



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 08, 2008

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

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Present: Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:45 AM with Council President De La Fuente presiding as Chairperson.

1 **Closed Session**

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A motion was made by Member Brunner, seconded by Member Chang, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

The office of the City Attorney scheduled a Closed Session for 4 PM - 6 PM on Tuesday, May 20, 2008

2 **Approval of the Draft Minutes from the Committee meeting of April 24, 2008**

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A motion was made by Vice Mayor Reid, seconded by Member Chang, to *Approve the Minutes. The motion carried by the following vote:

Votes: Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

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

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There was no action necessary for this item.

[05-08 Rules Pend](#)

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4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of May 13, 2008 (SUPPLEMENTAL)

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A motion was made by Member Brunner, seconded by Member Chang, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

[05-08 Rules Item 4](#)

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S-4-1 Subject: 2007 Super Urban Area Security Initiative Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A SUASI Approval Authority Governance MOU And An Agreement With The City And County Of San Francisco For The Distribution Of Fiscal Year 2007 Super Urban Area Security Initiative (SUASI) Grant Funds In The Amount Of \$1,367,602, Approve The Preliminary Spending Plan, Waive Central Services Overhead Fees And Authorize The City Administrator Or Her Designee To Accept, Appropriate And Administer The Fiscal Year 2007 SUASI Grant Allocations And To Expend Funds In Accord With The Preliminary Spending Plan Without Further Council Authorization, Including For The Award Of Contracts In Excess Of The City Administrator's Purchasing Authorization, Provided City Bidding Requirements And Purchasing Programs/Policies Are Followed; On The June 24, 2008 Public Safety Committee Agenda
[07-1336](#)

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Scheduled to *Public Safety Committee on 6/24/2008

S-4-2 Subject: Firefighter Protective Clothing Agreement
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Term Agreement With All Star Fire Equipment For The Purchase Of Firefighter Protective Clothing (Turnouts) In An Amount Not To Exceed Six Hundred Thirty-Two Thousand And Thirty-Five Dollars (\$632,035.00) For The Period July 1, 2008 Through June 30, 2011 With An Optional Two-Year Extension In An Amount Not To Exceed One Million One Hundred Seven Thousand Eight Hundred Forty-Eight Dollars (\$1,107,848) Over Five-Year Term And Authorizing Waiver Of The Competitive Bidding Requirements; On The June 24, 2008 Public Safety Committee Agenda
[07-1338](#)

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Scheduled to *Public Safety Committee on 6/24/2008

S-4-3 Subject: Agenda Confirmation
From: Office of the City Clerk
Recommendation: A Request To Confirm The Agenda Items For The May 15, 2008 Mid-Cycle Budget Workshop (ATTACHED)
[07-1269-1](#)

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Accepted

S-4-4 Subject: Opposition To State Initiative 07-0094 - The Runner Initiative
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Opposing California State Initiative 07-0094, The Runner Initiative, A Proposed Ballot Measure That Would Annually Shift Half A Billion Dollars In State Resources From Education And Crime And Violence Prevention Services To Increase Funding For Criminal Justice Programs That Will A) Facilitate The Prosecution Of More Youth As Adults; B) Increase Penalties For Drug Offenses And Offenses Alleged To Be "Gang" Related; C) Create Mandatory Criminal Background Checks For Housing Subsidy Recipients; And D) Prohibit Bail For Undocumented Immigrants Charged With "Gang Related" Felonies
[07-1334](#)

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Scheduled to *Rules & Legislation Committee on 6/12/2008

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S-4-5 Subject: Support Of Assembly Bill 1672
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution In Support Of Senate Bill 1672 (Steinberg) That Would Enact The Renewable Energy, Climate Change, Career Technical Education, And Clean Technology Job Creation Bond Act Of 2010, To Authorize The Issuance And Sale Of 3 Billion Dollars In State General Obligation Bonds For Specified Purposes, Including: (A) The Development Of Renewable Energy And Energy Efficiency And Conservation; (B) The Development Of Clean Technology Businesses And Jobs, And Educational And Worker Training Programs; And (C) The Development Of Businesses, Technologies, Infrastructure Investment, Jobs, Apprenticeships, And Internships That Will Help California Adapt To Climate Change With Special Attention For Actions That Will Benefit Disadvantaged Communities
[07-1335](#)

