



# City of Oakland Meeting Agenda

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>

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Thursday, July 09, 2009

10:45 AM

City Council Chambers - 3rd Floor

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### ***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:**

**Jean Quan, District 4; Vice Mayor 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 June 25, 2009
- 3 Determination of Schedule of Outstanding Committee Items  
(07-09 Rules Pending)
- 4 Scheduling of Agenda Items and revisions to the agendas for the Council Committee meetings of July 14, 2009 (SUPPLEMENTAL)  
(07-09 Rules Item 4)

- S-4-1      Subject:    Local 55 Employee Hours  
From:        Oakland Fire Department  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Ordinance No. 12187 (The Salary Ordinance) To Change The Standard Bi-Weekly Hours Of Employees In Representation Unit FQ1 From 104 To 112 Pursuant To The Memorandum Of Understanding Between The City Of Oakland And International Association Of Firefighters, Local 55 Covering The Period Of July 1, 2008 To June 30, 2012; On The July 21, 2009 City Council Agenda  
[\(09-0647\)](#)
- S-4-2      Subject:    2009-2010 Gang Resistance And Training 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 An Amount Not To Exceed Fifty Thousand Dollars (\$50,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS), Fiscal Year 2009/2010 Gang Resistance Education And Training (GREAT) Program, And Appropriate Said Funds To The Police Department; On The October 13, 2009 Public Safety Committee Agenda  
[\(09-0609\)](#)
- S-4-3      Subject:    2009 Recovery Act Local Youth Mentoring Initiative  
From:        Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Four Hundred And Thirty-Five Thousand Dollars (\$435,000) From The U.S. Department Of Justice, Office Of Juvenile Justice And Delinquency Prevention (OJJDP), Fiscal Year 2009 Recovery Act Local Youth Mentoring Initiative For Enactment Of The Oakland Mentors Program, And 2) Authorizing A Professional Services Agreement In An Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000) With The Donald P. McCullum Youth Court, And 3) Authorizing A Professional Services Agreement In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) With The Oakland Police Activities League (Oakland PAL), And Appropriate Said Funds To The Police Department; On The October 13, 2009 Public Safety Committee Agenda  
[\(09-0610\)](#)

- S-4-4      Subject:    2009 Paul Coverdell Forensic Science Improvement 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 An Amount Not To Exceed One Hundred And Sixteen Thousand Six Hundred And Three Dollars (\$116,603) From The U.S. Department Of Justice, National Institute Of Justice, Fiscal Year 2009 Paul Coverdell Forensic Science Improvement Grant Program, And Appropriate Said Funds To The Police Department; On The October 13, 2009 Public Safety Committee Agenda  
[\(09-0611\)](#)
- S-4-5      Subject:    Edward Byrne Grant Program - Local Solicitation  
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 An Amount Not To Exceed Eight Hundred And Five Thousand Six Hundred And Fifty-Five Dollars (\$805,655) From The U.S. Department Of Justice, Bureau Of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Local Solicitation, And Appropriate Said Funds To The Police Department; On The September 22, 2009 Public Safety Committee Agenda  
[\(09-0617\)](#)
- S-4-6      Subject:    2009 COPS Technology Grant - Data Driven Approaches  
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 An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS), Fiscal Year 2009 COPS Technology Grant Program, For Implementation Of The Data Driven Approaches To Crime And Traffic Safety (DDACTS) Program, And Appropriate Said Funds To The Police Department; On The September 22, 2009 Public Safety Committee Agenda  
[\(09-0618\)](#)
- S-4-7      Subject:    2009 Congressionally Selected Awards 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 An Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000) From The U.S. Department Of Justice, Fiscal Year 2009 Congressionally Selected Awards Program, For Supplement Program Funding Associated With The Oakland Police Cadet Program, And Appropriate Said Funds To The Police Department; On The September 22, 2009 Public Safety Committee Agenda

[\(09-0619\)](#)

