



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, September 22, 2011

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:

Vice Mayor Brooks, District 6; Pro Tempore Ignacio De La Fuente, District 5; Libby Schaaf, District 4; and Council President Larry Reid; District 7

1 Determinations of Closed Session

2 Approval of the Draft Minutes

There are no minutes to approve.

3 Determination of Schedule of Outstanding Committee Items

[\(rules092211\)](#)

4 Scheduling of Agenda Items and revisions to the agendas for the Council Committee meetings of September 27, 2011 and the Rules and Legislation Committee Meeting of September 29, 2011 (SUPPLEMENTAL)

S-4.1 Subject: Mayor's Recess Ratification

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From: Office Of The City Administrator
Recommendation: Adopt A Resolution Ratifying Action Taken By The Mayor During The Oakland City Council 2011 Annual Recess In Conformance With Council's Rules Of Procedures, Resolution No. 82580 C.M.S., Dated March 10, 2010
[\(11-0057\)](#)

S-4.2 Subject: Loitering Ordinance
From: Council President Reid And President Pro Tem De La Fuente
Recommendation: Adopt An Ordinance Adding OMC Chapter 9.58 Prohibiting Loitering In Public For The Purpose Of Engaging In Illegal Drug Activity
[\(11-0049\)](#)

S-4.3 Subject: Juvenile Protection Curfew Ordinance
From: Council President Reid And President Pro Tem De La Fuente
Recommendation: Adopt An Ordinance (1) Adding Article II To Chapter 9.12 Of The Oakland Municipal Code (OMC) To Establish A Juvenile Protection Curfew Program And (2) Amending OMC Section 1.28.020 To Codify The Penalties For Violations Of The Curfew Ordinance , And (3) Repealing Oakland Municipal Code Sections 9.12.020 And 9.12.030 Prohibiting Minors From Loitering In Public Places
[\(11-0050\)](#)

S-4.4 Subject: East And West Oakland Gang Injunction
From: President Pro Tem De La Fuente
Recommendation: Adopt A Resolution Amending The Policy The City Council Adopted On May 17, 2011, Which Policy Precludes Further Gang Injunctions Until The City Conducts A Study Of The Effectiveness Of The Fruitvale And North Oakland Gang Injunctions, To Authorize And Direct The City Attorney And The City Administrator To Evaluate And Bring Back Options To The Council To Initiate Gang Injunction Litigation In East And West Oakland
[\(11-0051\)](#)

S-4.5 Subject: Oakland Community Action Partnership Bylaws
From: Department Of Human Services
Recommendation: Adopt A Resolution From The Department Of Human Services' Oakland Community Action Partnership (OCAP) Amending The Community Action Agency's Bylaws To (1) Expand The Agency's Service Territory To Include Alameda County (Excluding Berkeley) And To (2) Increase The Administering Board's Membership To Eighteen (18) To Receive An Additional \$510,056 In 2011 Alameda County Community Services Block Grant (CSBG) Anti-Poverty Funds From The State Of California Department Of Community Services And Development (CSD)
[\(11-0055\)](#)

S-4.6 Subject: Revocable And Conditional Permit - 5th And Kirkham
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting Oakland Housing Investors LP A Revocable And Conditional Permit To Allow Electrical Transformers And Concrete Vaults To Encroach Under The Public Sidewalk Along 5th Street And Kirkham Street For A New Building Located At 1396 5th Street

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(11-0058)

S-4.7 Subject: Zoning Text Amendments
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance, Recommended By The Planning Commission,
To: Adopt Zoning Text Amendments Including Minor Changes To Update Table 4.10.01
Of The Land Use Regulations Of The Wood Street Zoning District Consistent With The
Rest Of The Oakland Planning Code, And Substantive Changes To 1) Divide
Development Area 2 Into 2a And 2b. Development Area 2a Would Encompass The
Pacific Cannery Lofts (PCL) Project And 2b Would Encompass The "Icehouse"
Building; 2) Amend Table 4.10.01 To Conditionally Allow The Following Activities In
The Following Development Areas: Development Area 2b - The "Icehouse" Property: A)
General Wholesale Sales; B) Research Service; C) Research And Development; D)
General Warehousing Storage And Distribution; And E) Self Mini Storage. Development
Area 5 - The 16th Street Train Station Building: A) Recreational Assembly,
Development Area 9 - The 16th Street Station Plaza: A) Community Assembly; B)
Recreational Assembly; And C) Group Assembly.

(11-0059)

S-4.8 Subject: Planning Commission Appeal - 6045 Shirley Dr.
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Denying Appeal # A 11-114 And Upholding The
Decision Of The Planning Commission To Deny Case # DR 10-331 To Attach A 8'-4"
Concealed Antenna/Extension To A 38'-6" Wooden Utility Pole Adjacent To 6045
Shirley Drive Given The Project Would Negatively Impact Significant Views From
Primary Living Areas At 6933 Wilton Drive

(11-0060)

S-4.9 Subject: Green Building Council
From: Community And Economic Development Agency
Recommendation: Adopt Seven Resolutions Recognizing Project Teams For Their
Commitment To Sustainability And Green Building And Congratulating Them On
Attaining A Third-Party Rating Through Either The US Green Building Council's
Leadership In Energy And Environmental Design And/Or A GreenPoint Rating Through
Build It Green.

I. Resolution:

1. Recognizing ZETA And The Entire Project Team Including Bill Malpas; DSA
Architects; Tipping Mar; And Building Sciences Corporation For Their Commitment To
Sustainability And Green Building, And Congratulating Them On Attaining A Platinum
Rating Through The U.S. Green Building Council's Leadership In Energy And
Environmental Design For Homes Program And A GreenPoint Rating Through Build It
Green For 610 Lancaster Street.

