



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 23, 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 July 9, 2009
- 3 Determination of Schedule of Outstanding Committee Items
(07-23 Rules Pending)
- 4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of July 28, 2009 (SUPPLEMENTAL)
(07-23 Rules Item 4)

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- S-4-1 Subject: Criminal History Access
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Approve The Fire Chief And/Or His Designated Representative To Access Summary Criminal History Information Of Oakland Fire Department Sworn Personnel For Emergency Medical Technician Licensing And Certification Purposes As Required By Adoption Of Assembly Bill 2917 (Torrico) During The 2007-2008 Session, Which Amended Sections Of The Health And Safety Code Regarding Emergency Medical Services Personnel; On The September 15, 2009 Public Safety Committee Agenda
[\(09-0678\)](#)
- S-4-2 Subject: Metropolitan Medical Response System Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept A Three Hundred Twenty One Thousand Two Hundred Twenty One Dollar (\$321,221) Metropolitan Medical Response System (MMRS) Grant From The Governors Office Of Homeland Security To Fund Oakland Fire Department MMRS Program Planning, Equipment And Training; On The October 27, 2009 Public Safety Committee Agenda
[\(09-0698\)](#)
- S-4-3 Subject: False Alarm Reduction Unit Program Contract
From: Oakland Police Department
Recommendation: Discussion And Possible Action On A Report And Recommendation Detailing The Results Of The Request For Proposals (RFP) Process Conducted By The Oakland Police Department To Identify And Select A Contractor For The Administration Of The Oakland Police Department's False Alarm Reduction Unit Program; On The September 15, 2009 Finance And Management Committee Agenda
[\(09-0697\)](#)
- S-4-4 Subject: Performance Measures - Various Agencies
From: Budget Office
Recommendation: Receive An Informational Report On Revised Performance Measures For Parking, Finance, Information Technology, And Human Resources; On The October 13, 2009 Finance And Management Committee Agenda
[\(09-0704\)](#)

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- S-4-5 Subject: Cost-Benefit Analysis - Citywide Performance Measures Tracking
From: Budget Office
Recommendation: Action On A Report And Recommendations Regarding Improvements To Oakland's Citywide Performance Measurement And Reporting System; On The October 13, 2009 Finance And Management Committee Agenda
[\(09-0705\)](#)
- S-4-6 Subject: Charles Hahn, The Serenader - Appeal
From: Office of the City Administrator
Recommendation: Conduct A Public Hearing On Charles Hahn's Appeal Of The Administrative Hearing Officer's Decision To Revoke His Permit To Operate A Cabaret, The Serenader At 504 Lake Park Ave., And Upon Conclusion Adopt A Resolution Affirming Hearing Officer's Decision; On The September 22, 2009 City Council Agenda
[\(09-0706\)](#)
- S-4-7 Subject: Kids First! Audit
From: Budget Office
Recommendation: Receive A Follow-Up Report On The City Auditor's Kids First! Oakland Children's Fund Performance Audit Report, Including City Attorney's Opinion On Unrestricted Revenues And Administrative Instructions On Future Set-Aside Calculations; On The October 13, 2009 Finance And Management Committee
[\(09-0709\)](#)
- S-4-8 Subject: Measure Y Audit
From: Office of the City Auditor
Recommendation: Receive The Performance Audit Of The Measure Y Violence Prevention Program; On The September 15, 2009 Public Safety Committee Agenda
[\(09-0669\)](#)
- S-4-9 Subject: Whistleblower Program Report
From: Office of the City Auditor
Recommendation: Receive An Informational Report To City Council On The City Auditor's Whistleblower Program; On The September 22, 2009 City Council Agenda
[\(09-0670\)](#)
- S-4-10 Subject: Public Works Agency Audit
From: Office of the City Auditor
Recommendation: Receive The Performance Audit Of The Public Works Agency; On The September 22, 2009 City Council Agenda
[\(09-0671\)](#)