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Scheduled to *Rules & Legislation Committee on 5/15/2008

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[View Supplemental Report.pdf](#)
[81336 CMS.pdf](#)

S-4-6 Subject: Project Exile - Feasibility Report
From: Vice Mayor Larry Reid
Recommendation: Receive An Informational Report Presenting The Feasibility Of Executing Project Exile In Oakland, Including A Description Of The Program, The Success And Failures Of The Previous Implementation In Oakland, The Affect On Overtime, Whether OPD Is Adequately Staffed To Dedicate Staff To The Program, Whether The Necessary Federal Agencies Can Provide The Required Assistance, And Any And All Costs Associated With The Implementation Of The Program; On The June 24, 2008 Public Safety Committee Agenda
[07-1337](#)

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Scheduled to *Public Safety Committee on 6/24/2008

S-4-7 Subject: Immigration And Customs Enforcement Tactics
From: Council President De La Fuente & Vice Mayor Larry Reid
Recommendation: Adopt A Resolution Denouncing Tactics Used By The
Immigration And Customs Enforcement Agency To Intimidate Oakland Residents
Including Placement Of Field Agents, Vehicles And Conducting Surveillance At Or
Near School Campuses And Re-Affirming The City's Declaration As A City Of
Refuge
[07-1341](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/20/2008**

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[81310 CMS.pdf](#)

S-4-8 Subject: Police Officer Commendations
From: Councilmember Nancy Nadel
Recommendation: Award Commendations To Oakland Police Officers Matt
Komoda; Ercivan Martin; Nick Miller; Dasean Spencer; Enrico Taupal; And Trent
Thompson In Recognition Of Their Heroic Efforts On April 1, 2008, By Risking
Their Lives To Save More Than 50 People From A Burning Building At 3010
Adeline Street, In Oakland, California
[07-1342](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/20/2008**

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S-4-9 Subject: Sharp Business Systems - Copy Rental Contract
From: Department of Information Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator To
Award A Contract To Sharp Business Systems, Pleasanton, California In An Annual
Amount Not-To-Exceed Three Hundred, Thirty-Three Thousand, Two Hundred
Sixteen Dollars (\$333,216.00) For Cost Per Copy Rental Of Convenience Copiers
For A Two-Year Term With Two (2) Options To Extend The Contract For Two (2)
Additional One-Year Terms At An Annual Rate Of Three Hundred, Thirty-Three
Thousand, Two-Hundred Sixteen Dollars (\$333,216.00), For A Total
Not-To-Exceed Contract Amount Of One Million, Three Hundred Thirty Two
Thousand, Eight Hundred Sixty Four Dollars And No Cents (\$1,332,864.00)
[07-1330](#)

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Scheduled to *Finance & Management Committee on 5/27/2008

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S-4-10 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
[07-1236](#)

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***Rescheduled to *Community & Economic Development Committee on
6/24/2008**

- 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](#)

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***Rescheduled to *Community & Economic Development Committee on
6/24/2008**

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](#)

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***Rescheduled to *Community & Economic Development Committee on 6/24/2008**

This item will also be heard as a Public Hearing on July 15, 2008

S-4-11 Subject: MacArthur Transit Village Project Agreements
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The June 10, 2008 Community And Economic Development Committee Agenda An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Time Extension Of Six Months To The Three-Party Exclusive Negotiating Agreement With MacArthur Transit Community Partners, LLC And The San Francisco Bay Area Rapid Transit District For The Development Of The MacArthur Transit Village Project; And Reschedule To The June 24, 2008 Community And Economic Development Committee Agenda

REASON: Item needs to go in conjunction with project entitlements for MacArthur Transit Village which are also being requested for rescheduling to June 24th CED.
[07-1256](#)

