



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, October 21, 2010

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 Jean Quan, District 4; 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 October 7, 2010
- 3 Determination of Schedule of Outstanding Committee Items
([rules102110](#))
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meeting(s) of October 26, 2010 (SUPPLEMENTAL)

- S-4-1 Subject: 2010 Sobriety Checkpoint Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In The Amount Of Fifty-Four Thousand Eight Hundred Twenty-Nine Dollars And Forty-Five Cents (\$54,829.45) From The Regents Of The University Of California, Berkeley, School Of Public Health, Traffic Safety Center, Serving As The Fiscal Agent For The State Of California, Office Of Traffic Safety, For The 2010 Sobriety Checkpoint Program To Be Conducted By The Police Department For The Project Term Of October 1, 2010 Through September 30, 2011; On The November 16, 2010 Special Public Safety Committee Agenda
[\(10-0129\)](#)
- S-4-2 Subject: Food Stamp And EBT Fraud Investigative Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Project Funds In An Amount Not To Exceed Forty Thousand Dollars (\$40,000) From The U.S. Department Of Agriculture, Office Of The Inspector General, For The Fiscal Year 2011 Enactment Of The Food Stamp And Electronic Benefit Transfer Fraud Investigative Program Within The Police Department; On The November 16, 2010 Special Public Safety Committee Committee Agenda
[\(10-0145\)](#)
- S-4-3 Subject: 2011 State and Federal Legislative Agenda
From: Council President Brunner
Recommendation: Action On A Report Requesting Approval Of The Proposed 2011 State and Federal Legislative Agenda For The City Of Oakland; On the November 18, 2010 Rules and Legislation Committee Agenda
[\(10-0126\)](#)
- S-4-4 Subject: Oakland Municipal Academy
From: Councilmember Kernighan
Recommendation: Adopt A Resolution Recognizing The First Graduating Class Of The City Of Oakland's Oakland Municipal Academy; On The November 9, 2010 Special City Council Agenda
[\(10-0128\)](#)

S-4-5 Subject: Expanded Low Emission Vehicle Standards
From: Councilmembers Nadel And Quan
Recommendation: Adopt A Resolution Urging The State Of California And
The California Air Resources Board To Adopt Expanded Low Emission
Vehicle Standards To Reduce Criteria Air Pollutants And Greenhouse
Gases And To Strengthen The State's Zero Emission Vehicle And Clean
Fuels Outlet Infrastructure Programs To Protect The Health Of California's
Economy, Environment And Its People; On The November 4, 2010 Rules
And Legislation Committee Agenda

[\(10-0146\)](#)

S-4-6 Subject: Permit Fees - Medical Cannabis Dispensaries
From: Councilmembers Kaplan and Reid
Recommendation: Adopt An Ordinance Amending The Master Fee
Schedule (Ordinance Number 9336, As Amended) To Establish A Medical
Cannabis Permit Application Fee, \$5,000 And Increase The Annual
Regulatory Fee For Permitted Medical Cannabis Dispensaries From
\$30,000 To \$60,000; On The November 16, 2010 Special Finance and
Management Committee Agenda

[\(10-0147\)](#)

S-4-7 Subject: Small Business Exemption - Amending OMC
From: Councilmembers Kaplan and Reid
Recommendation: Adopt An Ordinance Amending Oakland Municipal
Code Chapter - 5.04.620 "Small Business Exemption" To Increase The
Annual Gross Receipts Exemption Amount From Two Thousand Five
Hundred Dollars (\$2,500) To Eleven Thousand Dollars (\$11,000); On The
January 11, 2010 Finance and Management Committee Agenda

[\(10-0148\)](#)

S-4-8 Subject: Oakland Head Start Advisory Panel
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City
Administrator, On Behalf Of The City of Oakland, To Review and Approve
The Request Of The Oakland Head Start Advisory Panel To Change Their
Name To Oakland Head Start Advisory Board; And Add a Non-Voting
Policy Council Member Liaison To Report To The Advisory Panel; And
Make Revisions To Their Bylaws, And Subsequent Documents Pertaining
To The Advisory Panel, To Reflect Said Changes; On The November 16,
2010 Special Life Enrichment Committee Agenda

[\(10-0123\)](#)

S-4-9 Subject: Head Start/Early Head Start Governing Procedures
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City
Administrator, On Behalf Of The City of Oakland, To Review and Approve
Oakland Head Start/Early Head Start Governing Procedures Developed In
Accordance With Recent Head Start Legislation; On The November 16,
2010 Special Life Enrichment Committee Agenda
[\(10-0124\)](#)

