

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 02, 2009 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

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COMMITTEE MEMBERSHIP:

Jean Quan, District 4; Vice Mayor Ignacio De La Fuente, District 5; Larry Reid, District 7; and Chairperson Jane Brunner, District 1

- 2 Approval of the Draft Minutes from the Committee meeting of March 19, 2009
- 3 Determination of Schedule of Outstanding Committee Items
 - (04-02 Rules Pending)

Closed Session

Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of April 7, 2009 (SUPPLEMENTAL)
(04-02 Rules Item 4)

S-4-1 Subject: First Responder Advanced Life Support Services Agreement

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The First Responder Advanced Life Support Services
Agreement With Alameda County Emergency Medical Services District For The Period Of July 1, 2009 Through June 30, 2011 And To Appropriate
Payment Anticipated To Be \$1,082,744 And To Enter Into An Agreement Effective July 1, 2011 Negotiated By The Fire Chief And/Or His Designee Without Returning To Council; On The May 26, 2009 Public Safety Committee Agenda

(09-0248)

S-4-2 Subject: Friends Of The Oakland Fire Department Donations

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Market, Advocate For And Solicit Donations To Friends Of The Oakland Fire Department, And To Accept And Use Donations From Friends Of The Oakland Fire Department Including, But Not Limited To Money, Furniture, Equipment, Supplies, Services, Vehicles Or Training To Benefit The Oakland Fire Department; Its Operations, Staff And Programs; On The May 26, 2009 Public Safety Committee Agenda (09-0249)

S-4-3 Subject: Conflict Of Interest Waiver-Cox, Castle & Nicholson LLP

From: Office of the City Attorney

Recommendation: Adopt City And Agency Resolutions Authorizing Waiver Of Any Potential Conflict Of Interest That The Law Firm Of Cox, Castle & Nicholson LLP, May Have As A Result Of Representing: (1) The Developer Of The Oak To Ninth Project; And (2) Clients In Obtaining Project Approvals From The Agency Or City, To Allow The Firm To Provide Specialized Legal Advice Regarding Brownfields/Hazardous Materials Law To Facilitate Economic And Redevelopment Projects In The City; On The April 21, 2009 City Council Agenda (09-0280)

S-4-4 Subject: Special Election

From: Office of the City Attorney

Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland, California, (1) Calling And Giving Notice For The Holding Of A Special Municipal Election On Tuesday, July 21, 2009 For The Purpose Of Submitting To The Electors Of The City Of Oakland Various Proposed Measures, Including But Not Limited To, A Charter Amendment And Ordinances, (2) Authorizing The City Administrator To Enter Into A Contract With A Consultant To Provide Assistance In Preparing For And Conducting The Special Municipal Election If Necessary, (3) Waiving The Request For Proposal Process For Such Consulting Contract; And (4) Authorizing And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With Applicable Legal Requirements; On The April 21, 2009 City Council Agenda

(09-0288)

S-4-5 Subject: Kaiser Convention Center - Status Report

From: Vice Mayor Ignacio De La Fuente

Recommendation: A Request To Re-Title And Withdraw From The April 28, 2009 Community And Economic Development Committee Agenda The Following Item:

(NEW TITLE) Action On The Update On The Henry J. Kaiser Negotiations With Live Nation Entertainment, And Role Of The Performing Arts Community

(OLD TITLE) Action On A Report On The Status Of The Henry J. Kaiser Center; And Reschedule To The May 12, 2009 Community And Economic Development Committee Agenda

Reason: To Give Staff Time To Learn And Incorporate Information About Potential Contributions From And Capacity Of Professional Arts Organizations, Including The East Bay Symphony, To Work Together With The Needs And Capacities Of Live Nation Entertainment (09-0049)

S-4-6 Subject: Measure Y Oversight Committee Appointment

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Appointing Mark L. Forte As The District 7 Representative To The Measure Y Violence Prevention & Oversight Committee; On The April 21, 2009 City Council Agenda (09-0261)

S-4-7 Subject: Workforce Investment Board Contracts

From: Council President Jane Brunner

Recommendation: Adopt A Resolution To Approve All Workforce Investment Board (WIB) Funded Contracts For Fiscal Year 2009-2010, Including The Total Budget, Amount For Each Contract, Service Goals And Past Evaluations For Each Contract; On The June 9, 2009 Community And Economic Development Committee Agenda

