



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, April 05, 2012

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Present: Member Brooks, Member Schaaf, Member Reid and President Pro Tempore De La Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:50 am., with Council President Reid presiding as Chairperson.

1 Determinations of Closed Session

There was no action taken because Closed Session had been cancelled.

2 Approval of the Draft Minutes from the Committee meeting of March 22, 2012

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

Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente

3 Determination of Schedule of Outstanding Committee Items

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

Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente

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4 A review of the Agendas for the City Council meeting(s) of April 17, 2012

CANCELLATION NOTICE and Rules and Legislation Committee for April 19, 2012

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

Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente

S-4.5 Subject: OMC Amendment - Department Names
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (OMC) Chapter 2.29 "City Agencies, Departments And Offices" To Establish The Departments And Offices Of Housing And Community Development, Economic And Workforce Development, Neighborhood Investment, And Planning, Building And Neighborhood Preservation
[11-0380](#)

Scheduled to *Finance & Management Committee on 4/24/2012
and as a Public Hearing on the May 1, 2012 City Council Agenda

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S-4.6 Subject: Kandis Westmore - Honorarium
From: Councilmember Schaaf And Oakland City Attorney Barbara Parker
Recommendation: Adopt A Resolution Congratulating Kandis A. Westmore On Her Appointment As United States Magistrate Judge For The Northern District Of California And Commending Her For Almost Thirteen Years Of Stellar Service To The City Of Oakland As Deputy City Attorney
[11-0355](#)

Scheduled to Meeting of the Oakland City Council on 5/1/2012
as a Ceremonial item.

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S-4.7 Subject: Depository And Custodial Banking Services Contract
From: Councilmembers Brunner And Kaplan
Recommendation: Adopt A Resolution To Amend Resolution 82060 Rescinding The City Administrator's Authority To Extend The City's Primary Depository And Custodial Banking Services Contracts And To Require That Any Action To Extend Shall Come Back To The City Council For Approval
[11-0300](#)

Scheduled to Meeting of the Oakland City Council on 5/1/2012
as a Non-Consent item.

It was noted for the record that Council President Reid abstained.
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S-4.8 Subject: Closed Session Agenda Item
From: President Pro Tem De La Fuente And Councilmember Brunner
Recommendation: A Request To Schedule A Closed Session Item John Smith, Et Al v. City Of Oakland, Et Al (Spencer Lucas And Kirby Bradshaw v. Ingo Mayer, Et Al); On The May 1, 2012 City Council Agenda
[11-0365](#)

Scheduled to Closed Session on 5/1/2012

It was noted for the record that Councilmember Brooks voted no.

S-4.9 Subject: Salary Schedule Amendment - Recreation Specialist III
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Permanent Part Time And Temporary Part Time Designations For The Classification Of Recreation Specialist III
[11-0371](#)

Scheduled to *Finance & Management Committee on 4/24/2012

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S-4.10 Subject: Classification Plan Report
From: Department Of Human Resources Management
Recommendation: Receive An Informational Report On The City's Classification Plan; On The April 24, 2012 Finance And Management Committee Agenda
[11-0381](#)

***Withdrawn with No New Date**

S-4.11 Subject: Summer Food Service Program Grant Award
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator: 1) To Apply For, Accept, And Appropriate The Summer Food Service Program Grant From The California Department Of Education, Nutrition Services Division In An Estimated Amount Of Three Hundred Fifty Seven Thousand, One Hundred Thirty Five Dollars (\$357,135); And 2) To Negotiate And Execute A Professional Service Agreement Between The City And The San Lorenzo Unified School District In An Amount Not To Exceed One Hundred Twenty Six Thousand, One Hundred Fifty Dollars (\$126,150); And 3) To Negotiate And Execute A Professional Service Agreement Between The City And Revolution Foods In An Amount Not To Exceed One Hundred Thirty Three Thousand, Nine Hundred Eighty Dollars (\$133,980) To Provide Food Services For The 2012 Summer Food Service Program For Children
[11-0383](#)

Scheduled to *Life Enrichment Committee on 4/24/2012

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S-4.12 Subject: Sunfield Development LLC - DDA Property Seminary And Foothill
From: Office Of Neighborhood Investment
Recommendation: Adopt An Ordinance Authorizing A Disposition And Development Agreement With Sunfield Development, LLC, For The Sale Of Property At Foothill Boulevard And Seminary Avenue For \$6,000 For Development As A Retail Shopping Center, And Allocating \$150,000 For Remediation Of The Site
[11-0372](#)