S-4-8      Subject:      2009 Justice And Mental Health Collaboration 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 An Amount Not To Exceed Two Hundred And Fifty Thousand Dollars (\$250,000) From The U.S. Department Of Justice, Bureau Of Justice Assistance, Fiscal Year 2009 Justice And Mental Health Collaboration Program, And Authorizing A Professional Services Agreement In An Amount Not To Exceed Two Hundred Twelve Thousand Seven Hundred And Eighty Dollars (\$212,780) With The East Bay Community Recovery Project (EBCRP) For Enactment Of Mental Health Service Provisions Associated With The Initiative, And Appropriate Said Funds To The Police Department; On The September 22, 2009 Public Safety Committee Agenda

[\(09-0620\)](#)

S-4-9      Subject:      2009 COPS Technology Grant - Automatic Vehicle Licensing  
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 An Amount Not To Exceed Two Hundred And Fifty Thousand Dollars (\$250,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS), Fiscal Year 2009 COPS Technology Grant Program, For Implementation Of The Automatic Vehicle Licensing (AVL) And Global Positioning System (GPS) Programs, And Appropriate Said Funds To The Police Department; On The September 22, 2009 Public Safety Committee

[\(09-0621\)](#)

S-4-10     Subject:      Breaking The Chains Substance Abuse Treatment Initiative  
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 An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) From The State Of California, California Emergency Management Agency (CalEMA), Residential Substance Abuse Treatment (RSAT) Program, And Authorizing A Professional Services Agreement In An Amount Not To Exceed One Hundred And Eighty Thousand Dollars (\$180,000) With The East Bay Community Recovery Project (EBCRP) For Enactment Of The Breaking The Chains Substance Abuse Treatment Initiative, And Appropriate Said Funds To The Police Department; On The September 22, 2009 Public Safety Committee Agenda

[\(09-0622\)](#)

- S-4-11      Subject:    2009 Human Trafficking Task Force Grant  
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 An Amount No To Exceed Two Hundred Thousand Dollars (\$200,000) From The U.S. Department Of Justice, Office Of Justice Programs, Bureau Of Justice Assistance, Fiscal Year 2009 Law Enforcement Response To Human Trafficking Task Force Grant Program, And Appropriate Said Funds To The Police Department; On The October 13, 2009 Public Safety Committee Agenda  
[\(09-0646\)](#)
- S-4-12      Subject:    Measure Y Annual Report  
From:        Office of the City Administrator/Finance and Management Agency  
Recommendation: Receive The Annual Reports On Measure Y (Violence Prevention And Public Safety Act Of 2004) Financials And Program Activities, For Fiscal Years 2005-2006, 2006-2007, 2007-2008 And 2008-2009; On The September 8, 2009 Public Safety And Finance And Management Committee Agenda  
[\(09-0612\)](#)
- S-4-13      Subject:    Budget Amendment - Take Away Of Gas Tax Revenues  
From:        Budget Office/Public Works Agency  
Recommendation: Adopt A Resolution Amending The City Of Oakland's Fiscal Year 2009-2011 Biennial Budget, Which Was Adopted Pursuant To Resolution No. \_\_\_\_\_ C.M.S., To Eliminate Staff And Operations Funding In The Street And Traffic Programs Based On The Anticipated State Of California Take Away Of Approximately \$6.6 Million Of Gas Tax Revenues From The City Of Oakland Effective July 1, 2009; On The July 21, 2009 City Council Agenda  
[\(09-0613\)](#)
- S-4-14      Subject:    Municipal Code Amendment - Cabarets  
From:        Councilmember Nancy Nadel  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.12, "Cabarets" To 1) Create An Exemption For "Small Cabarets" Defined As Establishments With Occupancy Load Of Less Than Fifty And With Zoning Clearance For Business's Primary Activity That Is Not Group Assembly Commercial Activity - Entertainment, 2) Create A Separate Process For Registering "Small Cabarets", And 3) Create An Exemption For Establishments Employing Disc Jockeys To Provide "Background Music" And Where The Disc Jockey Is Not A Draw For Customers; On The September 8, 2009 Public Safety Committee Agenda  
[\(09-0623\)](#)

