



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 07, 2011

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

1 Closed Session

There was no action necessary on this item.

2 Approval of the Draft Minutes from the Committee meeting of March 24, 2011

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

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

Absent; 1 - Member Schaaf

Aye; 3 - Vice Mayor 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 Vice Mayor Brooks, to *Approve as Submitted. The motion carried by the following vote:

Votes: Absent; 1 - Member Schaaf

Aye; 3 - Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

Roll Call was modified to show Councilmember Schaaf present at 10:55 a.m.

Roll Call was modified to show Councilmember Brooks absent at 11:03 a.m.

- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of April 12, 2011 (SUPPLEMENTAL)
A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Absent; 1 - Vice Mayor Brooks
Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente
There was one speaker on this item.

[rules4711item4](#)

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- S-4.1 Subject: Landscaping And Lighting Assessment District
From: Office Of Budget
Recommendation: Adopt A Resolution Initiating The Fiscal Year 2011-2012 Assessment Process For The City Of Oakland Landscaping And Lighting Assessment District And Authorizing The City Administrator To Order A Preliminary Engineers's Report Pursuant To The California Streets And Highways Code
[10-0545](#)

Scheduled to *Finance & Management Committee on 4/26/2011

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[83325 CMS.pdf](#)

- S-4.2 Subject: Wildfire Prevention Assessment District
From: Office Of The Budget
Recommendation: Adopt A Resolution Initiating The Fiscal Year 2011-2012 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
[10-0553](#)

Scheduled to *Finance & Management Committee on 4/26/2011

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[83326 CMS.pdf](#)

- S-4.3 Subject: Public Works Week
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Celebrating The Week Of May 17-21, 2011 As National Public Works Week In The City Of Oakland
[10-0532](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/17/2011

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S-4.4 Subject: Jack London Mixed - Use Parking Program
From: Councilmember Nancy Nadel
Recommendation: Receive A Report And Recommendations On Extending The Jack London District Interim Mixed-Use Permit Parking Program
[10-0533](#)

Scheduled to *Public Works Committee on 5/24/2011

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S-4.5 Subject: Transitional Employment Program
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With Volunteers Of America Of The Bay Area (VOABA) In An Amount Not To Exceed \$2,065,000 From May 1, 2011 Through June 30, 2013 To Provide A Transitional Employment Program For Oakland Residents On Parole Modeled After The Center For Employment Opportunities (CEO) Best Practice
[10-0552](#)

Scheduled to *Public Safety Committee on 4/26/2011

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S-4.6 Subject: Mobile Food Vending Regulations Report
From: Community And Economic Development Agency
Recommendation: Receive A Report On Preliminary Proposals For Amending Oakland's Mobile Food Vending Regulations In OMC Chapter 8.09 To Create Potential New Program Permitted Areas Outside Of The Existing Pilot Program Area And To Allow New Group Site Vending Clusters
[10-0525](#)

Scheduled to *Community & Economic Development Committee on 4/26/2011

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S-4.7 Subject: Housing And Urban Development Action Plan
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution: 1) Authorizing The City Administrator To Prepare And Submit To The U.S. Department Of Housing And Urban Development The Consolidated Plan Annual Action Plan For Fiscal Year 2011-2012; 2) Accepting And Appropriating Grant Funds Totaling \$--- For The Home, Emergency Shelter Grant, Housing Opportunities For Persons With AIDS, And The Community Development Block Grant Programs; 3) Appropriating \$--- In Program Income And Any Amounts In Excess Thereof For Housing Rehabilitation Loans; And 4) Authorizing The City Administrator To Negotiate And Execute Agreements With Subgrantees For Fiscal Years 2011-2013 For The Community Development Block Grant Program
[10-0535](#)

Scheduled to *Community & Economic Development Committee on 4/26/2011

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[83344 CMS.pdf](#)

S-4.8 Subject: MacArthur Boulevard Acquisition/Demolition Project
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Approving A Replacement Housing Plan For The MacArthur Boulevard Project
[10-0537](#)

Scheduled to *Community & Economic Development Committee on 4/26/2011

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[2011-0037 CMS.pdf](#)

S-4.9 Subject: Gerrie Scott - Encroachment And Public Easement
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting Gerrie Scott A Revocable And Conditional Permit To Allow Portions Of Existing Buildings And A Fence At 1506 Center Street And 1438 15th Street To Encroach Into The Public Right-Of-Way And Public Easement
[10-0538](#)

Scheduled to *Public Works Committee on 4/26/2011

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[83318 CMS.pdf](#)

S-4.10 Subject: 606 Clara Street/9418 Edes Ave - ENA
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing An Exclusive Negotiating Agreement (ENA) With AE3 Associates For Development Of Agency - Owned Property At 606 Clara Street/9418 Edes Avenue
[10-0539](#)