**Scheduled to *Community & Economic Development Committee on
4/24/2012**

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S-4.13 Subject: Army Base Community Benefits Program Recommendations
From: Office Of Neighborhood Investment
Recommendation: Receive A Report And Approve Recommendations That The City Council: Direct Staff To Include The Environmental And Green Development Recommendations From The Army Base Community Benefits Workshops Convened By Vice Mayor Nadel In 2011, Through The City's Standard Conditions Of Approval Imposed On All Development Projects And/Or The California Environmental Quality Act (CEQA) Mitigation Measures; And/Or Other Measures; And Make A Commitment To Ongoing Air Quality Monitoring At The Oakland Army Base.
[11-0374](#)

Scheduled to *Community & Economic Development Committee

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S-4.14 Subject: Successor Agency Authority
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The MacArthur BART Transit Village Project, And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Infill Infrastructure Grant Program;
2) A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Functions And Obligations Of The Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The MacArthur BART Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Infill Infrastructure Grant Program;
3) A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The MacArthur BART Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Transit Oriented Development Grant Program;
4) A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Functions And Obligations Of The Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The MacArthur BART Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Transit Oriented Development Grant Program;
5) A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The Uptown Project, And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Infill Infrastructure Grant Program;
6) A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Functions And Obligations Of The Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The Uptown Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Infill Infrastructure Grant Program;

7) A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Coliseum BART Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Transit Oriented Development Grant Program;

8) A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Functions And Obligations Of The Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Coliseum BART Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Transit Oriented Development Grant Program; On The April 24, 2012 Community And Economic Development Agency Agenda

[11-0384](#)

Scheduled to *Community & Economic Development Committee on 4/24/2012

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S-4.15

Subject: Zero Waste RFP Economic Benefit Measures

From: Public Works Agency

Recommendation: Adopt A Resolution Adopting Zero Waste System Request For Proposals Economic Benefit Measures: Competitive Wages And Benefits, Job Retention, Local Business Participation, Local Hire Preference Points, In-County Landfill Preference Points; And Seeks Proposals From All Qualified Firms To Establish Competition To Avoid Significant Additional Costs To City Rate Payers

[11-0379](#)

Scheduled to *Public Works Committee on 4/24/2012

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S-4.16 Subject: Contract Increase - Networkfleet, Inc. For Automatic Vehicle Locators
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Increase Spending Authority On The Existing Contract With Network fleet, Inc., And To Waive Advertising And Bidding Requirement Of The Oakland Municipal Code As Authorized By City Council Resolution No. 83120 C.M.S. On December 21, 2010, For The Purchase And Mounting Of Additional Automated Vehicle Locator (AVL) Units For Both The Public Works Agency (PWA) And Parking Enforcement Vehicles. The Additional Authority Increases The Contract Limit By \$250,000, Which Brings The Total Contract Amount Not To Exceed \$350,000

[11-0378](#)

Scheduled to *Finance & Management Committee on 5/8/2012

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S-4.17 Subject: WPAD 2012-2012 Initiating Assessment Process
From: Finance And Management Agency
Recommendation: Adopt A Resolution Initiating The FY 2012-13 Assessment Confirmation Process For The City Of Oakland Wildfire Prevention Assessment District And Authorizing The City Administrator To Order A Preliminary Annual Report Pursuant To The Oakland Municipal Code

[11-0370](#)

Scheduled to *Finance & Management Committee on 4/24/2012

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S-4.18 Subject: Oakland-Alameda County Coliseum Authority Bond Issuance
From: Finance And Management Agency
Recommendation: Adopt A Resolution Relating To The Issuance Of One Or More Series Of Bonds By The Oakland-Alameda County Coliseum Authority For The Purpose Of Refunding The Oakland-Alameda County Coliseum Authority's Outstanding Lease Revenue Bonds (Oakland Coliseum Project) 2000 Refunding Series C-1 And 2000 Refunding Series C-2; Approving Execution And Delivery By The City Of A Letter Of Representations; Approving The Form And Distribution Of An Official Statement; And Approving The Taking Of All Necessary Actions In Connection Therewith

[11-0376](#)

Scheduled to *Finance & Management Committee on 4/24/2012

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S-4.19 Subject: Oakland-Alameda County Coliseum Authority's Lease Revenue Bonds
From: Finance And Management Agency
Recommendation: Adopt A Resolution Regarding The Oakland-Alameda County Coliseum Authority's Outstanding Lease Revenue Bonds (Oakland Coliseum Arena Project) 1996 Series A-1 And 1996 Series A-2, Approving The Form And Authorizing The Execution And Delivery By The City Of Oakland Of One Or More Letters Of Representations; Approving Such Other Documents And The Taking Of All Necessary Actions By The City In Connection With A Restructuring, Including The Replacement Of One Or More Letters Of Credit And Approving The Form And Distribution Of A Remarketing Memorandum In Respect Of The Oakland-Alameda County Coliseum Authority's Outstanding Lease Revenue Bonds; And Approving The Taking Of All Necessary Actions In Connection Therewith
[11-0377](#)

Scheduled to *Finance & Management Committee on 4/24/2012

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S-4.20 Subject: 100 Blocks Implementation Strategies
From: President Pro Tem Ignacio De La Fuente
Recommendation: Action On A Report From The Office Of The Mayor On The "100 Blocks" Public Safety Plan Including Information On The Financial Impact, Implementation Strategies, Impact To Other Parts Of The City That Are Outside The "100 Blocks," And How The Plan Aligns With The City Council's Public Safety Priorities; On The April 24, 2012 Public Safety Committee Agenda
[11-0368](#)

No Action Taken

This item was consolidated with item 1, and was scheduled to the April 24, 2012 Public Safety Committee.

