 2008 Finance And Management Committee Agenda  
[\(07-1430\)](#)
- S-4-5      Subject:    Five Year Financial Plan  
From:        Councilmember Quan  
Recommendation: Adopt A Resolution Amending Resolution No. 77923 C.M.S. Regarding The City Of Oakland Long-Term Financial Planning Policy To Add A Specific Date When The Five-Year Financial Plan Is To Be Provided To The City Council; On The June 10, 2008 Finance And Management Committee Agenda  
[\(07-1431\)](#)

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- S-4-6      Subject:      Glen Daniels Trails/Kings Estates Open Space - New Trail  
From:          Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal Process For A Pay Go Funded Contract In The Amount Of \$40,000 With Volunteers For Outdoor California (V-O-Cal), A Non-Profit Volunteer Trail Building And Maintenance Organization, For Construction Of A New Trail At Glen Daniels Trails/King Estates Open Space; On The June 17, 2008 City Council Agenda  
[\(07-1432\)](#)
- S-4-7      Subject:      Oil Independent Task Force Action Plan  
From:          City Council  
Recommendation: Action On A Presentation On The Action Plan From The Oil Independent Oakland By 2020 Task Force (OIO), And Seeking Committee Action On Specific Land Use And Transportation Recommendations, Including:  
1.    Amending Findings For Discretionary Projects So That City Transportation/ Transit Goals Are Considered For Every Development Project  
2.    Instituting Traffic Impact Fees To Support Pedestrian/ Bicycle/ Transit Improvements And Goals  
3.    Amending The Zoning Ordinance To Allow For Co-Location Of “Custom Manufacturing”/ Flexible Space With Residential, Commercial And Other Uses To Allow For Increased Walking, Cycling And Transit  
4.    Preparing New Design Guidelines To Make Denser Development More Attractive To Communities  
5.    Directing The Next General Plan Congress To Explore A) Broad Integration Of The “Urban Village” Concept; B) Revising Criteria For Parking Requirements; C) A Directive To Create Specific Plans For Each Transportation Corridor; And D) Revising The Transfer Of Development Rights Ordinance To Provide Open Space Between Bustling Urban Villages; And E) Assuring Complementarity With Green Building Goals; On The June 24, 2008 Community And Economic Development Committee Agenda  
[\(07-1434\)](#)
- S-4-8      Subject:      MacArthur Transit Village Project  
From:          Community and Economic Development Agency  
Recommendation: A Request To Withdraw From The June 10, 2008 Community And Economic Development Committee Agenda The Following Pieces Of Legislation:  
  
1)    A Resolution Affirming And Sustaining The Planning Commission Decision To Approve The Development Permits (Planned Unit Development Permit, Design Review, Conditional Use Permit) For The Project; And

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(07-1236)

2) An Ordinance (A) Rezoning The Project Site From The C-28 Commercial Shopping, R-70 Residential High Density And The S-17 Design Review Combining Zone To The S-15 Transit Oriented Development Zone And (B) Adopting A Text Amendment To Modify Required Open Space In The S-15 Zone; And

(07-1236-1)

3) An Ordinance Adopting A Development Agreement Between The City Of Oakland And MacArthur Transit Village Community Partners (MTCP);

THIS IS A TITLE CHANGE:

Conduct A Public Hearing On The MacArthur Transit Village Project (Located At The MacArthur Bart Station Between 40th Street, Telegraph Avenue, West MacArthur Boulevard And Highway 24), And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution Affirming And Sustaining The Planning Commission Decision To Approve The Development Permits (Planned Unit Development Permit, Design Review, Conditional Use Permit) For The Project; And

2) An Ordinance (A) Rezoning The Project Site From The C-28 Commercial Shopping, R-70 Residential High Density And The S-17 Design Review Combining Zone To The S-15 Transit Oriented Development Zone And (B) Adopting A Text Amendment To Modify Required Open Space In The S-15 Zone; On The June 24, 2008 Community And Economic Development Committee Agenda And As A Public Hearing On The July 1, 2008 City Council Agenda

REASON: Convening Public Hearing at July 1 City Council meeting will allow for second reading and full adoption prior to the Council's summer recess.

