



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>

Thursday, July 10, 2008

10:30 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:

Jane Brunner, District 1; Vice Mayor Larry Reid, District 7; 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 June 19, 2008 and June 26, 2008
- 3 Determination of Schedule of Outstanding Committee Items
([rules 071008](#))
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting of July 15, 2008 (SUPPLEMENTAL)
([07-10 Rules Item 4](#))

SUPPLEMENTAL

- S-4-1 Subject: Grant Funds Disbursements - Police Services And Vehicle Replacement
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept Grant Funds In An Amount Not To Exceed One Hundred Ninety Four Thousand Nine Hundred Eighty Nine Dollars And Fifty Cents (\$194,989.50) From The U.S. Department Of Justice, Office Of Justice Programs, Bureau Of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant (JAG) Program To Supplement Frontline Policing Services And Appropriate Said Funds To The Oakland Police Department To Partially Offset The Costs Of Marked Vehicle Replacement; On The September 23, 2008 Public Safety Committee Agenda
[\(07-1554\)](#)
- S-4-2 Subject: DNA Backlog Reduction Grant Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Twenty Thousand Eight Hundred Eighty Four Dollars (\$220,884) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The 2008 Casework DNA Backlog Reduction Grant Program In The Oakland Police Department; On The October 14, 2008 Public Safety Committee Agenda
[\(07-1555\)](#)
- S-4-3 Subject: The Fourth Of July Annual Holiday Report
From: Oakland Police Department
Recommendation: Receive An Annual Informational Report From The Office Of Chief Of Police Detailing The Department's Efforts To Manage Various Events Conducted Throughout The City Of Oakland During The Fourth Of July Holiday, Including The Fireworks Display At Jack London Square, And Illegal Fireworks And Sideshow Activities; On The September 23, 2008 Public Safety Committee Agenda
[\(07-1556\)](#)

SUPPLEMENTAL

S-4-4 Subject: Asset Forfeiture Fund
 From: Oakland Police Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator, Or A Designee, To 1) Enter Into A Memorandum Of Understanding, For The Period Of September 30, 2008 Through October 1, 2009 And Renewable Annually, With The US Department Of Justice, Bureau Of Alcohol, Tobacco, Firearms And Explosives (ATF) And The Oakland Police Department (OPD) To Cooperate In The Operation Of A Joint Oakland Firearm And Gang Task Force (Task Force), And 2) Accept And Appropriate Reimbursement Funds From The US Department Of Justice Asset Forfeiture Fund To The Oakland Police Department For Investigator Overtime And Other Asset Forfeiture Fund Authorized Reimbursements In Accordance With The Existing Federal Sharing Agreement; On The July 22, 2008 Public Safety Committee Agenda

[\(07-1560\)](#)

S-4-5 Subject: Permitted Bingo Operations - Annual Hall Fees
 From: Office of the City Administrator
 Recommendation: Adopt The Following Pieces Of Legislation:
 1) An Ordinance Amending Oakland Municipal Code Chapter 5.10, "Bingo" To: 1) Require A Bingo Hall Permit When The Bingo Hall Operator Is A Separate Entity From The Bingo Game Operator, 2) Specify Application Requirements For Bingo Halls, 3) Prohibit Bingo Hall Operators From Charging Bingo Game Operators More Than Fair Market Value For The Facilities, Goods And Services Provided By The Halls, 4) Prohibit Bingo Hall Operators From Transactions With Bingo Game Operators When Specified Familial And/Or Business Relationships Exist Between The Two Entities, 5) Subject Bingo Hall Operators To Audit Of Their Oakland Bingo Activities, 6) Specify That The Annual Bingo Hall Permit Fee, Audit Fee, And Police Services Fee Are Established By The Master Fee Schedule, 7) Establish That The Bingo Game Operators' Fee For Law Enforcement And Public Safety Costs Is Established By The Master Fee Schedule, 8) Require That Most Profits Or Proceeds Be Donated To Oakland Charitable Causes Annually, 9) Require Bingo Game Permittees To Conduct Traditional Called Bingo Every Day That Electronic Bingo Is Available, 10) Prohibit Use Of Illegal Bingo Machines, 11) Provide For Administrative Penalty For Violations, 12) Limit Amount And Quantity Of Door Prizes, And 13) Add Criteria For Denial, Suspension, Revocation, Or Conditional Approval Of Permits; And

[\(07-1233\)](#)

2) An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Move The Annual Bingo Hall Fee From Chapter 5.10 To The Master Fee Schedule, To Establish A Monthly Fee For Bingo Game Operators To Offset The City's Costs Of Law Enforcement And Public Safety, And To Include In The Annual Bingo Hall Permit Fee That Portion Of Law Enforcement And Public Safety Costs Attributable To

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Bingo Halls
[\(07-1233-1\)](#)

Subject: Additional Fees For Administrative Costs Related To Bingo Ordinance
From: Office Of The City Auditor
Recommendation: Recieve An Informational Report From The Office of the City Auditor Requesting A Legal Analysis On Additional Fees For Administrative Costs Related To Bingo Ordinance
[\(07-1233-2\)](#)

