



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, May 05, 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 President Larry Reid, District 7

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of April 21, 2011
- 3 Determination of Schedule of Outstanding Committee Items
([rules050511](#))
- 4 Scheduling of Agenda Items and revisions to the agendas for the Council Committee meetings of May 10, 2011 (SUPPLEMENTAL)
([rules050511item4](#))

S-4-1 Subject: First Responder Advanced Life Support (FRALS) Services
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City
Administrator To Enter Into A First Responder Advanced Life Support
(FRALS) Services Agreement With Alameda County Emergency Medical
Services District For The Term July 1, 2011 To June 30, 2016 And To
Appropriate Payment Anticipated To Be \$1,115,222 For The First Year
(Based On \$42,893 Per Each Of 26 First Responder Paramedic Units),
With A Two Percent (2%) Increase Per Year For The Term Of The
Agreement; On The May 24, 2011 Public Safety Committee Agenda
[\(10-0616\)](#)

S-4-2 Subject: Oakland Pension Liabilities
From: Office Of The Budget
Recommendation: Receive A Report From The Budget Advisory
Committee On Oakland Pension Liabilities; On The May 24, 2011 Finance
And Management Committee Agenda
[\(10-0417\)](#)

S-4-3 Subject: Authorizing Sale Of 319 Chester Street
From: Community And Economic Development Agency
Recommendation: A Request To Withdraw An Item Already Scheduled
To The May 17, 2011 City Council Agenda With No New Date

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

REASON: Since proposal involves land designated as a City park, it must
first be approved by the Parks and Recreation Advisory Commission and
the Oakland Planning Commission. Staff will re-schedule this item after
those bodies have approved the proposal.

[\(10-0096\)](#)

S-4-4 Subject: Revocable And Conditional Permit -1633 Harrison Street
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting The Oakland Housing
Authority A Revocable And Conditional Permit For A New Building At
1633 Harrison Street To Allow A Vault And Electrical Transformer To
Encroach Under The Public Sidewalk Along 17th Street; On The May 24,
2011 Public Works Committee Agenda
[\(10-0618\)](#)

S-4-5 Subject: Low And Moderate Income Housing Fund
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Amending Resolutions
2009-0090 C.M.S. And 01-85 C.M.S. To Make Changes To The Amount
Of The Reduction In The Agency's Voluntary Five Percent Contribution To
The Low And Moderate Income Housing Fund For Fiscal Years 2009-2010
And Earlier; On The May 24, 2011 Finance And Management Committee
Agenda
[\(10-0619\)](#)

S-4-6 Subject: Shepherd Canyon Storm Drain Rehabilitation
From: Public Works Agency
Recommendation: A Request To Re-Title And Item Already Scheduled To
The May 24, 2011 Public Works Committee Agenda

New Title: A Resolution Waiving Advertising And Bidding, And
Amending And Increasing The Existing Construction Contract With J &
M, Inc. (For Rehabilitation Of The Storm Drain Line Along Shepherd
Canyon Road Between Gunn Drive And Paso Robles Drive, Project
C336020) To Add: 1) Replacement Of Guardrails Along Shepherd Canyon
Road North Side Between Shelterwood Drive And Tiffany Lane, Project
C313810, And 2) Restoration Of Drainage System Crossing The Shepherd
Canyon Trail, Project C336020, In The Amount Of Two Hundred
Thousand Dollars (\$200,000.00), For A Total Contract Amount Of Seven
Hundred Twenty-Four Thousand Eight Hundred Fifty-Three Dollars
(\$724,853.00)

Old Title: A Resolution Increasing The Construction Contract To J & M,
Inc. For Rehabilitation Of Storm Drain Line Along Shepherd Canyon Road
Between Gunn Drive And Paso Robles Drive (Project Number C336020)
In The Amount Of Two Hundred Thousand Dollars (\$200,000.00) For A
Total Contract Amount Of Seven Hundred Twenty Four Thousand Eight
Hundred Fifty-Three Dollars (\$724,853.00)

Reason: New Title Clarifies The Request To 1) Reflect An Amendment
To A Contract Previously Approved By The City Council; Thus The
Request To Waive Advertising And Bidding; And 2) Include The
Reference To The Guardrail Replacement.

