

DRAFT



City of Oakland Meeting Minutes

*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

Roll Call / Call to Order

Excused: Member Quan

Present: Member Reid, Chair Brunner and Member De La Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:49 AM, with Council President Brunner presiding as Chairperson.

1 **Closed Session**

The office of the City Attorney scheduled a Closed Session for Tuesday, May 19, 2009 for 4 PM to 6 PM

2 **Approval of the Draft Minutes from the Committee meeting of April 23, 2009**

A motion was made by Member Reid, seconded by Member De La Fuente, to *Approve the Minutes. The motion carried by the following vote:

Votes: Excused; 1 - Member Quan

Aye; 3 - Member Reid, Chair Brunner and Member De La Fuente

3 **Determination of Schedule of Outstanding Committee Items**

A motion was made by Member De La Fuente, seconded by Member Reid, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Member Quan

Aye; 3 - Member Reid, Chair Brunner and Member De La Fuente

[05-07 Rules Pending](#)

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4 **Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of May 12, 2009 (SUPPLEMENTAL)**

A motion was made by Member Reid, seconded by Member De La Fuente, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Excused; 1 - Member Quan

Aye; 3 - Member Reid, Chair Brunner and Member De La Fuente

[05-07 Rules Item 4](#)

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- 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](#)
Scheduled to *Public Safety Committee on 6/23/2009
- 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 (AB 814 Krekorian), Which Addresses Gaps In Existing Law With Regards To The Possession Of Firearms By Convicted Felons And Other Prohibited Misdemeanants In The State Of California
[09-0401](#)
Scheduled to *Rules & Legislation Committee on 5/21/2009
[View Report.pdf](#)
- 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
[09-0404](#)
Scheduled to *Public Safety Committee on 6/9/2009
- 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
[09-0409](#)
Scheduled to *Rules & Legislation Committee on 5/21/2009
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- S-4-5 Subject: Green Jobs Corps Training
From: Office of the City Administrator
Recommendation: Discussion And Possible Action On A Report On The California 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")
[09-0418](#)
Scheduled to *Community & Economic Development Committee on 5/12/2009
The following individual spoke on this item:
- Sanjiv Handa
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
- 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
[09-0403](#)
Scheduled to *Community & Economic Development Committee on 6/9/2009
- 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
[09-0412](#)
Scheduled to *Rules & Legislation Committee on 5/14/2009
[View Report.pdf](#)
- 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](#)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/16/2009

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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
[09-0419](#)
**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/19/2009**
The following individual spoke on this item:
- *Sanjiv Handa*
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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](#)
***Rescheduled to Concurrent Meeting of the Oakland Redevelopment
Agency / City Council on 5/19/2009**
The following individual spoke on this item:
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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
[09-0332-1](#)

***Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/19/2009**

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
[09-0405](#)

Scheduled to *Public Works Committee on 6/9/2009

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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](#)

**Scheduled to *Community & Economic Development Committee on
6/9/2009**

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](#)

**Scheduled to *Community & Economic Development Committee on
6/9/2009**

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](#)

**Scheduled to *Community & Economic Development Committee on
6/9/2009**

and as a Public Hearing on June 16, 2009

*The following individual spoke on this item:
- Sanjiv Handa*

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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](#)

Scheduled to *Finance & Management Committee on 6/9/2009

The following individual spoke on this item:

- Sanjiv Handa

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
[09-0408](#)

Scheduled to *Public Works Committee on 6/9/2009

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S-4-15 Subject: Polsinelli Shughart - Agreement
From: Office of the Mayor
Recommendation: Adopt A Resolution Waiving The Request For Proposal Process And Authorizing An Extension Of The 2008 Agreement With Polsinelli Shughart To Serve As The City's Federal Legislative Lobbyist For The Period Of January 1, 2009 Through December 31, 2009, At A Cost Of One Hundred And Fifty Thousand Dollars (\$150,000.00), And Authorizing An Option To Renew For One Year Until December 2010 For An Additional One Hundred And Fifty Thousand Dollars (\$150,000.00), For A Total Amount Not-To-Exceed Four Hundred And Fifty Thousand Dollars (\$450,000.00) For The Entire Term Of The Agreement
[09-0402](#)

Scheduled to *Rules & Legislation Committee on 5/28/2009

The following individual spoke on this item:

- Sanjiv Handa

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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
[09-0411](#)

Scheduled to *Life Enrichment Committee on 5/26/2009

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ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Municipal Code Amendment-Chapter 13.08
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending Chapter 13.08 Of The Oakland Municipal Code To Require The Installation Of Sewage Overflow Devices On Privately Maintained Sewer Laterals
[09-0275](#)

***Rescheduled to *Public Works Committee on 5/26/2009**

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Subject: Team Oakland Recognition
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Recognizing Team Oakland For Participating In The International Children's Games To Be Held In Athens Greece
[09-0420](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/19/2009**

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Subject: Residential Parking Permit Renewal Process
From: Council President Brunner
Recommendation: Receive An Informational Report From The Parking Enforcement Division On Implementing Revisions To The Residential Parking Permit Renewal Process; On The July 14, 2009 Finance And Management Committee Agenda
[09-0421](#)

Scheduled to *Finance & Management Committee on 7/14/2009

Subject: Support Of Assembly Bill 603
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution To Support Assembly Bill 603 (Price) To Add Tenant Protections In Foreclosure Situations
[09-0422](#)

Scheduled to *Rules & Legislation Committee on 5/14/2009

[View Report.pdf](#)

Subject: Opposition To Assembly Bill 781
From: Vice Mayor De La Fuente And Councilmembers Quan And Kernighan
Recommendation: Adopt A Resolution Opposing Assembly Bill 781 (Jeffries) "Public Employment: Language" Relating To Bilingual Hiring Requirements In Local And State Government Which If Enacted Would Hinder Oakland's Ability To Implement The Equal Access To Services Ordinance (TITLE CHANGE)
[09-0423](#)

Scheduled to *Rules & Legislation Committee on 5/14/2009

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- 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
A motion was made by Member Reid, seconded by Member De La Fuente, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Member Quan
Aye; 3 - Member Reid, Chair Brunner and Member De La Fuente
The following individual spoke on this item:
- Sanjiv Handa

[05-07 Rule Item 5](#)
[View Report.pdf](#)

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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")

A motion was made by Member De La Fuente, seconded by Member Reid, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Member Quan

Aye; 3 - Member Reid, Chair Brunner and Member De La Fuente

The following individual spoke on this item:

- Sanjiv Handa

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual spoke under Open Forum:

- Sanjiv Handa

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:26 AM

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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* 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.

City Clerk and Clerk of the Council