S-4-10 Subject: Oracle Payroll Software System
From: Department Of Information Technology
Recommendation: Adopt A Resolution Waiving The Request For
Qualifications Or Proposal Requirements Of The Oakland Municipal Code,
And Awarding A Five-Year Term Contract To Vertex Inc., Berwyn, PA.,
To Provide Taxation Data for The Oracle Payroll Software System For A
Payment Of Approximately Eleven Thousand Dollars (\$11,000.00)
Annually, With An Option To Increase The Contract By 5% Each Year Of
The Contract, For A Grand Total Not-To-Exceed Sixty-Four Thousand
Dollars (\$64,000.00); On The November 16, 2010 Special Finance and
Management Committee Agenda
[\(10-0125\)](#)

S-4-11 Subject: MacArthur Transit Village Stage One
From: Community And Economic Development Agency
Recommendation: A Request To Withdraw And Re-Title An Item
Previously Scheduled To The November 9, 2010 Community And
Economic Development Committee Agenda And ReSchedule To The
December 14, 2010 Community And Economic Development Committee
Agenda

NEW TITLE: Conduct A Public Hearing And Upon Conclusion Adopt A
Resolution Approving The MacArthur Transit Village (A) Stage One (1)
Final Development Plan Permit, Which Would Allow For Development Of
A New BART Parking Garage And Site Infrastructure, As Part Of The
MacArthur Transit Village Planned Unit Development (PUD060058),
Pursuant To City Council Resolution No. 81422 C.M.S. Condition Of
Approval No. 27, And (B) Vesting Tentative Tract Map 8047

OLD TITLE: Public Hearing And Resolution Approving The Macarthur
Transit Village Stage One (1) Final Development Plan Permit, Which
Would Allow For Development Of A New BART Parking Garage And Site
Infrastructure, As Part Of The Macarthur Transit Village Planned Unit
Development (PUD060058), Pursuant To City Council Resolution No.
81422 C.M.S. Condition Of Approval No. 27

REASON: Additional time is needed for final resolution of design issues.
New title consolidates the Stage One final development permit and
Tentative Tract Map decisions to streamline process for incorporating
changes the Council might direct.

[\(10-0108\)](#)

S-4-12 Subject: Exclusive Negotiating Agreement Deposit - Sunfield
Development
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Amending Resolution
No. 2010-0093 C.M.S. to Modify the Exclusive Negotiating Agreement
Deposit Requirements with Sunfield Development, LLC from \$50,000 to
\$25,000 for the Foothill and Seminary Development Opportunity Site; On
The November 9, 2010 Special City Council Agenda

[\(10-0140\)](#)

S-4-13 Subject: Public Facilities Easement - Arcadia Park Subdivision
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Conditionally Accepting A
Dedication From The Arcadia Park Owners Association Of A Public
Facilities Easement To Construct A Privately Maintained Park In The
Arcadia Park Subdivision Located At 921 98th Avenue; On The November
16, 2010 Special Public Works Committee Agenda

[\(10-0142\)](#)

S-4-14 Subject: Redevelopment Agency's Fiscal Year 2009-2010 Report
From: Community and Economic Development Agency
Recommendation: Receive An Informational Report presenting the
Redevelopment Agency's Fiscal Year 2009-2010 Annual Reports on Blight,
Housing Activity, Loans, Property, and Time Limits in Accordance with
the Reporting Requirements of the Community Redevelopment Law of the
State of California, Health and Safety Code Sections 33080 and 33080.1;
On The December 14, 2010 Finance and Management Committee Agenda
[\(10-0143\)](#)

S-4-15 Subject: Five Professional Service Agreement
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Professional Service Agreement
In An Amount Not To Exceed \$219,000 With Seifel Consulting Inc. For
The Preparation Of Reports And Studies For The Proposed Amendment To
The Central District Redevelopment Plan Extending Time Limits And
Increasing The Tax Increment Cap;

[\(10-0144\)](#)

2) An Agency Resolution Authorizing A Professional Service Agreement In An Amount
Not To Exceed \$260,000 With Environmental Science Associates For The Preparation
Of An Environmental Impact Report For The Proposed Redevelopment Plan
Amendment To The Central District Redevelopment Plan Extending Time Limits And
Increasing The Tax Increment Cap;

[\(10-0144-1\)](#)

3) An Agency Resolution Authorizing A Professional Service Agreement In An Amount
Not To Exceed \$230,000 With Seifel Consulting Inc. For The Preparation Of Reports And
Studies For The Proposed Amendment To The Broadway/MacArthur/San Pablo
Redevelopment Plan Expanding The Project Area To Incorporate The Lowell
Street/Golden Gate/Gaskill Area And Extending The Eminent Domain Time Limit;

