



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, April 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

There are no minutes to approve

3 Determination of Schedule of Outstanding Committee Items
(rules 04-10-08)

4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of April 15, 2008 (SUPPLEMENTAL)

- S-4-1 Subject: Bay Area Task Force - Reimbursements
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee To Accept And Appropriate Reimbursement Funds In An Amount Not-To-Exceed Sixteen Thousand Dollars (\$16,000) In Federal Funds From The Department Of Justice, United States Drug Enforcement Administration (USDEA) To The Oakland Police Department (OPD) In Overtime Costs For Police Officers For The Period Of March 15, 2008 Through June 30, 2008, And Four Thousand Dollars (\$4,000) In Rental Car Reimbursement Costs For The Period Of March 15, 2008 Through June 30, 2008, For Work Associated With The USDEA Greater East Bay Area Task Force (DEA Task Force); On The May 13, 2008 Public Safety Committee Agenda
[\(07-1243\)](#)
- S-4-2 Subject: Pastors David And Marilyn Kiteley - Recognition
From: Council President De La Fuente
Recommendation: Adopt A Ceremonial Resolution Honoring And Congratulating Retiring Shiloh Senior Pastors David And Marilyn Kiteley On Twenty-Two Years Of Service; On The April 15, 2008 City Council Agenda
[\(07-1234\)](#)
- S-4-3 Subject: Misdemeanor Prosecution Program
From: Vice Mayor Larry Reid/Council President De La Fuente/The Mayor
Recommendation: Adopt A Resolution On The City's Community Misdemeanor Prosecution Program As Part Of The City's Crime-Fighting Strategic Plan And Authorizing The Appropriation Of Funds To Begin Implementation Of This Program In The Fall Of 2008; On The April 24, 2008 Midcycle Budget Workshop Agenda And On The May 13, 2008 Public Safety Committee Agenda
[\(07-1235\)](#)
- S-4-4 Subject: Bike To Work Day - 2008
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Proclaiming Thursday, May 15, 2008, As The City Of Oakland's Annual Bike To Work Day, And May 2008 As City Of Oakland Bike Month; On The May 6, 2008 City Council Agenda
[\(07-1238\)](#)

- S-4-5 Subject: Special Victims Unit Statistics
From: Vice Mayor Larry Reid
Recommendation: Receive An Informational Report Presenting The Number Of Investigators Assigned To OPD's Special Victims Unit (SVU), The Number Of Cases Assigned To Each Investigator, Including Historical Information Regarding OPD's Previous Staffing Of The SVU, The Affect This Shortage Has On Community Policing, And The Social Impact On Officers And The Community Of Continuing The Status Quo. Additionally, The Report Should Include Suggestions To Increase The Number Of Investigators Assigned To The SVU; On The May 13, 2008 Public Safety Committee Agenda
[\(07-1244\)](#)
- S-4-6 Subject: Older Americans Month
From: Councilmember Henry Chang
Recommendation: Adopt A Resolution declaring May 2008 as National Older Americans Month; On The May 6, 2008 City Council Agenda
[\(07-1245\)](#)
- S-4-7 Subject: Priority Project Funds - District Five
From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant From Council President De La Fuente's Priority Project Funds To Cover Food And Entertainment Costs For Earth Day At Cesar Chavez Park In The Amount Of \$500.00; On The April 15, 2008 City Council Agenda
[\(07-1247\)](#)