Scheduled to *Community & Economic Development Committee on 4/26/2011

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[2011-0039 CMS.pdf](#)

S-4.11 Subject: Coliseum BART Station Transit Village Infrastructure Project
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing And Appropriating A \$6,551,446 Increase In The Contribution Of Agency Funds From \$2,065,000 To \$8,616,466 To The City Of Oakland Under The Cooperation Agreement For The Coliseum Bart Station Transit Village Infrastructure Project

[10-0540](#)

Scheduled to *Community & Economic Development Committee on 4/26/2011

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[2011-0038 CMS.pdf](#)

2) A City Resolution Accepting And Appropriating A \$6,551,446 Increase In The Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement From \$2,065,000 To \$8,616,466 For The Coliseum Bart Station Transit Village Infrastructure Project, And Authorizing Professional Services Agreements With Moffatt And Nichol In An Amount Not To Exceed \$402,314 For Civil Engineering Design Services And Golden Associates In An Amount Not To Exceed \$192,291 For Landscape Architectural Design Services For The Project
[10-0540-1](#)

**Scheduled to *Community & Economic Development Committee on
4/26/2011
[83328 CMS.pdf](#)**

S-4.12 Subject: International Blvd and 95th Avenue - Real Property Purchase
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 9409, 9415, 9423, 9431 And 9437 International Boulevard, 1361 95th Avenue And An Unknown Address On 95th Avenue (Assessor's Parcel Number: 044-4967-009) In The Coliseum Redevelopment Project Area, From Elmhurst Plaza Developer, LLC, Charles Hill And Cherry Hill, And Charles Hill, Surviving Joint Tenant, In An Amount Not To Exceed \$1,300,000 And Authorizing Up To \$400,000 For Demolition, Abatement And Real Estate Closing Costs
[10-0541](#)

**Scheduled to *Community & Economic Development Committee on
5/10/2011
[View Report.pdf](#)**

S-4.13 Subject: Integrated Utility Systems - Oakland Army Base
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution And City Resolution Authorizing The City/Agency Administrator To Amend And Execute, With The Port Of Oakland, For Continued Operation, Maintenance And Repair Of The Existing Integrated Utility Systems At The Former Oakland Army Base The Following Agreements: 1) Utilities Services Agreement In An Amount Estimated At \$450,000 Annually (Which Includes Costs For The Resource Management Agreement And The Interconnection Agreement), 2) Resource Management Agreement In An Amount Estimated At \$50,000 Annually, And 3) Interconnection Agreement In An Amount Estimated At \$150,000 Annually
[10-0542](#)

**Scheduled to *Community & Economic Development Committee on
5/10/2011
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[2011-0042 CMS.pdf](#)**

S-4.14 Subject: Replacement Of Tidewater Avenue Sanitary Sewer Pump Station
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes Construction, Inc. For The Replacement Of Tidewater Avenue Sanitary Sewer Pump Station (Project No. C267620), In The Amount Of Five Hundred Eighty-Five Thousand Eight Hundred Forty-Seven Dollars (\$585,847.00)
[10-0534](#)

Scheduled to *Public Works Committee on 5/10/2011

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S-4.15 Subject: Urban Greening For Sustainable Communities Grant Program
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Two Hundred Fifty Thousand Dollars (\$250,000.00) In Grant Funding From The State Of California, Urban Greening For Sustainable Communities Grant Program Under The Safe Drinking Water, Water Quality And Supply, Flood Control, River And Coastal Protection Bond Act Of 2006 (Proposition 84) For The Creation Of The Oakland Urban Greening Retrofit Plan
[10-0536](#)

Scheduled to *Public Works Committee on 5/10/2011

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S-4.16 Subject: Rain Barrel Program Services - Contract Award
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Negotiate And Execute An Agreement For Services For The City's Rain Barrel Program With The Watershed Project For An Amount Not To Exceed Seven Hundred Thousand Dollars (\$700,000.00)
[10-0543](#)

Scheduled to *Public Works Committee on 5/10/2011

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S-4.17 Subject: Amending Section 10.52.060
From: Public Works Agency
Recommendation: Adopt An Ordinance Amending Section 10.52.060 Of The Oakland Municipal Code To Add Sunnymere Avenue And Hillmont Drive To The List Of City Streets Where Commercial Vehicles Exceeding Four And One-Half Tons Are Prohibited
[10-0547](#)

Scheduled to *Public Works Committee on 5/10/2011

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S-4.18 Subject: Approving Stop Sign Installation
From: Public Works Agency
Recommendation: Adopt A Resolution Approving The Installation Of Stop Signs Pursuant To California Vehicle Code Sections 21351 And 21355 And Oakland Municipal Code Section 10.12.110 On: A. Minna Avenue At Allendale Avenue; B. East 27th Street At The West Leg Of 26th Avenue; And C. 43rd Street And Linden Street
[10-0548](#)