- S-4-15      Subject:    Mayor's Public Safety Plan  
From:        Councilmember Larry Reid  
Recommendation: Discussion And Possible Action On The Mayor's Public Safety Plan Including An Explanation Of Initiatives Already Implemented Or In The Process Of Being Implemented, A Timeline Of Future Initiatives With Goals, Objectives, And Action Steps, The Status Of Community And Departmental Collaboration And Feedback, As Well As Identifying Top Priorities Of The Plan; On The October 27, 2009 Public Safety Committee Agenda  
[\(09-0630\)](#)
- S-4-16      Subject:    Smoking Fee Implementation  
From:        Councilmember Larry Reid  
Recommendation: Discussion And Possible Action On A Report From The City's Attorney's Office And The City Administrator's Office On The Feasibility Of Implementing A Smoking Fee, With Analysis And Comparisons Of Models Used By Other Jurisdictions, Including A Cost Benefit Analysis, Impact On Personnel And Projected Revenues; On The September 22, 2009 Finance And Management Committee Agenda  
[\(09-0631\)](#)
- S-4-17      Subject:    Smoking Tax Collection  
From:        Councilmember Larry Reid  
Recommendation: Discussion And Possible Action On A Report From The City Attorney's Office On The Reasons That City Of Oakland Did Not Collect The Smoking Tax And Whether The City Collected Revenue From The State In Lieu Of Collecting The Tax; On The September 22, 2009 Finance And Management Committee Agenda  
[\(09-0632\)](#)
- S-4-18      Subject:    Monthly Swim Pass  
From:        Councilmember Rebecca Kaplan  
Recommendation: Adopt An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Establish A New Fee Of \$80.00 For Adult Monthly Swim Pass; On The July 21, 2009 City Council Agenda  
[\(09-0638\)](#)
- S-4-19      Subject:    Gang Injunctions  
From:        Councilmember Larry Reid  
Recommendation: Receive A Joint Informational Report From The Oakland Police Department And The City Attorney's Office Regarding The Feasibility Of Implementing Gang Injunctions In The City Of Oakland, Including Opt-Out Provisions, And With Information About The Successes And Challenges Of San Francisco's Program; On The October 13, 2009 Public Safety Committee Agenda  
[\(09-0639\)](#)

- S-4-20      Subject:      Parks And Recreation Advisory Commission - Appointment  
From:          Council President Brunner & Councilmember Nadel  
Recommendation: Adopt A Resolution Appointing Judy Belcher To The  
Parks And Recreation Advisory Commission For The Term Beginning  
November 15, 2008 And Ending November 14, 2011; On The July 21, 2009  
City Council Agenda  
[\(09-0642\)](#)
- S-4-21      Subject:      Parks And Recreation Advisory Commission - Appointment  
From:          Council President Brunner  
Recommendation: Adopt A Resolution Appointing Barry Miller To The  
Parks And Recreation Advisory Commission For The Term Beginning  
November 14, 2008 And Ending November 13, 2011; On The July 21, 2009  
City Council Agenda  
[\(09-0643\)](#)
- S-4-22      Subject:      League Of California Cities Delegates  
From:          Council President Brunner  
Recommendation: Adopt A Resolution Appointing Councilmember Quan  
As The League Of California Cities Voting Delegate And Councilmember  
Reid As The Alternate Delegate For The 2009 Calendar Year; On The July  
21, 2009 City Council Agenda  
[\(09-0644\)](#)
- S-4-23      Subject:      2008-2009 City Administrator Approved Purchases And  
Contracts  
From:          Contracting and Purchasing  
Recommendation: Receive An Informational Report Listing All Purchases  
And Contracts Authorized By The City Administrator, Or The City  
Administrator Designee, Within The City Administrator's Contract  
Authority During Fiscal Year 2008-2009 In Accordance With Oakland  
Municipal Code Section 2.04.020.D.2; On The September 8, 2009 Finance  
And Management Committee Agenda  
[\(09-0629\)](#)
- S-4-24      Subject:      Head Start Advisory Panel  
From:          Department of Human Services  
Recommendation: Adopt A Resolution Confirming The Appointment Of  
Rebecca Hawley-Cooper, Aisha Brown, And Alexandria Caraballo To The  
Head Start Advisory Panel To Fill Current Vacancies; On The July 21, 2009  
City Council Agenda  
[\(09-0386\)](#)