S-4.21 Subject: Non-Interference In Administrative Affairs Report
From: President Pro Tem De La Fuente
Recommendation: Receive A Report From The Office Of The City Attorney And Discussion On The Parameters Of Section 218 Of The Charter Of The City Of Oakland Regarding "Non-Interference In Administrative Affairs," Including The Responsibilities Of Both The Council And The Administration Under Section 218 Of The Charter; On The May 1, 2012 City Council Agenda
[11-0375](#)

***Withdrawn with No New Date**

S-4.22 Subject: Open Data Policy
From: Councilmember Schaaf
Recommendation: Adopt A Resolution Directing The City Administrator To Develop A Plan For Evaluating And Disseminating Data Sets Generated Within City Departments As "Open Data" In Accessible Raw Formats Which Will Be Made Available To The Public Through A Designated Website And Will Lead To The Establishment Of A Comprehensive Open Data Policy
[11-0235](#)

Scheduled to *Finance & Management Committee on 4/24/2012

At this time Councilmember Kaplan was added as a sponsor of the resolution.

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S-4.23 Subject: Priority Project Funds Award Beautification Project
From: Vice Mayor Nancy Nadel
Recommendation: Adopt A Resolution: (1) Authorizing An Immediate Grant Of \$2,500 From Councilmember Nancy Nadel's Priority Project Funds To The Koreatown/Northgate Community Benefit District To Offset Expenses Incurred For The Public Right Of Way Beautification Project On Telegraph Avenue From 20th To 27th Street, And (2) Amending Resolution No. 80283 C.M.S., Which Allocated \$60,000 Of Councilmember Nadel's Priority Project Funds To The City's Neighborhood Commercial Revitalization Program To Be Used To Hire An Executive Director For The West Oakland Main Street Program To Make The Priority Project Funds Available For Other Uses By Councilmember Nadel
[11-0382](#)

Scheduled to Meeting of the Oakland City Council on 5/1/2012

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Items Submitted on the Dais:

On The April 24, 2012 Community and Economic Development Committee Agenda:

Subject: Oakland Base Contracting Benefits Program
From: Contracts And Compliance
Recommendation: Receive A Report And Approve Recommendations For The Oakland Army Base Contracting Benefits Program
[11-0385](#)

Scheduled to *Community & Economic Development Committee on 4/24/2012

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Subject: City Of Oakland's Fiscal Year Consolidated Plan
 From: Department Of Human Services
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Amending The City Of Oakland's Fiscal Year 2011-2012 Consolidated Plan Annual Action Plan Submitted To The U. S. Department Of Housing & Urban Development, To Include Additional Funds Awarded To The City Under The U. S. Department Of Housing &. Urban Development's 2011 Homeless Emergency And Rapid Transition To Housing (HEARTH) Emergency Solutions Grant (ESG), A Formula Grant (Formerly The Emergency Shelter Grant), Requiring A Substantial Amendment To The City's Fiscal Year 2011-2012 Annual Action Plan [11-0386](#)

Scheduled to *Community & Economic Development Committee on 4/24/2012
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- 5 A review of the Agendas for the City Council meeting(s) of April 17, 2012 CANCELLATION NOTICE and Rules and Legislation Committee for April 19, 2012
A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, to *Approve as Submitted. The motion carried by the following vote:
Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente

At this time it was noted for the record that on April 24, 2012:

Public Safety Committee will begin at 9:30am and will be a special meeting.

Finance and Management Committee will begin at 10:30am and will be a special meeting.

Community and Economic Development Committee will begin at 1:30pm and will be a special meeting.

Life Enrichment Committee will begin 4:30pm and will be a special meeting.

Public Safety Committee will begin at 5:30pm

- 6 Subject: Opposition Of AB 1678 - "Mobile Food Facilities: School Campus Location"
 From: President Pro Tempore De La Fuente
 Recommendation: Adopt A Resolution In Opposition Of Assembly Bill 1678 (Monning) "Mobile Food Facilities: School Campus Location" Which Would Prohibit A Mobile Food Facility From Selling Or Otherwise Providing Food Or Beverages Within 1,500 Feet Of Any Property Line Of An Elementary Or Secondary School Campus [11-0317](#)

No Action Taken
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OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

There were no speakers during Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:50 a.m.

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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* 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