Subject: Use Of Bingo Profits For Charitable Purposes In The City Of Oakland
From: Office Of The City Attorney
Recommendation: Receive A Legal Opinion From The Office Of The City Attorney On The Use Of Bingo Profits For Charitable Purposes Within The City Of Oakland; On The September 23, 3008 Public Safety Committee Agenda
[\(07-1233-3\)](#)

S-4-6 Subject: Five-Year Forecast - Fiscal Years 2010-2014
From: Budget Office
Recommendation: Receive An Informational Report On The General Purpose Fund (1010) Five-Year Forecast - Fiscal Years 2010-2014; On The October 14, 2008 Finance And Management Committee Agenda
[\(07-1557\)](#)

S-4-7 Subject: Oakland Unified School District - Pursuit Policy
From: Vice Mayor Larry Reid
Recommendation: A Request To Withdraw From The September 23, 2008 Public Safety Committee Agenda An Informational Report Presenting The Pursuit Policy Of The Oakland Unified School District And Whether Their Policy Is Aligned With The Oakland Police Department's Pursuit Policy; On The September 23,2008 Public Safety Committee Agenda; With No New Date
[\(07-1475\)](#)

S-4-8 Subject: Oakland Fund For Children and Youth - Ballot Measure
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion, To The Electors At The November 4, 2008 Statewide General Election, A Measure To Increase Funding Over A 7-Year Period To The Oakland Fund For Children And Youth Allocated From The City's Unrestricted General Fund Revenues And Make The Oakland Fund For Children And Youth A Permanent Part Of The Oakland City Budget; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 4, 2008, Statewide General Election; On The July 22, 2008 Or July 29, 2008 Special City Council Agenda
[\(07-1551\)](#)

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- S-4-9 Subject: Year-End Revenue and Expenditure Report
 From: Councilmember Jean Quan
 Recommendation: Receive An Informational Report On Fiscal Year
 2007-2008 Year-End Revenue And Expenditure Results For The City's
 General Purpose Fund; On The September 23, 2008 Finance And
 Management Committee Agenda
[\(07-1552\)](#)
- S-4-10 Subject: Film Industry In Oakland
 From: Councilmember Pat Kernighan
 Recommendation: Action On A Report And Recommendations Analyzing
 The Economic Benefits Of Film Companies Doing Filming In Oakland And
 The Impact Of Parking Fees On The Amount Of Filming That Is Being
 Done; On The October 14, 2008 Finance And Management Committee
 Agenda
[\(07-1561\)](#)
- S-4-11 Subject: Salary Policies And Provisions
 From: Councilmember Quan
 Recommendation: Adopt An Ordinance (1) Amending The Salary
 Ordinance, (2) Setting Forth The Council's Compensation Policies And
 Provisions For City Employees, Officials And Officers, (3) Memorializing
 The Authority And Discretion The Council Has Granted To The City
 Administrator Regarding Fixing Compensation, And (4) Supplementing
 Ordinance No. 12187 C.M.S.; On The July 22, 2008 Finance And
 Management Committee Agenda
[\(07-1562\)](#)
- S-4-12 Subject: Favoritism In City Employment
 From: Council President De La Fuente
 Recommendation: Adopt An Ordinance Amending The City Of Oakland
 Municipal Code By Adding A New Chapter To Reduce Favoritism In City
 Employment And Administration; On The July 22, 2008 Finance And
 Management Committee Agenda
[\(07-1563\)](#)

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- S-4-13 Subject: Williams And Reliant Settlement Utilization
From: Councilmember Nadel
Recommendation: Receive An Informational Report From The Community And Economic Development Agency Regarding The Utilization Of \$375,000 Allocated For Fiscal Year 2007-2008, From The Williams And Reliant Energy Settlements, For The Purpose Of Increasing City-Wide Energy Efficiency And Green Building Activities, Including The Number Of Staff Assigned, Whether Staff Have Assigned Duties Other Than Energy Related Work, And If Not, Who Is Performing Staff's Former Duties, Or If New Staff Has Been Hired For The Energy Related Work; On The September 23, 2008 Community And Economic Development Committee Agenda
[\(07-1564\)](#)
- S-4-14 Subject: Permanent Access To Housing Grant Agreements
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Grant Agreements Not To Exceed Total Allocation Of \$673,362, With Agencies Selected Under The City Of Oakland's 2008-2009 Permanent Access To Housing (PATH) Strategy To Provide Housing And Services To The Homeless; To Allocate \$133,000 In Match Funds To East Oakland Community Project For The 2008-2009 Families In Transition Program; To Release A Second Request For Proposals Under The 2008-2009 Path Strategy To Fill Service Gaps, Total Allocation Not To Exceed \$128,574; To Allocate Up To \$52,750 In Match Funds To East Oakland Community Project For The 2008-2009 Matilda Cleveland Transitional Housing Program (MCTHP); To Allocate Funds To Cover 2008/2009 Lease Cost At The MCTHP Facility In The Amount Of \$36,000; And To Allocate \$10,000 To The City's 2008/2009 Hunger Program; On The July 15, 2008 City Council Agenda
[\(07-1479\)](#)
- S-4-15 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 July 22, 2008 Finance and Management Committee Agenda
[\(07-1422\)](#)

