



City of Oakland Meeting Minutes

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk

*Rules & Legislation Committee

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

City of Oakland Website: <http://www.oaklandnet.com>

Thursday, April 26, 2012

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Excused: President Pro Tempore De La Fuente

Present: Member Brooks, Member Schaaf and Member Reid

The Oakland City Council Rules and Legislation Committee convened at 11:12 a.m., with Council President Reid presiding as Chairperson.

1 **Determinations of Closed Session**

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

Votes: Excused; 1 - President Pro Tempore De La Fuente

Aye; 3 - Member Schaaf, Member Brooks and Member Reid

A Special Closed Session was scheduled for Monday, April 30, 2012 at 2:30 p.m.

2 **Approval of the Draft Minutes from the Committee meeting of April 12, 2012.**

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

Votes: Excused; 1 - President Pro Tempore De La Fuente

Aye; 3 - Member Schaaf, Member Brooks and Member Reid

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

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

Votes: Excused; 1 - President Pro Tempore De La Fuente

Aye; 3 - Member Schaaf, Member Brooks and Member Reid

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4 Scheduling of Agenda Items and revisions to the agenda(s) for the City Council meeting of May 1, 2012 (SUPPLEMENTAL)

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

Votes: Excused; 1 - President Pro Tempore De La Fuente
Aye; 3 - Member Schaaf, Member Brooks and Member Reid
There was one speaker.

S-4.1 Subject: Contracting Benefits Program - Oakland Army Base
From: Department Of Contracts And Compliance
Recommendation: Receive A Report And Approve Recommendations For The Oakland Army Base Contracting Benefits Program
[11-0422](#)

Scheduled to *Community & Economic Development Committee on 5/8/2012

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S-4.2 Subject: Workers' Compensation Report 2nd Qtr 2011 - 2012
From: Department Of Human Resources Management
Recommendation: Receive An Informational Report Regarding The Workers' Compensation Program For The 2nd Quarter Of Fiscal Year 2011-2012
[11-0434](#)

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

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S-4.3 Subject: Preschool Program Expansion Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept And Appropriate The California State Preschool Program (CSPP) Expansion Grant From The California Department Of Education (CDE) In An Estimated Amount Of One Million Thirteen Thousand Two Hundred Twenty Dollars (\$1,013,220) For Program Year 2012-2013, And Authorizing A Grant Agreement With The Unity Council For An Estimated Amount Of One Hundred Six Thousand One Hundred Forty Two Dollars (\$106,142) To Fund Pre Kindergarten And Family Literacy Services In Accord With Said Grant
[11-0418](#)

Scheduled to *Life Enrichment Committee on 5/8/2012

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S-4.4 Subject: Child And Adult Care Food Program
From: Department Of Human Services
Recommendation: Adopt A Resolution On Behalf Of The City Of Oakland, Authorizing The City Administrator To Apply For, Accept And Appropriate The Child And Adult Care Food Program (CACFP) Grant From The California Department Of Education, Nutrition Services Division, In An Estimated Amount Of Five Hundred Forty Five Thousand Dollars (\$545,000) To Provide Funding For Nutritious Meals To Eligible Children Enrolled In The Oakland Head Start Program For Program Year 2012-2013
[11-0419](#)

Scheduled to *Life Enrichment Committee on 5/8/2012

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S-4.5 Subject: California Gang Reduction, Intervention And Prevention Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept And Appropriate California Gang Reduction, Intervention And Prevention (CalGRIP) Grant Funds In An Amount Not To Exceed Two Hundred Forty Three Thousand Seven Hundred Fifty Nine Dollars (\$243,759) From The State Of California, California Emergency Management Agency (CalEMA) To Department Of Human Services (DHS) For The Time Period Of January 1, 2012 Through December 31, 2013, And 2) Enter Into A Grant Agreement For One Year, With A One Year Option To Renew, With Oakland Community Organization (OCO) For An Estimated Amount Of Twenty Five Thousand (\$25,000) Annually For Follow-Up Services For Participants From January 1, 2012 Through December 31, 2013
[11-0420](#)