(09-0281)

S-4-8 Subject: Workforce Investment Board Budgets

From: Council President Jane Brunner

Recommendation: Adopt A Resolution To Approve All Workforce Investment Board (WIB) Budget For Fiscal Year 2006-2007, 2007-2008, And 2008-2009, Including The Total Budget, Amount For Each Contract, Service Goals And Past Evaluations For Each Contract; On The April 28, 2009 Community And Economic Development Committee Agenda

S-4-9 Subject: Budget Workshops

(09-0282)

From: Mayor Dellums, Council President Brunner & Councilmember

Quan

Recommendation: A Request To Schedule Special Meetings Of The Mayor And City Council To Deliberate On The Fiscal Year 2009-2011 Proposed Budget (See Attached)

(09-0283)

S-4-10 Subject: Grant Applications Report

From: Councilmember Nancy Nadel

Recommendation: Action On A Report On The City's Progress In Applying For Both The Edward Byrne Memorial JAG Formula Program As Well As The Competitive Grant From The American Recovery And Reinvestment Act Of 2009 And Council Action To Determine Priorities And Categories For Which To Apply; On The April 7, 2009 Public Safety Committee Agenda

(09-0286)

S-4-11 Subject: Transactions And Use Tax- Ballot Measure

From: Councilmember Jean Quan

Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion, To The Electors At The Next Special Municipal Election, That Is Not Less Than 88 Days And No More Than 150 Days After The Date The Council Passes This Resolution, A Proposed Ordinance Enacting A (¼ or ½) Cent Transactions And Use Tax For Maintenance Of Vital City Services And Facilities; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The Next Municipal Special Election; On The April 21, 2009 City Council Agenda

(09-0287)

S-4-12 Subject: 2009-2010 Paratransit Services Contracts

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Funds In The Amount Of \$918,483 From Alameda County Transportation Improvement Authority (ACTIA) Measure B Funds And To Receive The Remainder Of The Funds From Two Measure B Gap Grant Funds, For The Fiscal Year 2009-2010 For Paratransit Services And Authorizing The City Administrator To Execute Contracts To Provide Paratransit Services For Fiscal Year 2009-2010, In Amounts Not To Exceed, As Follows: 1) V.I.P. Express Transport, Inc. For \$380,000, 2) Bay Area Community Services (BACS) For \$230,000, 3) Friendly Transportation DBA Friendly Cab Company, Metro Yellow Cab Company, And Yellow Cab Company For \$145,000, 4) Veterans Transportation Inc. DBA Veterans Cab Company For \$145,000 And Authorizing The City Administrator To Execute Amendments To The Contracts For Any Additional Amounts Received Under The Measure B Grant Without Returning To City Council; On The May 26, 2009 Life **Enrichment Committee Agenda**

(09-0262)

S-4-13 Subject: 2009-2010 Senior Companion/Foster Grandparent Programs

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant Funds From The Corporation For National And Community Services (CNCS) In The Amount Of \$324,951 And The Alameda County Area Agency On Aging In The Amount Of \$19,568 And The City Of Berkeley In The Amount Of \$14,575 And The Alameda County Transportation Improvement Authority Measure B In The Amount Of \$146,789 For The Senior Companion Program (SCP) And Foster Grandparent Program (FGP) For The Fiscal Year 2009-2010; On The May 26, 2009 Life Enrichment Committee Agenda (09-0263)

S-4-14 Subject: 2009-2010 Grant Agreements Children And Youth Services

From: Department of Human Services

Recommendation: Adopt A Resolution Appropriating \$195,190 In Interest Income Earned To The Oakland Fund For Children And Youth; And Authorizing The City Administrator To Negotiate And Execute The Extension Of Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Direct Services For Children And Youth For Fiscal Year 2009-2010 In An Amount Not To Exceed \$X Million; On The May 26, 2009 Life Enrichment Committee Agenda

(09-0264)