Scheduled to *Public Works Committee on 4/26/2011

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S-4.19 Subject: State Transportation Development Act Article 3
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Two Hundred Eighty Five Thousand Dollars (\$285,000.00) In Fiscal Year 2011-2012 State Transportation Development Act Article 3 Funds As Follows: (1) Bicycle Wayfinding Signage, Fifty Thousand Dollars (\$50,000.00); (2) Bonham Way Stairs And Paths Rehabilitation, One Hundred Ten Thousand Dollars, (\$110,000.00); And (3) Harrison Street/Oakland Avenue Bikeway, One Hundred Twenty Five Thousand Dollars (\$125,000.00);
And
[10-0549](#)

Scheduled to *Public Works Committee on 4/26/2011

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2) A Resolution Authorizing The Installation Of Class II Bicycle Lanes On Harrison Street By Reducing Travel Lanes From Three (3) Through Lanes To Two (2) Through Lanes Between Macarthur Boulevard And Fairmount Avenue
[10-0549-1](#)

Scheduled to *Public Works Committee on 4/26/2011

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S-4.20 Subject: Installation Of Bicycle Lanes
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The Installation Of Bicycle Lanes On MacArthur Boulevard Between High Street And Buell Street By Reducing Travel Lanes From Three (3) Through Lanes To Two (2) Through Lanes Between High Street And Greenacre Road And By Reducing Travel Lanes From Four (4) Through Lanes To Two (2) Through Lanes Between Greenacre Road And Enos Avenue, And By Prohibiting Parking Adjacent To Interstate 580 Between High Street And Greenacre Road
[10-0554](#)

Scheduled to *Public Works Committee on 4/26/2011

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S-4.21 Subject: Police And Fire Retirement System Liability
From: Finance And Management Agency
Recommendation: A Request To Withdraw and Item Already Scheduled To The April 26, 2011 Finance And Management Committee Agenda And Reschedule To The April 11, 2011 Special Budget Workshop Agenda

Adopt A Resolution Of The City Council Of The City Of Oakland Authorizing The Available Option(s) And Terms For Funding The Police And Fire Retirement System Unfunded Accrued Actuarial Liability, And Approving The Termination Of The Swap Agreement Related To The Oakland Joint Powers Financing Authority, Lease Revenue Bonds, 1998 Series A1/A2 (TITLE CHANGE); On The April 11, 2011 Special Budget Workshop Agenda

[10-0259](#)

***Withdrawn with No New Date**

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S-4.22 Subject: Fiscal Year 2009/2010 Single Audit Report
From: Finance And Management Agency
Recommendation: Receive An Informational Report Presenting The Fiscal Year 2009/2010 Single Audit Report
[10-0546](#)

Scheduled to *Finance & Management Committee on 4/26/2011

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S-4.23 Subject: Laboratory Information Management System - Contract Award
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee, On Behalf Of The City Of Oakland To 1) Waive The Competitive Request For Proposals (RFP) Process, And 2) Enter Into A Professional Services Agreement With Mr. Bruce Fukayama For The Period Of May 1, 2011 Through September 30, 2012 With Two One-Year Options To Extend, In An Amount Not To Exceed Thirty-Two Thousand, One Hundred Ninety-One Dollars (\$32,191) For Technical Assistance To The Oakland Police Department's Criminalistics Division With The Implementation Of A Laboratory Information Management System (LIMS)
[10-0544](#)

Scheduled to *Public Safety Committee on 4/26/2011

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S-4.24 Subject: Bay Area Library And Information System (BALIS)
From: Library Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds In The Amount Of \$73,000 From The Bay Area Library And Information System (BALIS) For The Development Of A Teen Multimedia Creation Lab At The New 81st Avenue Library That Fosters Participatory Media, Creativity, And Digital Literacy
[10-0551](#)

Scheduled to *Life Enrichment Committee on 4/26/2011

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Requests Submitted on the Dias:

Subject: Montclair And Chabot Golf Courses
From: President Pro Tempore De La Fuente
Recommendation: Discussion And Action On A Report On The Options And Feasibility Of Selling The Montclair And Chabot Golf Courses
10-0556

Scheduled to *Finance & Management Committee on 5/10/2011

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Subject: City Administrator Employment Agreement - P. Lamont Ewell
From: Office Of The Mayor
Recommendation: Adopt A Resolution Authorizing The Mayor To Execute An Employment Agreement On Behalf Of The City With P. Lamont Ewell, City Administrator, Effective March 28, 2011
10-0557

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/3/2011

As a Consent item

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5 A review of the Cancellation Notice of the Concurrent Meeting of ORA/City Council on April 19, 2011 and the Agenda for the Rules and Legislation Committee meeting of April 21, 2011

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: Absent; 1 - Vice Mayor Brooks
Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente

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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 11:28a.m.

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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