



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, May 07, 2009

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:

Jean Quan, District 4; Vice Mayor 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 April 23, 2009
- 3 Determination of Schedule of Outstanding Committee Items
(05-07 Rules Pending)
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of May 12, 2009 (SUPPLEMENTAL)
(05-07 Rules Item 4)

- S-4-1 Subject: Emergency Public Safety Communications Plan
From: Oakland Fire Department
Recommendation: Receive An Informational Report On Emergency Public Safety Communications Plan And Contingencies Until The East Bay Regional Communications System (EBRCS) And Bay Area Regional Interoperable Communication Systems (BAYRICS) Are Fully P-25 System Compliant; On The June 23, 2009 Public Safety Committee Agenda
[\(09-0410\)](#)
- S-4-2 Subject: Support Of Assembly Bill 814
From: Oakland Police Department
Recommendation: Adopt A Resolution In Support Of California State Assembly Bill Number 814 (Krekorian), Which Establishes Procedure For Convicted Criminals Who Own Or Possess Firearms To Relinquish Them To A Law Enforcement Agency; On The May 21, 2009 Rules And Legislation Committee Agenda
[\(09-0401\)](#)
- S-4-3 Subject: Managed Health Network Contract Extension
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Exercise The Option To Extend For An Additional Term, The Period Of July 1, 2009 Through December 31, 2010, The Contract With Managed Health Network (MHN), To Continue Providing Psychological Counseling Services For Sworn Members Of The Police Department And Their Dependents, In The Amount Of \$105,000, And Increasing The Total Contract Amount From \$105,000 To \$210,000; On The June 9, 2009 Public Safety Committee Agenda
[\(09-0404\)](#)
- S-4-4 Subject: Support Of Assembly Bill 962
From: Oakland Police Department
Recommendation: Adopt A Resolution In Support Of California State Assembly Bill 962 (Assembly Bill 962 Deleon), Which Imposes New Regulations Over The Sale And Transfer Of Handgun Ammunition In The State Of California; On The May 21, 2009 Rules And Legislation Committee Agenda
[\(09-0409\)](#)
- S-4-5 Subject: Green Jobs Corps Training
From: Office of the City Administrator
Recommendation: Discussion And Possible Action On A Report On The State Green Jobs Corps Pilot Program To Train At-Risk Youth For Technical, Construction And Other Skilled Jobs In Eco-Friendly Industries Expected To Help Fuel Economic Recovery, As Part Of The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package"); On The May 12, 2009 Public Works Committee Agenda
[\(09-0418\)](#)

- S-4-6 Subject: Seismic Screening Evaluation
From: Councilmembers Jean Quan And Nancy Nadel
Recommendation: Adopt A Resolution Mandating Seismic Screening
Evaluation And Reporting Of Potential Soft Story Residential Multifamily
Buildings In Oakland; On The June 9, 2009 Community And Economic
Development Committee Agenda
[\(09-0403\)](#)
- S-4-7 Subject: Support Of Assembly Bill 772
From: Vice Mayor De La Fuente
Recommendation: Adopt A Resolution In Support Of Assembly Bill 772
(Ammiano) "Local Government Identification Act" Which Would Authorize
Counties To Establish Municipal ID Programs; On The May 14, 2009 Rules
And Legislation Committee Agenda
[\(09-0412\)](#)
- S-4-8 Subject: Healthy Oakland - Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Honoring Healthy Oakland - Save A
Life Wellness Center For Its Designation As A State-Licensed Community
Clinic; As A Ceremonial Item On The June 16, 2009 City Council Agenda
[\(09-0413\)](#)
- S-4-9 Subject: Children's Fund Planning And Oversight Committee
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution Appointing Maya Dillard Smith As
A Member Of The Children's Fund Planning And Oversight Committee; On
The May 19, 2009 City Council Agenda
[\(09-0419\)](#)

S-4-10 Subject: Oakland Army Base Final Reuse Plan
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The May 26, 2009
Community And Economic Development Committee Agenda The
Following Pieces Of Legislation:

1) An Agency Resolution Rescinding, Per Court Order:

(1) Agency Resolution No. 2006-0084 ("A Resolution Amending The
Oakland Army Base Final Reuse Plan") Regarding An Auto Mall Project As
Described In Resolution No. 2006-0084

(2) Approval Of The 2007 Amendment To The Oakland Army Base Final
Reuse Plan (Amended Reuse Plan) Per Agency Resolution No. 2007-0086
Only To The Extent The Amended Reuse Plan Refers, Relates Or Applies
To The Auto Mall Project And/Or Relates To (A) Any Discharges From
New Development Into The 15-Inch Sewer Line And/Or (B) Vacation
And/Or Relocation Of Wake Avenue; And

[\(09-0332\)](#)

2) A City Resolution Rescinding, Per Court Order:

(1) Approval Of The 2007 Amendment To The Oakland Army Base Final Reuse Plan
(Amended Reuse Plan) Per City Council Resolution No. 81004 C.M.S. Only To The
Extent The Amended Reuse Plan Refers, Relates Or Applies To The Auto Mall Project
And/Or Relates To (A) Any Discharges From New Development Into The 15-Inch Sewer
Line And/Or (B) Vacation And/Or Relocation Of Wake Avenue

(2) Certification Of The Supplemental Environmental Impact Report For The Oakland
Army Base Auto Mall Project (SEIR) Per City Council Resolution No. 80301 C.M.S.,
Only To The Extent The SEIR Is Applicable To The Auto Mall Project And Purports To
Provide Environmental Review And/Or Clearance Under The California Environmental
Quality Act (CEQA) For (A) Any Discharges From New Development Into The 15-Inch
Sewer Line And/Or (B) Vacation And/Or Relocation Of Wake Avenue