S-4-15 Subject: 2009-2010 Senior Aides Program

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept Funds In The Estimated Amount Of \$1,193,398 From Senior Service America, Inc., For The City Of Oakland Senior Aides Program For Fiscal Year 2009-2010; On The May 26, 2009 Life Enrichment Committee Agenda

(09-0265)

S-4-16 Subject: 2009-2010 Permanent Access To Housing Program

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Grant Agreements With Agencies Selected Under The City Of Oakland 2009/2010 Request For Proposal Process For The Permanent Access To Housing Program (PATH) Strategy To Increase Permanent Supportive Housing Inventory, Provide Housing And Homeless Services To The Homeless (\$2,600,977) Starting July 1, 2009; To Allocate Match Funding To The East Oakland Community Project For The Operation Of The City's Families In Transition Program Funded By The U.S. Department Of Housing & Urban Development (HUD) (\$133,000) For Program Period Started March 1, 2009; To Allocate Match Funding To The East Oakland Community Project For The Operation Of The Matilda Cleveland Transitional Housing Program Funded By HUD (Up To \$52,750) For Program Period Starting October 1, 2009; To Allocate Match Funding To Anka Behavioral Health Inc. For The Operation Of The City's Homeless Families Support Network Supportive Housing Program Funded By HUD (Up To \$250,000) For Program Period Started March 1, 2009; To Allocate Funds To Cover Lease Cost At The Matilda Cleveland Transitional Housing Facility For The 2009/2010 Fiscal Year (\$36,000) Starting July 1, 2009; To Allocate Funds To Fulfill The City's Annual Obligation To The Alameda County Everyone Home Strategy And Alameda County Homeless Management Information System (\$51,000); And To Allocate Funds To The City's Hunger Relief Program (\$10,000); On The May 12, 2009 Life **Enrichment Committee Agenda**

(09-0266)

S-4-17 Subject: Oakland Municipal Code Amendment - Chapter 10.32

From: Department of Human Services

Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 10.32, To Add Section 10.32.160, Making It Unlawful To Park At The Downtown Oakland Senior Center/Veterans Memorial Building Parking Lot Without A Permit; On The May 12, 2009 Life Enrichment Committee Agenda

(09-0267)

S-4-18 Subject: Uptown Project Amendments

From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The April 7, 2009
Community And Economic Development Committee Agenda An Agency
Resolution Authorizing The Agency Administrator To Execute A Lease
With FC Uptown Parcel 4 Parking, LLC, Or Related Entities, For A Term
Of Up To 36 Months To Reconstruct And Operate A Parking Lot At 1911
Telegraph Avenue; And Reschedule To The April 28, 2009 Community
And Economic Development Committee Agenda

Reason: As Per The Direction Of The City Council At Its March 31, 2009 Meeting

(09-0117-2)

S-4-19 Subject: West Oakland Neighborhood Project Initiative Program-Projects

From: Community and Economic Development Agency Recommendation: Adopt An Agency Resolution (A) Authorizing Funding

In An Amount Not To Exceed \$178,141 Under The West Oakland
Neighborhood Project Initiative Program For 1) Installation Of A Dog Run
At Grove Shafter Park, 2) Landscaping Of West MacArthur Boulevard
Between Martin Luther King, Jr. Way And Market Street, 3) Installation Of
Security Cameras At 801 West MacArthur Boulevard., 3rd And Lewis
Street, And 1680 14th Street, 4) Upgrades To Community Farms At 16th
And Center And 1240 18th Street, And 5) Seismic Retrofitting Of The
"Black New World" Community Center At 840 Pine Street; (B) Authorizing
A Contribution Of Agency Funds To The City Under The Cooperation
Agreement In An Amount Not To Exceed \$90,000 For City Public
Improvements Under The Program; And (C) Authorizing The Agency
Administrator To Enter Into Agreements With Project Sponsors And Make
Necessary Expenditures To Implement Projects Under The Program
Without Returning To The Agency; On The May 12, 2009 Community And
Economic Development Committee Agenda

(09-0268)

S-4-20 Subject: 7th And Campbell Properties-Loan Agreements Modifications

From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Amending Agency
Resolution No. 00-55 to Reduce the Interest Rate to Three Percent for Site
Acquisition Loans to Oakland Community Housing, Inc., for 1662 - 1664
7th Street, 1666 7th Street, 1672 7th Street and 715 Campbell Street, and
Allocating Up to \$15,000 For Maintenance Costs For the Properties; On
The May 12, 2009 Community And Economic Development Committee
Agenda