[\(10-0144-2\)](#)

4) An Agency Resolution Authorizing A Professional Service Agreement In An Amount
Not To Exceed \$287,000 With Environmental Science Associates For The Preparation
Of An Environmental Impact Report For The Proposed Redevelopment Plan
Amendment To The Broadway/MacArthur/San Pablo Redevelopment Project Area Plan
Expanding The Project Area To Incorporate The Lowell Street/Golden Gate/Gaskill Area
And Extending The Eminent Domain Time Limit; And

[\(10-0144-3\)](#)

5) An Agency Resolution Authorizing A Professional Service Agreement In An Amount
Not To Exceed \$30,000 With Wood Rodgers For The Preparation Of A Legal
Description For The Proposed Amendment To The Broadway/MacArthur/San Pablo
Redevelopment Plan Expanding The Project Area To Incorporate The Lowell
Street/Golden Gate/Gaskill Area; On The November 16, 2010 Special Community and
Economic Development Committee Agenda

[\(10-0144-4\)](#)

S-4-16 Subject: 25th Street Mini Park Improvement
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Contract To Beliveau Engineering Contractors, Inc., The Lowest, Responsible, Responsive Bidder, For The Construction Of The 25th Street Mini Park Improvement Project (No. C367710) In Accord With Project Plans And Specifications And Contractor's Bid Therefore In The Amount Of Four Hundred Seventy Thousand Dollars (\$470,000.00); On The November 16, 2010 Special Public Works Committee Agenda

[\(10-0138\)](#)

S-4-17 Subject: Waterfront Trail Project
From: Public Works Agency
Recommendation: Adopt A Resolution: 1) Rejecting All Bids Submitted For The Fruitvale Avenue To High Street, Waterfront Trail Project (C395010); 2) Waiving Further Competitive Bidding Requirements; And 3) Authorizing the City Administrator, Or The City Administrator's Designee, To Negotiate And Purchase The Necessary Construction Services And Materials In Accord With Plans And Specifications For The Project On The Open Market In An Amount Not To Exceed One Million Six Hundred Thousand Dollars (\$1,600,000) Without Return To The City Council; On The November 16, 2010 Special Public Works Committee Agenda

[\(10-0139\)](#)

S-4-18 Subject: Pay By Phone Pilot Program
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Contract Between The City Of Oakland And Parkmobile Use To Provide A Pay By Phone Pilot Program For A 12-Month Period; On The November 16, 2010 Special Finance And Management Committee Agenda

[\(10-0121\)](#)

S-4-19 Subject: Schedule Of Parking Fines - Amending OMC
From: Finance And Management Agency
Recommendation: Ordinance Amending Oakland Municipal Code Sections 10.48.10 "Schedule Of Parking Fines" To Increase Parking Fines For State \$3 Surcharge; On The November 16, 2010 Special Finance And Management Committee Agenda,

[\(10-0130\)](#)

S-4-20 Subject: Writing Off Unresolvable Accounts And Housing Loans
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing The City
Administrator To Make Adjustments To The City's Accounts Receivables
By Writing Off Unresolvable Accounts With Balances Over \$1,000 For A
Total Amount Of \$1,662,484.06 Within Specific Parameters, And To Write
Off Housing Loans Totaling \$189,290, To Accurately Reflect The Net
Realizable Value Of Accounts Receivable Assets In The City's Financial
Statements; On The November 16, 2010 Special Finance And Management
Committee Agenda
[\(10-0137\)](#)

S-4-21 Subject: Employment Training And Job Placement Services
From: Office Of The Mayor
Recommendation: Adopt A Resolution Authorizing The City
Administrator To Appropriate \$285,000 In Earmark Grant for The Oakland
Green Jobs Corps To Train And Place Oakland Residents in Green Jobs
For The Fiscal Year 2009-2010 And Enter Into Contracts With Men Of
Valor In the Amount Of \$35,000, CivicCorp In The Amount Of \$35,000,
Growth Sector in the Amount of \$40,000, Urban University in the Amount
of \$89,400, and Cypress Mandela in the Amount of \$25,000 To
Collaboratively Provide Employment Training And Job Placement
Services; On The November 16, 2010 Special Community and Economic
Development Committee Agenda
[\(10-0149\)](#)
[\(102110rulesitem4\)](#)

5 A review of the Agendas for the Council Concurrent Meeting of ORA/City Council for
the meeting(s) of November 2, 2010 and Rules and Legislation for November 4, 2010.
[\(102110rulesitem5\)](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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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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(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
Agency Secretary/City Clerk
and Clerk of the Council**

ORA - Oakland Redevelopment Agency
S - Supplemental Item