S-4-8 Subject: Support Of Assembly Bills 2760, 2763, 2764, 2765, And 2892
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution In Support Of The Following State
Assembly Bills Regarding Pesticide Spraying And Directing City Lobbyists
To Advocate For Provisions In These Bills That Ensure Independent
Verification Of Program Safety Prior To Any Aerial Pesticide Application
Over Urban Areas:
a) AB2760 (Leno) Would Require That An Environmental Impact Report
Be Completed Before The State Agricultural Department Could Apply
Pesticides In Urban Areas For The Eradication Of The Light Brown Apple
Moth.
b) AB2763 (Laird) Would Require The State Department Of Food And
Agriculture To Prepare A List Of Invasive Species That Might Enter The
State And Prepare A Written Assessment Describing Eradication Or
Control, Including Which Chemicals Might Be Used.
c) AB2764 (Hancock) Would Require That The Governor Declare A State
Of Emergency In Order To Conduct Aerial Pesticide Spraying Over Urban
Areas.
d) AB2765 (Huffman) Would Require A Public Hearing And The
Examination Of Alternatives To Aerial Spraying Before Any Decision To
Do So. It Also Requires Full Disclosure Of All Pesticide Components And
To Seek Independent Certification Of Their Safety.
e) AB 2892 (Swanson) Would Require That Any Proposed Pesticide
Spraying Program Over Urban Areas Acquire The Consent Of Two-Thirds
Of The Registered Voters Through An Election Process; On The April 24,
2008 Rules And Legislation Committee Agenda

[\(07-1248\)](#)

S-4-9 Subject: MacArthur Transit Village Project
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Affirming And Sustaining The Planning Commission
Decision To Approve The Development Permits (Planned Unit
Development Permit, Design Review, Conditional Use Permit) For The
Project; And

[\(07-1236\)](#)

2) An Ordinance (A) Rezoning The Project Site From The C-28 Commercial Shopping,
R-70 Residential High Density And The S-17 Design Review Combining Zone To The S-
15 Transit Oriented Development Zone And (B) Adopting A Text Amendment To
Modify Required Open Space In The S-15 Zone; And

[\(07-1236-1\)](#)

3) An Ordinance Adopting A Development Agreement Between The City Of Oakland
And MacArthur Transit Village Community Partners (MTCP); On The June 10, 2008
Community And Economic Development Committee Agenda And As A Public Hearing
On The June 17, 2008 City Council Agenda

(07-1236-2)

S-4-10 Subject: Business Services Contract
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The Agency Administrator To Circulate A Request For Proposals (RFP) For Business Retention, Support And Expansion Services For Fiscal Year 2008-2009 And Return To Council With Recommendations For Contract; On The June 10, 2008 Community And Economic Development Committee Agenda
(07-1237)

S-4-11 Subject: Skyline Boulevard Restoration
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Appropriate \$128,000.00 For Emergency Clean-Up, Slide Stabilization, Slide Monitoring, And For Preventive Measures Resulting From A Slide On Skyline Boulevard; 2) Appropriate \$158,000.00 For Skyline Boulevard Emergency Roadway Opening Project; 3) Appropriate \$1,317,000.00 For Skyline Boulevard Emergency Permanent Restoration Project; and 4) Waive Advertising And Award Emergency Construction Contracts Through A Modified Competitive Bid Process To The Local Lowest Responsible Responsive Bidders Without Return To Council; On The May 13, 2008 Public Works Committee Agenda
(07-1239)

S-4-12 Subject: Local Street And Road Rehabilitation
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate \$6,700,000.00 Of Fiscal Year 2007-2008 Proposition 1B Transportation Funds For Local Street And Road Rehabilitation; On The May 13, 2008 Public Works Committee Agenda
(07-1240)

S-4-13 Subject: 27th Street - Class II Bicycle Lane Installation
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Installation Of Class II Bicycle Lanes On 27th Street By Reducing Travel Lanes From Six (6) Through Lanes To Four (4) Through Lanes Between San Pablo Avenue And Harrison Street; On The May 13, 2008 Public Works Committee Agenda
(07-1241)

S-4-14 Subject: Bicycle Program Grants - 2008-2009
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Apply For, Accept, And Appropriate Up To One Hundred Ninety-Seven Thousand Six Hundred Seventy-Two Dollars (\$197,672.00) In Fiscal Year 2008-2009 State Transportation Development Act Article 3 Funds As Follows: (1) City Racks Bicycle Parking Program, Phase VII, Twenty-Two Thousand Six Hundred Seventy-Two Dollars (\$22,672.00); (2) Stanford Avenue Bicycle Crossing, Twenty-Five Thousand Dollars (\$25,000.00); (3) 27th Street/Bay Place Bikeway, Broadway To Grand Avenue, Fifty Thousand Dollars (\$50,000.00); (4) Lakeshore Avenue Bikeway Project, Fifty Thousand Dollars (\$50,000.00); And (5) On-Call Curb Ramp Project, Phase B, Fifty Thousand Dollars (\$50,000.00); On The May 13, 2008 Public Works Committee Agenda