- S-4-25      Subject:    Installation Of Renaissance Trash Cans  
From:        Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) An Agency Resolution Contributing West Oakland Redevelopment Funds To The City Under The Cooperation Agreement In An Amount Not To Exceed \$24,000 For The Purchase and Installation Of Ten Trash Cans Along Mandela Parkway; And  
[\(09-0615\)](#)
- 2) A City Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$24,000 For The Purchase and Installation Of Ten Trash Cans Along Mandela Parkway in the West Oakland Redevelopment Project Area, and Authorizing the City Administrator To Negotiate And Execute Any Related Agreements Without Returning To City Council For Approval; On The September 8, 2009 Community And Economic Development Committee Agenda  
[\(09-0615-1\)](#)
- S-4-26      Subject:    Rehabilitation Of Sanitary Sewers - Andes Construction  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes Construction, Inc. For The Rehabilitation Of Sanitary Sewers in the Area Bounded by 66th Avenue, San Leandro Street, Seminary Avenue, and International Boulevard Sub-Basin 83-101 (Project No. C267310) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of One Million Nine Hundred Seventy-One Thousand Five Hundred Thirty-Seven Dollars (\$1,971,537.00); On The September 8, 2009 Public Works Committee Agenda  
[\(09-0616\)](#)
- S-4-27      Subject:    City Garage Operations  
From:        Finance and Management Agency  
Recommendation: Receive A Follow Up Report On Efforts To Improve Service And Enhance Revenues In City Garage Operations; On The September 22, 2009 Finance And Management Committee Agenda  
[\(09-0626\)](#)
- S-4-28      Subject:    Hourly Parking Rates Increase - Various Garages  
From:        Finance And Management Agency  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12880 C.M.S. (Master Fee Schedule), As Amended, To Increase Hourly Parking At The Grand Avenue, Piedmont Avenue, Parkway, Harrison Street And Montclair Parking Lots Rates To \$2.00 Per Hour, And To Increase The Hourly Parking At The Clay Street And Dalziel Building Garages To \$4.50 Per Hour; On The July 21, 2009 City Council Agenda  
[\(09-0633\)](#)



- S-4-29      Subject:      Claims Management Function  
From:        Finance and Management Agency  
Recommendation: Adopt A Resolution Authorizing The Transfer Of The Claims Management Function From The Office Of The City Attorney To The Risk Management Division Of The Finance And Management Agency; And Authorizing A Sole-Source Contract For A Claims Management Program Audit; And Authorizing A Temporary Contract With A Third Party Administrator Until A Permanent Vendor Is Selected Through A Request For Proposals Process Following Recommendations Of The Audit; On The September 8, 2009 Finance And Management Committee Agenda  
[\(09-0640\)](#)
- S-4-30      Subject:      Memorandum Of Understanding - Local 1245  
From:        Finance And Management Agency  
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The International Brotherhood Of Electrical Workers (IBEW) Union, Local 1245 Representing Employees In Representation Units IE1 And TV1, For The Period Of July 1, 2008 Through June 30, 2011; On The July 21, 2009 City Council Agenda  
[\(09-0641\)](#)
- S-4-31      Subject:      Schedule Of Parking Fines Amendment  
From:        Finance and Management Agency  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Sections 10.48.010 "Schedule Of Parking Fines" To Delete The City Of Oakland Fine For California State Vehicle Code 22522 "Sidewalk Access Ramp Within Three (3) Feet"; On The July 21, 2009 City Council Agenda  
[\(09-0645\)](#)

- 5            A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of July 21, 2009 and the Rules and Legislation Committee for the meeting of July 23, 2009  
[\(07-09 Rules Item 5\)](#)
- 6            Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")  
[\(09-0188\)](#)

**OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)**

**Adjournment**

NOTE:        Americans With Disabilities Act  
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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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[\(TDD\)](#)

**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