2. Recognizing Mint Condition Homes And The Entire Project Team Including Mila
Zelkha And Jordan Brown For Their Commitment To Sustainability And Green

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Building, And Congratulating Them On Attaining A GreenPoint Rating Through Build It Green For The Property At 4700 Brookdale Avenue.

3. Recognizing David And Sara Gottfried And The Entire Project Team For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Platinum Rating Through The U.S. Green Building Council's Leadership In Energy And Environmental Design For Homes Program And A Greenpoint Rating Through Build It Green For The Gottfried Residence.

4. Recognizing Bridge Housing Corporation And The Entire Project Team Including David Baker And Partners; JH Fitzmaurice Construction; And PGA Design For Their Commitment To Sustainability, And Green Building, And Congratulating Them On Attaining A GreenPoint Rating Through Build It Green For Ironhorse At Central Station.

5. Recognizing Mills College And The Entire Project Team Including Hathaway Dinwiddie Construction; Bohlin Cywinski Jackson; Rutherford & Chekene; Integral Group; Silverman & Light; Teecom; Charles M. Salter, Incorporated; BKF; Lutsko Associates; Hughes Associates, Incorporated; Nic Lehoux Photography; Pom Resource Group; And DPR Construction, Incorporated For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The U.S. Green Building Council's Leadership In Energy And Environmental Design New Construction Program For The Lorry I. Lokey Graduate School Of Business.

6. Recognizing Jetton Construction And The Entire Project Team Including Ingram/DeJesse Associates; Buttrick Wong Architects; Robert Harold; Rebecca Sullivan; And David Silbert For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A GreenPoint Rating Through Build It Green For The Silbert Residence.

7. Recognizing CB Richard Ellis, Inc. And The Entire Project Team Including Able Engineering Services And Crown Castle Maintenance For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The U. S. Green Building Council's Leadership In Energy And Environmental Design Operations And Maintenance Program For 505 14th Street; On The November 1, 2011 City Council Agenda As A Ceremonial Item
(11-0061)

S-4.10

Subject: West Bay Builders Contract Award - Coliseum Way Bridge

From: Public Works Agency

Recommendation: Adopt A Resolution Awarding A Construction Contract To West Bay Builders, Inc., The Lowest, Responsive, Responsible Bidder, For The Seismic Retrofit Of Coliseum Way Bridge (Project No. C346810), In Accord With The Project Plans And Specifications And The Contractor's Bid In The Amount Of Two Million Four Hundred Forty Nine Thousand Three Hundred Sixty-Two Dollars And Eighty-Four Cents (\$2,449,362.84)

(11-0056)

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- S-4.11 Subject: Honoring Peralta Elementary School
 From: Councilmember Brunner
 Recommendation: Adopt A Resolution Honoring Peralta Elementary School For Being
 Named A 2011 National Blue Ribbon School Award By The United States Department
 Of Education
 [\(11-0053\)](#)
- S-4.12 Subject: Gang Injunction Report
 From: Councilmember Nadel
 Recommendation: Receive An Informational Report From The Oakland Police
 Department With An Objective Evaluation Of Phase 1, Year 1 Of The North Oakland
 Gang Injunction, To Include (1) Tracking Of Named Individuals And Post Injunction
 Criminal Behavior, Identifying Specific Types Of Crimes; (2) A Comparison Of Crime
 Data In The North Oakland Injunction Geographic Boundaries, Including Part 1 And Part
 2 Crime Data For 3 Years Prior To The Injunction To The Period After The Injunction;
 (3) A Comparison Of Crime Data In Neighborhoods Immediately Adjacent To Injunction
 Geographic Boundaries, Including Part 1 And Part 2 Crime Data For 3 Years Prior To
 The Injunction To The Period After The Injunction; (4) Any Reports Of Retaliatory
 Behavior Experienced By Named Individuals, Such As Loss Of Job And/Or Threats Or
 Other Safety Issues; And, (5) Total Cost And Cost Breakdown Of North Oakland Phase
 1 Injunction
 [\(11-0054\)](#)
- S-4.13 Subject: Alameda County Transportation Expenditure Plan Report
 From: Councilmember Kaplan
 Recommendation: Receive An Update On The Progress Of The Development Of
 Alameda County's Transportation Expenditure Plan (Formerly Known As "Measure B")
 And Recommendation For Action To Add/Expand Items On Oakland's Submitted List
 Of Projects Seeking Funding In The Expenditure Plan
 [\(11-0052\)](#)
 [\(rules092211item4\)](#)
- 5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the
 meeting of October 4, 2011 and the Rules and Legislation Committee Meeting of
 October 6, 2011
 [\(rules092211item5\)](#)
- 6 Subject: Support ACA4 - General Obligation Bonds
 From: Public Works Agency
 Recommendation: Adopt A Resolution To Support ACA4, State Assembly
 Constitutional Amendment No. 4, To Allow A City, County, Or Special District, As
 Defined, To Incur Bonded Indebtedness In The Form Of General Obligation (GO) Bonds
 In Order To Fund Specified Public Improvements Or Facilities, With 55% Voter
 Approval Of That City, County, Or Special District
 [\(10-0834\)](#)

This item was withdrawn from the September 15, 2011 Rules and

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Legislation Committee Agenda and placed on this agenda pursuant to Rule 28b of Resolution 82580 C.M.S.

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.

Office of the City Clerk - Agenda Management Unit
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(TTD)

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
City Clerk and
Clerk of the Council**