Scheduled to *Public Safety Committee on 5/8/2012

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S-4.6 Subject: Head Start Training And Technical Grants
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Head Start Basic, Head Start Training And Technical Assistance, Early Head Start Basic, Early Head Start Training And Technical Assistance Grants For Program Year 2012-2013 From U.S. Department Of Health And Human Services, Administration For Children And Families (DHHS/ACF), In An Estimated Amount Of Eighteen Million Three Hundred Fifty Two Thousand Four Hundred Eighty Six Dollars (\$18,352,486), And To Authorize Grant Agreements To Fund Comprehensive Child Development Services In Accord With Said Grants, And To Review And Approve Oakland Head Start/Early Head Start Governance Procedures Developed In Accordance With Head Start Legislation And Updated Annually With: 1) Unity Council In An Estimated Amount Of Four Million Nine Hundred Seventy Three Thousand One Hundred Seventy Seven Dollars (\$4,973,177); 2) The Salvation Army In An Estimated Amount Of One Hundred Sixty Two Thousand Six Hundred Ninety One Dollars (\$162,691); 3) Brighter Beginnings In An Estimated Amount Of Four Hundred Eighty Eight Thousand Seven Hundred Sixty Three Dollars (\$488,763); 4) Children's Hospital Oakland In An Estimated Amount Of Forty Five Thousand Dollars (\$45,000); And, 5) For City Administrator To Have An Authority To Accept And Appropriate Additional Federal Grant Funding If It Becomes Available And Amend The Existing Grant Agreements With Unity Council, Salvation Army, Brighter Beginnings, And Children's Hospital, Oakland, Without Returning To Council
[11-0421](#)

Scheduled to *Life Enrichment Committee on 5/8/2012

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S-4.7 Subject: Haitian Family Reunification Parole Program
From: Councilmember Brooks
Recommendation: Adopt A Resolution Urging President Obama's Administration/U.S. Department Of Homeland Security (DHS) To Create A Haitian Family Reunification Parole Program To Help Haiti Recover, Save Lives, And End A Double Standard
[11-0396](#)

Scheduled to * Meeting of the Oakland City Council on 5/15/2012

As a Consent calendar item.

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S-4.8 Subject: Lakeshore/Lake Park Business Improvement Plan
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Of Intention To Form The Lakeshore/Lake Park Business Improvement Management District Of 2012, Granting Preliminary Approval Of The Management Plan, Directing Filing Of The Proposed Assessment District Boundary Description, Submitting A Proposed Assessment To The Affected Property Owners For Majority Protest Procedure Approval, And Scheduling A Public Hearing For July 17, 2012
[11-0414](#)

Scheduled to *Community & Economic Development Committee on 5/8/2012

And as a Public Hearing on the July 17, 2012 City Council Agenda.

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S-4.9 Subject: Harrison Senior Housing Project Grant
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing A Grant In The Amount Of \$500,000 To Oakland Housing Initiatives And Christian Church Homes Of Northern California From State Of California Proposition 1c Funds For Development Of Parking At The Harrison Senior Housing Project Located At 1633 Harrison Street And 321 17th Street
[11-0439](#)

Scheduled to *Community & Economic Development Committee on 5/8/2012

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S-4.10 Subject: Rehabilitation Of Oak Center Homes And Various Sites
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Amending, Terminating And Waiving Deed Covenants Encumbering Oak Center Homes At Scattered Sites Throughout West Oakland, To Allow A Revised Ownership Structure To Facilitate Acquisition Of Financing For Rehabilitation Of The Properties
[11-0440](#)

Scheduled to *Community & Economic Development Committee on 5/8/2012

And as a Public Hearing on the May 15, 2012 Council Agenda.