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- S-4-11 Subject: Municipal Identification Program - Implementation
From: Office of the City Clerk
Recommendation: Discussion And Action On A Report And
Recommendations To Implement The Municipal Identification Program
Within The Office Of The City Clerk Including The Cost Of Funding And
Cost Covering For Each Of The Alternatives; On The October 13, 2009
Finance And Management Committee Agenda
[\(09-0707\)](#)
- S-4-12 Subject: Records Management Program - Implementation
From: Office of the City Clerk
Recommendation: Receive A Status Report From The Office Of The City
Clerk On The Development And Implementation Of A Comprehensive
Records Management Program; On The October 27, 2009 Finance And
Management Committee Agenda
[\(09-0708\)](#)
- S-4-13 Subject: Security Pilot Program Report
From: Councilmember Larry Reid
Recommendation: Receive An Informational Report From The Oakland
Police Department Regarding The Security Pilot Program Including The
Locations And Hours Of Implementation, The Number Of Community And
Business Contacts, The Number Of Citations Issued, Number Of Arrests
Made, Tangible And Intangible Impacts Of The Program, With Feedback
From The Affected Business Owners, And A Statistical Comparison Of
Violent Crime Based On The Same Time Last Year In The Impacted Areas;
On The October 27, 2009 Public Safety Committee Agenda
[\(09-0679\)](#)
- S-4-14 Subject: Condominium Conversions
From: Councilmember Patricia Kernighan
Recommendation: Adopt An Ordinance 1) Amending 16.36.070 As
Follows: A) To Establish A Pilot Program Creating An Alternate Way For
A Limited Number Of High Rent Apartments To Convert To
Condominiums; B) To Facilitate Established And Qualified Tenancy In
Common Properties To Convert To Condominiums; And C) To Clarify
That Residential Rental Units That Were Constructed Or Created From
Nonresidential Space Can Use The Conversion Rights They Generated To
Convert Those Rental Units To Condominiums On A One For One Basis
And 2) Amending The Master Fee Schedule To Increase Fees Relating To
The Processing And Approval Of Condominium Conversions; On The
September 29, 2009 Community And Economic Development Committee
Agenda
[\(09-0681\)](#)

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- S-4-15 Subject: 2008-2009 Revenue And Expenditure Results
From: Councilmember Jean Quan
Recommendation: Discussion And Possible Action On Fiscal Year
2008-2009 Year-End Revenue And Expenditure Results For Four Selected
Funds - General Purpose Fund (1010), Landscape & Lighting Assessment
District Fund (2310), Equipment Fund (4100) And Facilities Fund (4400);
On The September 29, 2009 Finance And Management Committee Agenda
[\(09-0689\)](#)
- S-4-16 Subject: West Oakland Teen Center
From: Councilmember Nancy Nadel
Recommendation: Receive An Informational Report On The Proposed
Design And Programming For The "West Oakland Teen Center"; On The
September 29, 2009 Community And Economic Development Committee
Agenda
[\(09-0693\)](#)
- S-4-17 Subject: Center For Elders Independence Day
From: Council President Jane Brunner
Recommendation: Adopt A Resolution To Declare August 12, 2009, Center
For Elders Independence (CEI) Day In Honor Of The Grand Opening Of
The New Josie Barrow Program Of All-Inclusive Care For The Elderly
(PACE) And In Recognition Of CEI's Service To Seniors And Commitment
To Enhancing The Quality Of Life Of East Bay Residents; On The July 28,
2009 City Council Agenda
[\(09-0694\)](#)
- S-4-18 Subject: Unrepresented Employees Terms And Conditions
From: Department Of Human Resources Management
Recommendation: Receive The Annual Report Detailing The Terms And
Conditions Of Employment For Unrepresented Employees As Required By
Ordinance No. 12903 C.M.S.; On The October 13, 2009 Finance And
Management Committee Agenda
[\(09-0695\)](#)
- S-4-19 Subject: Golden Handshake Report
From: Department Of Human Resources Management
Recommendation: Receive An Informational Report On The Number Of
Employees Who Retired Under The California Employees' Retirement
System (CalPERS) Two Years Additional Service Credit Program ("Golden
Handshake"), The Status Of The Positions Vacated, And The Anticipated
Budget Savings For Fiscal Year 2009-2011; On The October 13, 2009
Finance And Management Committee Agenda
[\(09-0696\)](#)