[\(10-0590\)](#)

- S-4-7 Subject: Citywide Street Rehabilitation And Reconstruction Phase I
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Awarding A Construction Contract, In Accord With Plans And Specifications For Citywide Street Rehabilitation And Reconstruction Phase I Project No. C369620 And The Contractor's Bid Therefor, To Gallagher & Burk, Inc. In The Amount Of Three Million Seven Hundred Twenty-Eight Thousand Four Hundred Three Dollars (\$3,728,403.00); And [\(10-0617\)](#)
- 2) Waiving Advertising And Bidding Requirements And Authorizing The City Administrator Or His Designee To Award Additional Work Up To Seven Hundred Fifty Thousand Dollars (\$750,000.00) To The Contract, For A Total Contract Authorization Of Four Million Four Hundred Seventy-Eight Thousand Four Hundred Three Dollars (\$4,478,403.00); On The May 24, 2011 Public Works Committee Agenda [\(10-0617-1\)](#)
- S-4-8 Subject: Pacific Trenchless Contract Award
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Pacific Trenchless, Inc. For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Macarthur Boulevard, 64th Avenue, Simson Street And 72nd Avenue (Sub-Basin 84-104 - Project No. C312210), In The Amount Of Three Million Sixty-Four Thousand Eight Hundred Fifty-Four Dollars (\$3,064,854.00); On The May 24, 2011 Public Works Agenda [\(10-0621\)](#)
- S-4-9 Subject: Andes Construction Inc. - Contract Award
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes Construction, Inc. For The On-Call Sanitary Sewers Emergency Fiscal Year 2011 - 2012 (Project No. C329120) In Accord With Plans Specifications For The Project And Contractors Bid In The Amount Of Three Hundred Seventeen Thousand Five Hundred Dollars (\$317,500.00); On The June 14, 2011 Public Works Agenda [\(10-0622\)](#)
- S-4-10 Subject: Cash Management Report
From: Finance And Management Agency
Recommendation: Receive The Cash Management Report For The Quarter Ended March 31, 2011; On The May 24, 2011 Finance And Management Committee Agenda [\(10-0620\)](#)

- S-4-11 Subject: Supporting SB 48 - FAIR Education Act
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Senate Bill 48 (Leno) “Fair, Accurate, Inclusive And Respectful (FAIR) Education Act “That Would 1) Amend The Education Code To Include Social Sciences Instruction On The Contributions Of Lesbian, Gay, Bisexual And Transgender (LGBT) People And 2) Prohibit Discriminatory Instruction And Discriminatory Materials From Being Adopted By The State Board Of Education; On The May 19, 2011 Rules And Legislation Committee Agenda.
[\(10-0624\)](#)
- S-4-12 Subject: Supporting AB 1081 - TRUST Act
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Assembly Bill 1081 (Ammiano) “TRUST Act” Which Would Give Local Governments The Right To Opt-Out Of Immigration And Customs Enforcement's Secure Communities Program; On The May 19, 2011 Rules and Legislation Committee Agenda.
[\(10-0625\)](#)
- S-4-13 Subject: Supporting SB 104 - Fair Treatment of Farm Workers Act
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Senate Bill 104 (Steinberg) “Fair Treatment Of Farm Workers Act” Which Authorizes Agricultural Employees To Select Collective Bargaining Representation Through A Specified "Majority Signup Election" Process, In Addition To The Existing Representation Election Process Provided For Under Current Law; On The May 19, 2011 Rules and Legislation Committee Agenda.
[\(10-0626\)](#)
- S-4-14 Subject: Supporting AB 1389 - Clarity On California DUI Checkpoints
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Assembly Bill 1389 (Allen) "Clarity On California DUI Checkpoints" Which Would Establish Uniformity In The Way That DUI Checkpoints And Vehicle Impoundments Are Conducted Across The State; On The May 19, 2011 Rules and Legislation Committee Agenda.
[\(10-0627\)](#)

S-4-15 Subject: Supporting AB 130 And 131 - California Dream Act Of 2011
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Assembly Bills 130
And 131 (Cedillo) "California Dream Act Of 2011" AB 130 Which Would
Open Access To Institutional Aid To All Eligible AB 540 Undocumented
Students And AB 131 Would Allow Eligible AB 540 Undocumented
Students Access To Any Financial Aid Program Run By The State Of
California; On The May 19, 2011 Rules and Legislation Committee
Agenda.

[\(10-0628\)](#)

S-4-16 Subject: Supporting AB 889 - Domestic Work Bill Of Rights
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Assembly Bill 889
(Ammiano And Perez) "Domestic Work Bill Of Rights" Which Would
Specially Regulate The Wages, Hours, And Working Conditions Of
Domestic Work Employees Which Is Currently An Industry That Is
Unregulated; On The May 19, 2011 Rules And Legislation Committee
Agenda.

[\(10-0629\)](#)

S-4-17 Subject: Supporting Assembly Bill 934
From: Councilmember Nadel
Recommendation: Adopt A Resolution Supporting Assembly Bill 934
That Would Amend Civil Code Section 47 To Remove Eviction Notices
From The Litigation Privilege Thereby Permitting Tenants To Bring A
Lawsuit For Wrongful Eviction Based Against A Landlord Who Issues A
Fraudulent Or False Eviction Notice In A Post - Foreclosure Eviction Or
Other Eviction Action; On The May 12, 2011 Rules And Legislation
Committee Agenda

This item requires an urgency finding.

[\(10-0623\)](#)

5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the
meeting of May 17, 2011 and the Rules and Legislation Committee Meeting of May 19,
2011

[\(rules050511item5\)](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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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

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(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

- * 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