(09-0269)

S-4-21 Subject: International Boulevard Transit Oriented Development Plan

From: Community and Economic Development Agency Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Approving The Transfer Of Up To Forty Thousand Dollars (\$40,000) From The Coliseum Redevelopment Project And/Or Other Agency Sources To The City To Provide The Local Match Required Of The City Of Oakland By Caltrans, For The Transportation Planning Grant;

(09-0270)

- 2) A City Resolution Accepting A Contribution From The Redevelopment Agency In An Amount Of Up To Forty Thousand Dollars (\$40,000) From The Coliseum Redevelopment Project And/Or Other Agency Sources To Provide The Local Match Required Of The City Of Oakland By Caltrans, For The Transportation Planning Grant; (09-0270-1)
- 3) A City Resolution Authorizing The Use Of Two Thousand, Five Hundred Dollars (\$2,500) In Councilmember Patricia Kernighan's Pay-Go Funds, And Two Thousand, Five Hundred Dollars (\$2,500) In Councilmember Ignacio De La Fuente's Pay-Go Funds, To Make The Local Match Required By The Caltrans Transportation Planning Grant For The International Boulevard Transit Oriented Development Plan; (09-0270-2)
- 4) A City Resolution Authorizing The Selection Of Consultant(s) And Award Of On-Call Professional Services Agreement(s) In An Amount Not To Exceed A Total Of Two Hundred Forty Five Thousand Dollars (\$245,000) For Consulting Services For The International Boulevard Transit Oriented Development Plan Without Further Council Action; And (09-0270-3)
- 5) A City Resolution Authorizing The Execution Of Memorandums Of Understanding As Needed With Transform, The Association Of Bay Area Governments (ABAG) And Other Governmental Agencies Participating In The Development Of The International Boulevard Transit Oriented Development Plan; On The May 12, 2009 Community And Economic Development Committee Agenda (09-0270-4)

S-4-22

Subject: Educational Revenue Augmentation Fund Adjustment
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Amending Resolution
Number 01-85 To Decrease The Redevelopment Agency's Contribution Of
The Additional 5% To The Low And Moderate Income Housing Fund By
An Amount Sufficient To Provide A Proportional Share Of The Amount
Required To Be Paid To The Educational Revenue Augmentation Fund
(ERAF) In Fiscal Year 2008-2009, And In Fiscal Year 2009-2010 And
Fiscal Year 2010-2011 If A Payment To The ERAF Is Required; On The
April 28, 2009 Community And Economic Development Committee
Agenda

(09-0271)

S-4-23 Subject: Peralta Street And Mandela Parkway Equivalent Exchange

From: Community and Economic Development Agency Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Relinquishing City Ownership Of An Unimproved Portion Of Peralta Street. And

(09-0272)

2) An Ordinance Authorizing The City Administrator To Acquire Ownership Without Returning To Council Of An Improved Portion Of Mandela Parkway Through An Equivalent Exchange Of Land Located Near The Intersections Of West Grand Avenue And 20th Street Between The City Of Oakland And Brian Collins And Hemmat And Dokhanchy Associates Without Compensation; On The April 28, 2009 Public Works Committee Agenda

(09-0272-1)

S-4-24 Subject: Peralta Hacienda Historical Park - Phase 3B

From: Community and Economic Development Agency
Recommendation: Adopt Resolutions Authorizing The City Administrator
1) Awarding A Construction Contract To The Lowest Responsive,
Responsible Bidder For The Peralta Hacienda Historical Park - Phase 3B
Project (City Project No. C284510) Without Further Council Review Or
Action, Or If No Valid Bids Are Received Authorizing The City
Administrator To Reject All Bids And Award A Negotiated Contract For
The Project On The Open Market In An Amount Not-To-Exceed Five
Hundred Thousand Dollars (\$500,000.00) Without Further Council Review
Or Action, And 2) Increase The Agreement With Gonzales Architects For
The Peralta Hacienda Historical Park - Phase 3B Project From Fifty
Thousand (\$50,000.00) Dollars To A Total Amount Not-To-Exceed
Sixty-Eight Thousand Dollars (\$68,000.00) For Additional Work; On The
April 28, 2009 Public Works Committee Agenda