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S-4-20 Subject: OFCY - Draft Strategic Plan
From: Department of Human Services
Recommendation: Discussion And Possible Action On The Oakland Fund For Children And Youth Draft Strategic Plan For Goals And Grant Funding Strategies (2011-2013) - For Discussion And Feedback Prior To The Strategic Plan Adoption In October; On The September 29, 2009 Life Enrichment Committee Agenda

[\(09-0692\)](#)

S-4-21 Subject: Central District Redevelopment Project Area Projects
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of Redevelopment Agency Funds To The City Of Oakland Under The Cooperation Agreement In An Amount Not To Exceed \$908,000 For The Following Public Facility And Park Projects In The Central District Redevelopment Project Area: Lincoln Square Park, Madison Square Park, Malonga Casquelourd Center And Jefferson Square Park; And

[\(09-0676\)](#)

2) A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$908,000 For The Following Public Facility And Park Projects In The Central District Redevelopment Project Area For FY 2010-2012: Lincoln Square Park, Madison Square Park, Malonga Casquelourd Center And Jefferson Square Park; On The September 15, 2009 Community And Economic Development Committee Agenda; And As A Public Hearing On The September 22, 2009 City Council Agenda

[\(09-0676-1\)](#)

S-4-22 Subject: Rent Adjustment Program Report
From: Community and Economic Development Agency
Recommendation: Receive The Annual Report Of The Rent Adjustment Program For Fiscal Year 2008-2009; On The September 15, 2009 Community And Economic Development Committee Agenda

[\(09-0677\)](#)

S-4-23 Subject: Chinese Garden Improvement Project
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds To The City Under The Cooperation Agreement In The Amount Of Ninety Two Thousand Dollars (\$92,000.00) For The Construction Of The Hall Of Pioneers Chinese Garden Improvement Project;

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(09-0699)

2) A Resolution Authorizing The City To Accept And Appropriate A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In The Amount Of Ninety Two Thousand Dollars (\$92,000.00) For The Construction Of The Hall Of Pioneers Chinese Garden Improvement Project; And

(09-0699-1)

3) A Resolution Authorizing The City Administrator, Or His Designee, To Award A Contract To The Lowest, Responsible, Responsive Bidder, McGuire And Hester, In An Amount Not-To-Exceed Two Hundred Eleven Thousand Seven Hundred Sixty Five Dollars (\$211,765.00) For The Construction Of The Hall Of Pioneers Chinese Garden Improvement Project In Accord With Plans And Specifications For The Project (P338510) And Contractor's Bid Therefor; On The September 15, 2009 Public Works Committee Agenda

(09-0699-2)

S-4-24 Subject: Vacating Unused Sanitary Sewer Easement - 4346 & 4348 Fruitvale
From: Community and Economic Development Agency
Recommendation: Adopt Two Resolutions Summarily Vacating An Unused Sanitary Sewer Easement Located At 4346 And 4348 Fruitvale Avenue To Simon And Renee Yu; On The September 29, 2009 Public Works Committee Agenda

(09-0700)

S-4-25 Subject: Conditional And Revocable Permit - 729 Willow Street
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Permit To Truckee Zuring Place LLC To Allow An Existing Building Located At 729 Willow Street To Encroach Into The Public Right-Of-Way; On The September 29, 2009 Public Works Committee Agenda

(09-0701)

S-4-26 Subject: Conditional And Revocable Permit - 939 Martin Luther King Jr Way
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Permit To PSK Development LLC To Allow Existing Balconies And A Stair Located At 939 Martin Luther King Jr Way To Encroach Into The Public Right-Of-Way Along 10th Street And Martin Luther King Jr Way; On The September 29, 2009 Public Works Committee Agenda