(3) Certification Of The First Addendum To The SEIR For The Oakland Army Base
Auto Mall Project (Addendum) Per City Council Resolution No. 81004 C.M.S., Only To
The Extent The Addendum Is Applicable To The Project And/Or Purports To Provide
Environmental Review And/Or Clearance Under CEQA For (A) Any Discharges From
New Development Into The 15-Inch Sewer Line And/Or (B) Vacation And/Or
Relocation Of Wake Avenue; And Reschedule To The May 19, 2009 City Council
Agenda

Reason: We Are Requesting That This Item Bypass Committee Because The Resolutions
Are Necessary To Comply With The Judgment And Writ That The Superior Court Issued
In EBMUD V. City, Superior Court Case No. RG0736552. This Item Has Been
Discussed In Closed Session And Will Be Placed On The May 19, 2009 Closed Session

Agenda.

[\(09-0332-1\)](#)

S-4-11 Subject: Revocable And Conditional Permit - 1940 Union Street
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Union 21 Partners LLC A
Revocable And Conditional Permit For A Building At 1940 Union Street To
Allow An Existing Foundation To Encroach Under The Public Sidewalk On
21st Street And Union Street; On The June 9, 2009 Public Works
Committee Agenda

[\(09-0405\)](#)

S-4-12 Subject: Oakland City Center Project
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Ordinance, As Recommended By The City Planning Commission,
Authorizing The City Administrator To Negotiate And Execute A
Development Agreement Between The City Of Oakland And Oakland T12
LLC Regarding The Property And Project Known As "The Oakland City
Center Project T-12;

[\(09-0406\)](#)

2) A City Ordinance Authorizing The City Of Oakland To Enter Into A Thirteenth
Amendment To The Disposition And Development Agreement With Oakland T12 LLC,
Regarding The City Center Project To Extend The Date To Complete An Office
Development On Block T-12 Of The City Center Project By 36 Months Changing It
From April 12, 2012 To April 12, 2015, With Two Additional Extension Options Of 12
Months Each; And

[\(09-0406-1\)](#)

3) An Agency Resolution Authorizing The Agency To Enter Into A Thirteenth
Amendment To The Disposition And Development Agreement With Oakland T12 LLC,
Regarding The City Center Project To (1) Extend The Date To Complete An Office
Development On Block T-12 Of The City Center Project By 36 Months Changing It
From April 12, 2012 To April 12, 2015, With Two Additional Extension Options Of 12
Months Each And (2) Accept Payment Of \$300,000 From Oakland T12 LLC To The
Agency For The Initial Extension, And Payments Of \$200,000 And \$300,000,
Respectively, For Each Additional 12-Month Option To Extend To Complete The Office
Development; On The June 9, 2009 Community And Economic Development Committee
Agenda; And As A Public Hearing On The June 16, 2009 City Council Agenda

[\(09-0406-2\)](#)

- S-4-13 Subject: One Work Place - Business Incentive Agreement
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A Business Incentive Agreement With One Workplace Ferrari, LLC, DBA One Work Place (“OWP”) To Require OWP To Locate And Maintain A Sales Office In The City Of Oakland For A Minimum Five-Year Term Beginning In June 2009, In Exchange For The City's Reimbursement To OWP Of The Following Amounts: (1) Beginning In Year Two Of The Agreement (Fiscal Year 2011-2012), A Business Incentive Payment Equal To 50% Of The Total Sales And Use Tax Received By The City From OWP's Retail Sales During That Period; (2) In Fiscal Year 2012-2013, A Business Incentive Payment Equal To 45% Of The Total Sales And Use Tax Received By The City From OWP's Retail Sales During That Period; And (3) In Fiscal Year 2013-2014, A Business Incentive Payment Equal To 40% Of The Total Sales And Use Tax Received By The City From OWP's Retail Sales During That Period; On The June 9, 2009 Finance And Management Committee Agenda
[\(09-0407\)](#)
- S-4-14 Subject: Revocable And Conditional Permit - 100 Grand Avenue
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Essex Portfolio L.P. A Revocable And Conditional Permit For A New Building At 100 Grand Avenue To Allow A Concrete Vault And Electrical Transformer To Encroach Under The Public Sidewalk On 23rd Street And An Entrance Canopy To Encroach Over The Public Sidewalk On Grand Avenue; On The June 9, 2009 Public Works Committee Agenda
[\(09-0408\)](#)
- S-4-15 Subject: Polsinelli Shalton Flanigan Suelthaus - Agreement
From: Office of the Mayor
Recommendation: Adopt A Resolution Waiving The Request For Proposal Process And Authorizing An Agreement With Polsinelli Shalton Flanigan Suelthaus To Serve As The City's Federal Legislative Representative For The Period Of January 1, 2009 Through December 31, 2009, A Period Of 12 Months, At One Hundred And Fifty Thousand Dollars (\$150,000.00) Per Year, With A One Year Option To Renew For An Additional One Hundred And Fifty Thousand Dollars (\$150,000.00), For A Total Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000.00); On The May 28, 2009 Rules And Legislation Committee Agenda
[\(09-0402\)](#)
- S-4-16 Subject: Gardens Renaming
From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Authorizing The Naming Of The Gardens Adjacent To The Marsha J. Corprew Memorial Garden Center Located At 666 Bellevue Avenue To The Gardens At Lake Merritt; On The May 26, 2009 Life Enrichment Committee Agenda

(09-0411)

- 5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of May 19, 2009 and the Rules and Legislation Committee meeting of May 21, 2009
(05-07 Rule Item 5)
- 6 Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")

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
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(TDD)

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