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S-4.11 Subject: Stormwater Treatments Project - BASMAA
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To 1) Accept And Appropriate Up To Five Hundred Thousand Dollars (\$500,000.00) Of Grant Funds And 2) Enter Into An Agreement With The Bay Area Stormwater Management Agencies Association (BASMAA) To Use These Grant Funds To Implement Stormwater Treatment Projects To Capture And Treat Poly Chlorinated Biphenyls
[11-0423](#)

Scheduled to *Public Works Committee on 5/8/2012

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S-4.12 Subject: YEP Agreement - Team Oakland Program
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A One-Year Agreement With Youth Employment Partnership, In An Amount Not To Exceed Two Hundred Forty Nine Thousand Dollars (\$249,000.00) To Implement The Team Oakland Program, With An Option To Extend The Agreement For An Additional Two Years, In An Amount To Be Determined, Based On Satisfactory Contractor Performance And Available Funds Approved By Council And Budgeted In Fiscal Cycle 2013-15
[11-0425](#)

Scheduled to *Public Works Committee on 5/8/2012

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S-4.13 Subject: Sanitary Sewers Rehabilitation - Andes Construction
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract For The Rehabilitation Of Sanitary Sewers In The Area Bounded By San Leandro Street, Edes Avenue And 85th Avenue (Sub-Basin 85-101 - Project No. C268310) To Andes Construction, Inc., The Lowest Responsive And Responsible Bidder, For An Amount Not-To-Exceed Three Million Five Hundred Seventeen Thousand Dollars (\$3,517,000.00) In Accord With The Project Plans And Specifications And The Contractor's Bid
[11-0426](#)

Scheduled to *Public Works Committee on 5/8/2012

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S-4.14 Subject: Sanitary Sewers Rehabilitation - Pacific Trenchless
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Lochard Street, Edgemont Way, And Kerrigan Drive (Sub-Basin85-232 - Project No. C312010) To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder, For The Amount Of One Million Nine Hundred Fifty-Eight Thousand Three Hundred Forty-Seven Dollars (\$1,958,347.00) In Accord With The Project Plans And Specifications And The Contractor's Bid
[11-0427](#)

Scheduled to *Public Works Committee on 5/8/2012

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S-4.15 Subject: Transportation Development Act Projects
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Three Hundred Thousand Dollars (\$300,000.00) In Fiscal Year 2012-2013 State Transportation Development Act Article 3 Funds As Follows: (1) CityRacks Bicycle Parking Program, Seventy Five Thousand Dollars (\$75,000.00); (2) Storm Drain Inlet Grates Project, Fifty Thousand Dollars, (\$50,000.00); And (3) Pedestrian Stairs And Paths Rehabilitation Projects, One Hundred Seventy-Five Thousand Dollars (\$175,000.00)
[11-0428](#)

Scheduled to *Public Works Committee on 5/8/2012

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S-4.16 Subject: Citywide Bikeways - Various Locations
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Authorizing The Installation Of Class II Bicycle Lanes On Broadway From 38th Street To Broadway Terrace By Reducing Travel Lanes From Six (6) Through Lanes To Four (4) Through Lanes;
2) A Resolution Authorizing The Installation Of Class II Bicycle Lanes On East 12th Street From 14th Avenue To Fruitvale Avenue By Reducing Travel Lanes From Six (6) Through Lanes To Four (4) Through Lanes;
3) A Resolution Authorizing The Reconfiguration Of MacArthur Boulevard From Richards Road To Seminary Avenue Reducing Travel Lanes From Four (4) Through Lanes To Two (2) Through Lanes, Prohibiting Parking Along The Frontage Of Mills College, And Installing Class II Bicycle Lanes;
4) A Resolution To Establish "No Parking Anytime" On The East Side Of Ardley Avenue Between East 30th Street And Interstate 580; On The May 8, 2012 Public Works Committee Agenda
[11-0437](#)