(09-0702)

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- S-4-27 Subject: Conditional And Revocable Permit - 2228 81st Avenue
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Permit To The Catholic Welfare Corporation Of Oakland To Allow A Modular Classroom Located At 2228 81st Avenue To Encroach Into An Unimproved Portion Of The Public Right-Of-Way; On The September 29, 2009 Public Works Committee Agenda
[\(09-0703\)](#)
- S-4-28 Subject: Enterprise Zone - Expand Boundaries
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution To Expand The Boundaries Of The Oakland Enterprise Zone Into Portions Of Emeryville And West Berkeley; On The July 28, 2009 City Council Agenda
[\(09-0710\)](#)
- S-4-29 Subject: Prioritization Of Underground Utility Projects
From: Public Works Agency
Recommendation: Receive A Report From The Public Works Agency Electrical Services Division On The Current Process For Prioritization Of Underground Utility Projects Within The City Of Oakland, With Discussion On The Current "First Come, First Served" Neighborhood Petition Procedure Process; On The September 29, 2009 Public Works Committee Agenda
[\(09-0672\)](#)
- S-4-30 Subject: Street Tree Pruning Program
From: Public Works Agency
Recommendation: Receive A Report From The Public Works Agency Department Of Infrastructure And Operations On Pacific Gas And Electric Comprehensive Street Tree Pruning Program For Trees Under High Voltage Power Lines; On The September 29, 2009 Public Works Committee Agenda
[\(09-0674\)](#)
- S-4-31 Subject: Annual Fleet Report
From: Public Works Agency
Recommendation: Receive The Annual Fleet Status Report; On The November 10, 2009 Finance And Management Committee Agenda
[\(09-0675\)](#)

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S-4-32 Subject: Delinquent Transient Occupancy Taxes - Public Hearing
From: Finance and Management Agency
Recommendation: A Request To Withdraw From The September 22, 2009
City Council Agenda A Public Hearing On Assessment Of Liens For
Delinquent Transient Occupancy Taxes; With No New Date

Reason: Due To The Tax Amnesty Program, This Item Will Not Report
Out In September

[\(09-0072\)](#)

S-4-33 Subject: Delinquent Business Taxes - Public Hearing
From: Finance and Management Agency
Recommendation: A Request To Withdraw From The September 22, 2009
City Council Agenda A Public Hearing On Assessment Of Liens For
Delinquent Business Taxes; With No New Date

Reason: Due To The Tax Amnesty Program, This Item Will Not Report
Out In September

[\(09-0074\)](#)

5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the
meeting of August 4, 2009 and the Rules and Legislation Committee for the meeting of
August 6, 2009

**PLEASE NOTE: DUE TO THE COUNCIL'S SUMMER RECESS ALL
LEGISLATIVE MEETINGS TO BE HELD AUGUST 1, 2009 THROUGH
AUGUST 31, 2009 HAVE BEEN CANCELLED**

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")

7 Subject: City Charter Section 910 Amendment
From: Councilmember Jean Quan
Recommendation: Discussion And Action On A Report Regarding (1) A Potential
Amendment To Oakland City Charter Section 910 That Would Eliminate Binding
Arbitration As The Means To Resolve Disputes Between The City And Sworn Members
Of The Oakland Police Department Regarding Wages, Hours And Other Terms And
Conditions Of Employment That Are Not Resolved Through Negotiations; And (2) A
Resolution Submitting On The Council's Own Motion, A Proposed Charter Amendment,
Entitled, "Measure Eliminating The Current Requirement That An Arbitrator Resolve
Disputes Between The City And Sworn Members Of The Oakland Police Department
Regarding Wages, Hours And Other Terms And Conditions Of Employment That Are
Not Resolved Through Negotiations," To Be Submitted To The Electors At The Next
Municipal Election

[\(09-0597\)](#)

This item was rescheduled from the July 16, 2009 Rules And Legislation

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Committee Agenda

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.

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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