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***Rescheduled to *Community & Economic Development Committee on 6/24/2008**

S-4-12 Subject: Conditional Vacation Of Jefferson Street - Hearing
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Adopting Findings And Setting A Hearing To Receive Supporting Evidence And Public Comments On A Proposed Conditional Vacation Of A One (1) Block Section Of Jefferson Street West Of Its Intersection With Embarcadero West Without Cost To Duke Energy Oakland LLC
[07-1329](#)

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Scheduled to *Public Works Committee on 6/10/2008
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S-4-13 Subject: Alliance For West Oakland Grant
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Approving A \$100,000 Grant To The Alliance For West Oakland Development To Provide Job Training for West Oakland Redevelopment Projects, And Allocating West Oakland Redevelopment Funds For The Grant; On The June 24, 2008 Community and Economic Development Committee Agenda
[07-1331](#)

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Scheduled to *Community & Economic Development Committee on 6/24/2008

S-4-14 Subject: Zoning Map Amendments
From: Community and Economic Development Agency
Recommendation: Adopt An Interim Ordinance, Recommended By The Planning Commission, Amending The Zoning Maps For Two Years, Applying The S-4 Design Review Combining Zone, Which Requires New Or Rehabilitated Non-Residential Facilities To Follow Established Design Review Procedures, To Those C-10, C-30, C-35 And C-40 Zones Which Are Designated In The General Plan As Neighborhood Center Commercial, Community Commercial And Urban Residential
[07-1332](#)

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**Continued to *Rules & Legislation Committee on 5/15/2008
for scheduling**

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S-4-15 Subject: Independent Auditor's Report - Redevelopment Agency
From: Community and Economic Development Agency
Recommendation: Receive An Informational Report Presented In Compliance With The Independent Auditor's Findings On The Redevelopment Agency Of The City Of Oakland Including The Following Reports For The 2006-2007 Fiscal Year: A) Redevelopment Agency Annual Housing Activity Report; B) Blight Report; C) Property Report; And D) Loan Report
[07-1333](#)

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Scheduled to *Finance & Management Committee on 6/10/2008

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S-4-16 Subject: Conditional Vacation Of Jefferson Street - Ordinance
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Conditionally Vacating A One (1) Block Section Of Jefferson Street West Of Its Intersection With Embarcadero West Without Cost To Duke Energy Oakland LLC
[07-1345](#)

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Scheduled to *Public Works Committee on 6/10/2008

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S-4-17 Subject: Oakland Police Officers' Association - Arbitration Award
From: Finance And Management Agency
Recommendation: Adopt The Following Pieces of Legislation:

1) A Resolution Implementing Arbitration Award Pertaining To Sworn Police Officers In Bargaining Units PP And PT, Represented By The Oakland Police Officers' Association Covering The Period Of July 1, 2006 To June 30, 2010; And [07-1306](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/17/2008

2) A Resolution Implementing Initial Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Management Association In Bargaining Unit UN2 Covering The Period Of July 1, 2006 To June 30, 2010; And

[07-1306-1](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/17/2008

3) An Ordinance Amending The Salary Schedule Ordinance No. 12187 (The Salary Ordinance) To Increase The Salaries Of Employees; On The May 20, 2008 City Council Agenda

[07-1306-2](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/17/2008

S-4-18 Subject: Vacancy Report - April 2008
From: Finance and Management Agency
Recommendation: Receive The Quarterly Informational Report On The Current Number Of Authorized Vacancies Citywide, As Of April 10, 2008
[07-1339](#)

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Scheduled to *Finance & Management Committee on 5/27/2008

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ADDITIONAL ITEM(S) SUBMITTED ON THE DAIS

***Approve as Submitted**

Subject: Priority Project Funds - District 5
From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La Fuente's Priority Project Funds To The Oakland Unified School District In The Amount Of \$31,250.25 To Fund The After School Sports Program At Cesar Chavez Education Center
[07-1348](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/20/2008**

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[81287 CMS.pdf](#)