Scheduled to *Public Works Committee on 5/8/2012

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S-4.17 Subject: Pacific Gas And Electric Turnkey Project
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Authorizing A Contract With Pacific Gas And Electric Company (PG&E) Not To Exceed Two Hundred Fifty Thousand Dollars (\$250,000) For A Turnkey Project To Replace Existing High Pressure Sodium (HPS) Cobra Style Street Lighting In East Oakland Along Designated Portions Of Macarthur Blvd., Seminary Ave. And International Blvd. With Light Emitting Diode (LED) Street Lights Using The PG&E "On Bill Financing" Option And Accepting All Energy Rebates Associated With Upgrade Projects For Appropriation And Expenditure By The Electrical Services Division As Needed To Support Sustainable Lighting Enhancement Efforts
[11-0416](#)

Scheduled to *Public Safety Committee on 5/8/2012

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S-4.18 Subject: LLAD Levy Assessment
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The Fiscal Year 2012-2013 Preliminary Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District, And Setting June 5, 2012 As The Date For A Public Hearing
[11-0417](#)

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

And as a Public Hearing on the June 5, 2012 City Council Agenda.

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S-4.19 Subject: Goldman Sachs Swap Agreement Termination
From: Finance And Management Agency
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland Authorizing The City Administrator To Negotiate And Terminate The City's Interest Rate Swap Agreement With Goldman Sachs & Co. To The Extent That The City Is Able To Do So At A Below Market Value Cost And Not Later Than The End Of The Next Fiscal Year, June 30, 2013
[11-0424](#)

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

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S-4.20 Subject: Sale Of Pension Obligation Bonds
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Authorizing The Issuance And Sale Of City Of Oakland, California Taxable Pension Obligation Bonds, Series 2012 And Approving Certain Related Matters
[11-0431](#)

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

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S-4.21 Subject: Single Audit Report FY 2010 - 2011
From: Finance And Management Agency
Recommendation: Receive An Informational Report Presenting The Single Audit Report For
The Fiscal Year Ended June 30, 2011
[11-0432](#)

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

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S-4.23 Subject: Oakland Army Base Audit Report FY 2010 - 2011
From: Finance And Management Agency
Recommendation: Receive An Informational Report Presenting The Oakland Army Base
Audit Report For The Fiscal Year Ended June 30, 2011
[11-0433](#)

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

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S-4.23 Subject: Tax And Revenue Anticipation Notes - 2012 -2013
From: Finance And Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2012-2013 In An
Amount Not To Exceed \$85,000,000 And The Issuance And Sale Of 2012-2013 Tax And
Revenue Anticipation Notes Therefore And Approving Certain Related Matters; And
[11-0435](#)

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

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S-4.24 Subject: WPAD 2012 - 2013 Preliminary Annual Report
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The
FY2012-13 Preliminary Annual Report For The City Of Oakland Wildfire Prevention
Assessment District, And Setting June 5, 2012 As The Date For A Public Hearing
[11-0436](#)

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

And as a Public Hearing on the June 5, 2012 City Council Agenda.

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S-4.25 Subject: Vacant Residential Property Registration Program Amendment
From: Councilmember Brunner
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Ordinance Amending And Restating Oakland Municipal Code Chapter 8.54 (The Foreclosed And Vacant Residential Building Registration Program) By Expanding It To Include Both Vacant And Occupied Residential Properties And Multiple Unit Buildings In The Foreclosed And Defaulted Residential Property Registration Program, To Set Out More Specific Maintenance And Security Requirements, And To Provide For Abatement Of Blight And Nuisances At Such Properties; And
2) An Ordinance Amending The Master Fee Schedule (Ordinance No. 13078 C.M.S.) To Establish New Fees For Registering Defaulted And Foreclosed Properties; And
3) A Resolution Amending The City Of Oakland's Fiscal Year 2011- 2013 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 83693 C.M.S. On January 31, 2012, Adding The Positions Of Program Manager And An Administrative Support Position To The Building Services Budget For The Administration Of The Foreclosed Properties Registration And Blight Abatement Programs; On The May 8, 2012 Community And Economic Development Committee Agenda
[11-0429](#)