(09-0273)

S-4-25

Subject: Rehabilitation Of Sanitary Sewers - Andes Construction

From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Award Of A
Construction Contract To The Lowest Responsive, Responsible Bidder,
Andes Construction, Inc., For The Rehabilitation Of Sanitary Sewers In An
Area Bounded By Midvale Avenue, I-580 Freeway, Laurel Avenue, And
Carlsen Street (Project No. C227310) For The Amount Of Two Million
Two Hundred Five Thousand Three Hundred Fifty-Seven Dollars
(\$2,205,357.00); On The May 12, 2009 Public Works Committee Agenda
(09-0274)

S-4-26 Subject: Municipal Code Amendment-Chapter 13.08

From: Community and Economic Development Agency

Recommendation: Adopt An Ordinance Amending Chapter 13.08 Of The Oakland Municipal Code To Require The Installation Of Sewage Overflow Valves When A Sewer Lateral Is Replaced Or Repaired Or Property Title Is Transferred; On The May 12, 2009 Public Works Committee Agenda

(09-0275)

S-4-27 Subject: Alice Street Learning Center - Lease

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City To Lease The Alice Street Learning Center Property At 250 - 17th Street From The East Bay Municipal Utility District (EBMUD) For One Year With Two One Year Renewal Options For An Initial Rent Not To Exceed \$7,649 Per Month Plus The Cost Of Utilities And Services And Other Index Adjustments; On The April 28, 2009 Finance And Management Committee Agenda

(09-0276)

S-4-28 Subject: Oakland Museum Of California Renovation Project

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator

To Accept And Appropriate Donated Funds In The Amount Of

Approximately \$10,300,000.00 Or More From The Oakland Museum Of California Foundation For The Design, Construction, City Project

Management, And Related Compliance And Permitting Costs For The

Oakland Museum Of California Renovation Project; On The April 28, 2009

Life Enrichment Committee Agenda

(09-0277)

S-4-29 Subject: Assembly Bill 283

From: Public Works Agency

Recommendation: Adopt A Resolution In Support Of Assembly Bill 283 (Chesbro)-"Extended Producer Responsibility Program" That Would Establish A Comprehensive Approach To Reducing Product Waste; On The

April 23, 2009 Rules And Legislation Committee Agenda

(09-0289)

S-4-30 Subject: March 2009-Cash Management Report

From: Finance and Management Agency

Recommendation: Receive The Cash Management Report For The Quarter Ended March 31, 2009; On The May 12, 2009 Finance And Management Committee Agenda

(09-0279)

S-4-31 Subject: City Banking From: Finance and Management Agency Recommendation: Adopt A Resolution Authorizing An Agreement With To Provide Primary Custodial Services For The City At An Annual Cost Not To Exceed \$,000 And Resolution Authorizing An Agreement With To Provide Primary Depository Services For The City At An Annual Cost Not To Exceed \$,000; On The May 12, 2009 Finance And Management Committee Agenda (09-0284)S-4-32 2007-2008 Single Audit Report Subject: From: Finance and Management Agency Recommendation: Receive A Report Presenting The Fiscal Year 2007-2008 Single Audit Report; On The May 12, 2009 Finance And Management Committee Agenda (09-0285)S-4-33 Subject: Municipal Code Amendment-Chapter 2.24 From: The Public Ethics Commission Recommendation: Adopt An Ordinance Amending Chapter 2.24 Of The Oakland Municipal Code Pertaining To The Functions, Duties, Authority And Composition Of The Public Ethics Commission; On The April 23, 2009 Rules And Legislation Committee Agenda (09-0278)A review of the Agendas for the Council Committees for the meetings of April 14, 2009 and the Rules and Legislation Committee for the meeting of April 16, 2009 -**CANCELLATION NOTICES**

5 (04-02 Rules Item 5)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

NOTE: Americans With Disabilities Act

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(TDD)

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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.

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

ORA - Oakland Redevelopment Agency S - Supplemental Item