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S-4-16 Subject: Oak Center Redevelopment Plan - Parcel 6
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The July 22, 2008
Community And Economic Development Committee Agenda Adopt An
Agency Resolution Authorizing A Variance To The Oak Center
Redevelopment Plan For Parcel 6 Of The Proposed Development On 1158
14th Street And 1401 Adeline Street By Bobbie And Arrece Jameson To
Reduce Setback Requirements; And Reschedule To The September 23,
2008 Community And Economic Development Committee Agenda

[\(07-1505\)](#)

S-4-17 Subject: Ventures, LLC Loan - 1396 5th Street
From: Community and Economic Development Agency
Recommendation: A Request To Re-Title The Following An Agency
Resolution Authorizing A Secured Loan In An Amount Not To Exceed
\$3,120,000 For Twelve Months To 1396 Ventures, LLC For The
Purchase Of 1396 Fifth Street

NEW TITLE BELOW

Adopt An Agency Resolution Authorizing The Purchase Of 1396 Fifth
Street (Former Red Star Yeast Factory) In West Oakland From 1396 Fifth
Street LLC For A Purchase Price Of \$3,900,000 Plus Closing Costs; On
The July 22, 2008 Community And Economic Development Committee
Agenda

[\(07-1507\)](#)

S-4-18 Subject: Library Teen Zone Improvements Project
From: Community and Economic Development Agency
Recommendation: Receive An Informational Report On The Local And
Small Local Business Enterprise Participation Level Of The Construction
Contract For Main Library Teen Zone Improvements Project; On The July
22, 2008 Public Works Committee Agenda

[\(07-1558\)](#)

S-4-19 Subject: Oakland Green Jobs Corps Training Program
From: Office of The Mayor
Recommendation: Adopt A Resolution Authorizing The City Administrator
To Negotiate And Enter Into A Professional Services Agreement With
Laney College To Operate The Oakland Green Jobs Corps Training
Program In An Amount Not To Exceed Two Hundred Fifty Thousand
Dollars (\$250,000.00) For The Period Beginning August 1, 2008, Through
January 31, 2010; On The July 22, 2008 Public Works Committee Agenda

[\(07-1559\)](#)

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S-4-20 Subject: Public Ethics Commission - Municipal Code Amendments
From: Public Ethics Commission
Recommendation: Adopt An Ordinance Amending Chapter 2.24 Of The
Oakland Municipal Code Pertaining To The Functions, Duties, Authority,
And Composition Of The Public Ethics Commission; On The September 25,
2008 Rules And Legislation Committee Agenda
[\(07-1553\)](#)

5 A review of the Council Committees' actions from July 8, 2008 and determination of
scheduling to the ORA/City Council meeting of July 15, 2008 or future dates (MATRIX)
[\(07-10 Rules Item 5\)](#)

6 A review of the Agendas for the Council Committees for the meeting(s) of July 22, 2008
and the Rules and Legislation Committee for the meeting of July 24, 2008
CANCELLATION NOTICE
[\(07-10 Rules Item 6\)](#)

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

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
[\(07-1334\)](#)

Subject: Spousal Retirement Benefits Ballot Measure
From: Finance and Management Agency
Recommendation: Adopt A Resolution Submitting, On The Oakland City Council's Own
Motion, A Proposed Charter Amendment, Entitled, "Measure Allowing All Widows And
Widowers Of Members Of The City Of Oakland Police And Fire Retirement Systems Who
Remarry To Receive Spousal Retirement Benefits" To Be Submitted To The Electors At
The Election Of November 4, 2008; Directing The City Clerk To Fix The Date For
Submission Of Arguments And To Provide For Notice And Publication In Accordance
With The Law And Authorizing Certain Other Election Activities
[\(07-1487\)](#)

Subject: Police Services Ballot Measure
From: Office of the Mayor
Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion,
To The Electors At The November 4, 2008 Statewide General Election, A Proposed
Ordinance Creating A Special Parcel Tax For Increased Police Personnel; Consolidating
The Election With The Statewide General Election; And Directing The City Clerk To Fix

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The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 4, 2008, Statewide General Election
(07-1485)

From: Councilmember Jane Brunner
Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion, To The Electors At The November 4, 2008 Statewide General Election, A Proposed Ordinance Creating A Special Parcel Tax To Increase Police Personnel And Add A Data Management System; Consolidating The Election With The Statewide General Election; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 4, 2008, Statewide General Election
(07-1485-1)

Subject: Support Of Assembly Bill 2058
From: Public Works Agency
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2058 (Levine) - Recycling: Plastic Carryout Bags, Paper Carryout Bags, Which Would Require On Or After July 1, 2011, A Store To Provide Plastic Carryout Bags To Customers For Not Less Than \$0.25 Per Bag If The Store Does Not Meet Or Exceed A Plastic Carryout Bag Diversion Rate Of 70% And To Provide Paper Carryout Bags To Customers For Not Less Than \$0.25 Per Bag
(07-1515)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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)

* 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