FROM THE PUBLIC SAFETY COMMITTEE PENDING LIST FOR MAY 27, 2008

Subject: Oakland Police Department - Juvenile Desk Report
From: Councilmembers Jane Brunner and Patricia Kernighan
Recommendation: Action On A Report On The Police Department's Juvenile Desk Including But Not Limited To Updates On (1) Staffing Levels And Cooperation With Social Service Agencies On Referring Juvenile Offenders To Measure Y And Other Intervention Services, And Following Through The Juvenile Justice System; And (2) Opportunities For Youth Ventures To Coordinate Follow-Up Services And Tracing Outcomes For Individual Juveniles With Agencies Including The Alameda County Probation Department, District Attorney's Office, Measure Y Programs, And Oakland Unified School District
[07-0504-2](#)

***Rescheduled to *Public Safety Committee on 6/10/2008**

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Subject: Permitted Bingo Operations - Annual Hall Fees
From: Oakland Police Department
Recommendation: Action On A Report On 2006 Results Of Permitted Bingo Operations And A Proposed Ordinance Amending OMC 5.1040 To Require A Permit For Bingo Halls, And Amending OMC 5.10.110 To Reflect The Annual Bingo Hall Fee Is Contained In The Master Fee Schedule
[07-1233](#)

***Rescheduled to *Public Safety Committee on 6/10/2008**

Subject: Metropolitan Medical Response System
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept A Two Hundred Eighty Five Thousand One Hundred Forty-Five Dollar (\$285,145), Metropolitan Medical Response System (MMRS) Grant From The Governors Office Of Homeland Security To Fund Planning And Equipment For The City Of Oakland's Fire Department For The Continued Support Of The MMRS Program; On The May 27, 2008 Public Safety Committee Agenda
[07-1298](#)

***Rescheduled to *Public Safety Committee on 6/10/2008**

Subject: Oakland Medical Reserve Corps - Capacity Expansion
From: Oakland Fire Department
Recommendation: Adopt A Resolution To Authorize The City Administrator Or Her Designee To Accept And Appropriate A Capacity Building Award (CBA) For Ten Thousand Dollars (\$10,000) From The United States Department Of Health And Human Services Administered By The National Association Of County And City Health Officials (NACCHO) To Build The Capacity Of The Newly Established Oakland Medical Reserve Corps (MRC); On The May 27, 2008 Public Safety Committee Agenda
[07-1301](#)

***Rescheduled to *Public Safety Committee on 6/24/2008**

Subject: Emergency Management And Disaster Preparedness Council
From: Oakland Fire Department
Recommendation: Receive A Semi-Annual Report On Emergency Management And Disaster Preparedness Council Proceedings For The Period Of July 2007 To December 2007; On The May 27, 2008 Public Safety Committee Agenda
[07-1307](#)

***Rescheduled to *Public Safety Committee on 6/24/2008**

Subject: CORE Program Funding
From: Oakland Fire Department
Recommendation: Adopt A Resolution To Accept And Appropriate Two Grants For A Total Of One Hundred Forty-Four Thousand Three Hundred Six Dollars (\$144,306) Applied For During The Federal Fiscal Year 2006 And Fiscal Year 2007 CERT Grant Period From The State Of California's Homeland Security Grant Program For Community Emergency Response Team (CERT) Enhancements And Citizen Corps Council Projects, Awarded And Administered By The Alameda County Operational Area To The Oakland Fire Department's Office Of Emergency Services (OES) For The City Of Oakland's Citizens Of Oakland Respond To Emergencies (CORE) Program; On The May 27, 2008 Public Safety Committee Agenda
[07-1308](#)

***Rescheduled to *Public Safety Committee on 6/24/2008**

5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of May 20, 2008 and the Rules and Legislation Committee for the meeting of May 22, 2008
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A motion was made by Member Chang, seconded by Vice Mayor Reid, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

[05-08 Rules Item 5](#)
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6 Action On The City Council's State Legislative Proposals And Agenda

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There was no action necessary for this item.

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:10 AM.

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