[\(07-1242\)](#)

S-4-15 Subject: Downtown Community Benefit District 2008
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Intention To Form The Downtown Community Benefit District Of 2008, 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

[\(07-1249\)](#)

2) A Resolution Authorizing The City/Agency Administrator To Sign The Petition And Ballot For The Five City-Owned Properties On Which An Assessment Is To Be Levied (APNS: 003 0065 009 02, 003 0067 001 00, 003 0067 002 00, 008 0619 008 01, 008 0620 014 04) And The Four Agency-Owned Properties Which An Assessment Is To Be Levied (APN: 001 0201 010 00, 002 0097 045 00, 008 0620 009 03, 0080641 008 05) To Support The Formation Of The Downtown Community Benefit District Of 2008; On The May 13, 2008 Community And Economic Development Committee Agenda And As A Public Hearing On The July 15, 2008 City Council Agenda

[\(07-1249-1\)](#)

S-4-16 Subject: Lake Merritt/Uptown Community Benefit District 2008
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Intention To Form The Lake Merritt/Uptown Community Benefit District Of 2008, 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

[\(07-1250\)](#)

City-Owned Properties On Which An Assessment Is To Be Levied (APNS: 008, 0623 006 01, 008 0635 001 00, 008 0649 005 00, 0080655 006 00, 010 0768 004 00) To Support The Formation Of The Lake Merritt/Uptown Community Benefit District Of 2008; On The May 13, 2008 Community And Economic Development Committee Agenda And As A Public Hearing On The July 15, 2008 City Council Agenda
[\(07-1250-1\)](#)

S-4-17 Subject: Oakland Unified - Joint Facilities Agreement
 From: Office of Parks and Recreation
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Joint Facilities Use Agreement With Oakland Unified School District For A Five-Year Term Beginning July 1, 2008 And Ending June 30, 2013; On The May 27, 2008 Life Enrichment Committee Agenda
[\(07-1246\)](#)
[\(04-10-08 Rules Item\)](#)

5 A review of the Council Committees' actions from April 8, 2008 and determination of scheduling to the ORA/City Council meeting of April 15, 2008 or future dates
(MATRIX)
[\(04-10-08 Rules 5\)](#)

6 A review of the Agendas for the Council Committees for the meetings of April 22, 2008 and the Rules and Legislation Committee meeting of April 24, 2008
[\(04-10-08 Rules 6\)](#)

7 Subject: State Legislative Proposals And Agenda
 From: City Council
 Recommendation: Action On The City Council's State Legislative Proposals And Agenda
[\(07-0948\)](#)

Recommendation: Adopt A Resolution To Support Assembly Bill 2513 (Caballero) Giving Funding Priority To Housing And Housing-Related Infrastructure Projects Located In Jurisdictions With Increased Shares Of Regional Housing Need
[\(07-1205\)](#)

Recommendation: Adopt A Resolution In Support Of Assembly Bill 2566 (Hancock) - "Firearms: Prohibitions" And Assembly Bill 2696 (Krekorian) - "Firearms: Requiring The California Department Of Justice (DOJ) To Enter Into A Memorandum Of Understanding With The Federal Bureau Of Investigation (FBI) To Provide Information To, And Participate In, The National Instant Criminal Background Check System (NICBCS)"
[\(07-1206\)](#)

Recommendation: Action On The Analyses Of Assembly Bill 2062 (De Leon) - Ammunition: Maintenance Of Records For Sales And Transfers And Assembly Bill 2235 (Desaulnier) - Firearms: Technical, Non-Substantive Change To Penal Code Section 12126 To Amend The Definition Of "Unsafe Handgun"
[\(07-1207\)](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

NOTE: Americans With Disabilities Act
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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.

LATONDA SIMMONS
Agency Secretary/City Clerk
and Clerk of the Council

ORA - Oakland Redevelopment Agency
S - Supplemental Item