(07-1236-2)

S-4-9

Subject: El Embarcadero And Lakeshore Avenue Improvements  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract To Gallagher And Burk, Inc., For The Park And Street Improvements Of El Embarcadero And Lakeshore Avenue Project (Option B) In The Amount Of Four Million Four Hundred Forty-Nine Thousand Three Hundred Seventy-Eight Dollars (\$4,449,378.00) In Accordance With The Specifications For The Project And The Contractor's Bid; On The June 24, 2008 Public Works Committee Agenda

(07-1417)

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S-4-10      Subject:    Central District Basement Backfill And Repair Program  
Expansion  
From:        Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Amending Resolution No.  
2008-0006 C.M.S. To:  
(1) Revise And Expand The Central District Basement Backfill And Repair  
Program, (2) Allocate An Additional \$2,000,000 For The Revised And  
Expanded Program For A Total Aggregate Amount Of \$3,100,000 From  
Fiscal Year 2007-2009 Central District Funds, And (3) Authorize The  
Agency Administrator To Make Grants And Loans Under The Program  
Without Returning To The Agency; On The July 8, 2008 Community And  
Economic Development Committee Agenda

[\(07-1418\)](#)

S-4-11      Subject:    Broadway/West Grand Streetscape Improvement  
From:        Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To Be Determined For  
The Broadway/West Grand Streetscape Improvement Project (P128840)  
For An Amount Not To Exceed \$309,964.05 And Accepting And  
Appropriating A Contribution Of Redevelopment Agency Funds Under The  
Cooperation Agreement For An Estimated \$547,100; And

[\(07-1419\)](#)

2) An Agency Resolution Authorizing A Contribution Of An Amount Not To Exceed  
\$547,100 From The Central District Redevelopment Project To The City Of Oakland  
Under The Cooperation Agreement To Fund The Construction Of The Broadway/West  
Grand Streetscape Improvement Project; On The June 24, 2008 Public Works Committee  
Agenda

[\(07-1419-1\)](#)

S-4-12      Subject:    Oakland/Alameda Bicycle And Pedestrian Estuary Crossing  
From:        Community and Economic development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator  
To Enter Into An Agreement With The City Of Alameda To Provide Ten  
Thousand Dollars (\$10,000.00) In City Of Oakland Measure B Bike Design  
And Implementation Funds For The Oakland/Alameda Bicycle And  
Pedestrian Estuary Crossing Feasibility Study; On The July 8, 2008 Public  
Works Committee Agenda

[\(07-1420\)](#)

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- S-4-13      Subject:    Two-Hour Parking Limit And New Residential Permit Parking Area  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Approving The Establishment Of A Two-Hour Parking Time Limit And Implementation Of A New Residential Permit Parking (RPP) Area "N" On Ruby Street ( Between 38th And 40th Streets) And 38th Street (Between Ruby Street And Telegraph Avenue) Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Chapter 10.44; On The July 8, 2008 Public Works Committee Agenda  
[\(07-1421\)](#)
- S-4-14      Subject:    Purchase Of Real Property - 5859 Foothill Boulevard  
From:        Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 5859 Foothill Boulevard, From Community Fund, LLC For \$480,000 Less The Cost Of Environmental Site Remediation And Authorizing Up To \$50,000 For Costs For Demolition And Real Estate Closing; On The June 24, 2008 Finance And Management Committee Agenda  
[\(07-1422\)](#)
- S-4-15      Subject:    Caldecott Improvement Project  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Settlement Agreement With The California Department Of Transportation Relating To The Caldecott Improvement Project (Fourth Bore); On The June 17, 2008 City Council Agenda  
[\(07-1423\)](#)

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S-4-16      Subject:      Oakland Community Housing Portfolio  
From:          Community and Economic Development Agency  
Recommendation: Action On A Report Regarding The Oakland Community Housing, Inc. (OCHI) Affordable Rental Housing Portfolio, And Related City And Redevelopment Agency Resolutions Authorizing:

- 1) A \$65,000 Grant From The Agency's 2006 Affordable Housing Bond Fund To The John Stewart Company (JSCO) For Capital Improvements To The Oaks Hotel At 587 15th Street;
- 2) A \$150,000 Grant From The Agency's 2006 Affordable Housing Fund To JSCO For Capital Improvements To Kenneth Henry Court At 6455 Foothill Boulevard;
- 3) A Payment Of Up To \$191,288 From The Agency's Low And Moderate Income Housing Fund For Liability Insurance Premiums For Nine OCHI-Affiliated Affordable Rental Properties;
- 4) An Amendment To An Existing Housing Services Contract With Eden Information And Referral (Eden I & R) To Provide Additional Funding Up To \$893,650 For A Tenant Assistance Program For Households Displaced From OCHI-Affiliated Affordable Rental Properties, Including Up To \$200,000 From The Agency's Low And Moderate Income Fund To Administer The Tenant Assistance Program And Up To \$643,650 From The Agency's Low And Moderate Income Fund For Rental Assistance Payments Consisting of First and Last Month's Rent and Deposits, And \$50,000 In Community Development Block Grant Funds For Motel Vouchers;
- 5) A Contribution To The City, Under The Cooperation Agreement, Of Up to \$843,650 From The Agency's Low And Moderate Income Fund For The Tenant Assistance Program; And
- 6) The Transfer Of Administration of Home Resales and Loan Servicing Of The Second Mortgage Program for the Jingletown Homes Project, Including All Remaining Funds Held By Jingletown Housing, Inc., To The City To Be Administered By The City For The Remainder Of The Affordability Term.; On The June 17, 2008 City Council Agenda  
[\(07-1424\)](#)