Scheduled to *Community & Economic Development Committee on 5/8/2012

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S-4.26 Subject: City Council And City Attorney Term Limits
From: Councilmember Brunner
Recommendation: Adopt A Resolution Submitting On The Council's Own Motion, A Proposed Charter Amendment, Entitled, "Establishing Term Limits For The City Council And The City Attorney" Which Will Enact A Lifetime Limit Of 3 Terms Of 4 Years For A Maximum Of 12 Years, To Be Submitted To The Electors At The Next Special Or General Municipal Election And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The Next Special Or General Election Date; On The May 10, 2012 Rules And Legislation Committee Agenda
[11-0430](#)

Scheduled to *Rules & Legislation Committee on 6/14/2012

S-4.27 Subject: Renaming Eastshore State Park
From: Vice Mayor Nadel
Recommendation: Adopt A Resolution In Support Of Renaming The Eastshore State Park To The McLaughlin Eastshore State Park
[11-0438](#)

Scheduled to * Meeting of the Oakland City Council on 5/15/2012

As a Consent Item.

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Items Submitted on the Dais

- #1 Subject: Honoring East Bay Agency For Children
 From: Councilmember Patricia Kernighan
 Recommendation: Adopt A Resolution Celebrating The 60th Anniversary Of The East Bay Agency For Children
 [11-0444](#)

 Scheduled to * Meeting of the Oakland City Council on 5/15/2012
 As a Ceremonial Item

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- #2 Subject: Cabaret Permits
 From: Councilmember Rebecca Kaplan
 Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.12 Cabarets, To Continue The Pilot Extended Hours Permits Program For An Additional Two Years And To Set Out Procedures For Immediate Suspension Of Any Cabaret Permit To Protect Patrons Or The Public
 [11-0446](#)

 Scheduled to *Public Safety Committee on 5/8/2012
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- #3 Subject: Transit Village At The Coliseum BART Station
 From: Office Of Neighborhood Investment
 Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With The Oakland Economic Development Corporation For Development Of Phase I Of The Transit Village At The Coliseum BART Station, And Authorizing A Predevelopment Loan For The Project In An Amount Not To Exceed \$400,000
 [11-0447](#)

 Scheduled to *Community & Economic Development Committee on 5/8/2012
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- #4 Subject: Crematorium Activity
 From: Council President Reid
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Interim Ordinance Pursuant To Charter Section 213 Requirement For A Major Conditional Use Permit To Establish Any New Activity Relating To The Creation Of Crematorium Activity As It Is Currently Defined As Manufacturing And Industrial Usage (Interim Control)
 [11-0449](#)

 Scheduled to * Meeting of the Oakland City Council on 5/15/2012
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#5 Subject: United Service Workers West, Local 1877
From: President Pro Tempore Ignacio De La Fuente
Recommendation: Adopt A Resolution Supporting Janitors (SEIU - United Service Workers West, Local 1877) In Their Efforts To Secure A New Contract With Living Wage And Health Benefits
11-0451

Scheduled to * Special Meeting of the Oakland City Council on 4/30/2012

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5 A review of the Council Committees' actions from April 24, 2012 and determination of scheduling to the City Council meeting of May 1, 2012 or future dates (MATRIX)
A motion was made by Member Schaaf, seconded by Member Brooks, to *Approve as Submitted. The motion carried by the following vote:
Votes: Excused; 1 - President Pro Tempore De La Fuente
Aye; 3 - Member Schaaf, Member Brooks and Member Reid

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6 A review of the Agendas for the Council Committees for the meetings of May 8, 2012 and the Rules and Legislation Committee meeting of May 10, 2012
A motion was made by Member Brooks, seconded by Member Schaaf, to *Approve as Submitted. The motion carried by the following vote:
Votes: Excused; 1 - President Pro Tempore De La Fuente
Aye; 3 - Member Schaaf, Member Brooks and Member Reid

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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 11:58 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.

Office of the City Clerk - Agenda Management Unit
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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