S-4-17      Subject:      333 Wayne Avenue - Final Map Tract 7754  
From:          Community and Economic Development Agency  
Recommendation: Adopt A Resolution Approving A Final Map For Tract 7754 To Convert Five Rental Housing Units To Condominium Ownership At 333 Wayne Avenue; On The June 17, 2008 City Council Agenda  
[\(07-1425\)](#)

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S-4-18      Subject:    42nd/High Street Projects Agreement Amendment  
From:        Community and Economic Development Agency  
Recommendation: Adopt Resolution Authorizing The City Administrator  
Or Her Designee To Execute A Cooperative Agreement And An  
Amendment To The Existing Freeway Agreement With The California  
Department Of Transportation (CALTRANS), For The High Street Seismic  
Retrofit And 42nd/High Street Projects; On The June 10, 2008 Public  
Works Committee Agenda

[\(07-1435\)](#)

S-4-19      Subject:    Coliseum BART Station Area Undergrounding  
From:        Public Works Agency  
Recommendation: Adopt A Resolution Rejecting All Bids For The  
Coliseum BART Station Area Underground Utility District No. 235 Project  
Panel Conversion, Project No. C332110 ("Project") And Authorizing The  
City Administrator, Or Her Designee, To Negotiate And Award A  
Construction Contract In An Amount Not To Exceed Eighty Two  
Thousand Three Hundred Six Dollars (\$82,306.00) With Summerhill  
Electric For The Project; On The June 24, 2008 Public Works Committee  
Agenda

[\(07-1415\)](#)

S-4-20      Subject:    C2 "C Squared" Alternative Services - Contract  
From:        Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator  
To Execute A No-Bid Contract With C2 "C Squared" Alternative Services  
In An Amount Not To Exceed \$50,000 For Five Years Beginning With  
Fiscal Year 2008-2009 And Ending With Fiscal Year 2013-2014 To  
Provide A Unique Used Oil Recycling Educational Curriculum At Various  
Adult English As Second Language (ESL) Education Venues In Oakland;  
On The July 8, 2008 Public Works Committee Agenda

[\(07-1428\)](#)

S-4-21      Subject:    2008-2009 Debt Management Policy And Swap Policy  
From:        Finance and Management Agency  
Recommendation: Adopt A Resolution Adopting The City Of Oakland And  
Oakland Redevelopment Agency's Debt Management Policy And Swap  
Policy For Fiscal Year 2008-2009; On The June 10, 2008 Finance And  
Management Committee Agenda

[\(07-1426\)](#)



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S-4-22      Subject:    2008-2009 Investment Policy  
From:        Finance and Management Agency  
Recommendation: Adopt Resolutions Adopting The City Of Oakland And  
Oakland Redevelopment Agency's Investment Policy For Fiscal Year  
2008-2009; On The June 10, 2008 Finance And Management Committee  
Agenda  
(07-1427)

5            A review of the Council Committees' actions from May 27, 2008 and determination of  
scheduling to the ORA/City Council meeting of June 17, 2008 or future dates  
(MATRIX)  
(05-29 Rules Item 5)

6            A review of the Agendas for the Council Committees for the meeting(s) of June 10, 2008  
and the Rules and Legislation Committee for the meeting of June 12, 2008  
(05-29 Rules Item 6)

7            Action On The City Council's State Legislative Proposals And Agenda

Subject:    Bond Rating System Reform  
From:        Councilmember Jean Quan  
Recommendation: Adopt A Resolution Supporting Reform Of The Bond Rating System  
To Eliminate Discrimination Against Municipal Bonds  
(07-1356)

## **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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(TDD)

\*            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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**LATONDA SIMMONS**  
**Agency Secretary/City Clerk**  
**and Clerk of the Council**

ORA - Oakland Redevelopment Agency  
S - Supplemental Item