



City of Oakland Meeting Minutes

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>

Thursday, May 01, 2008

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

[Play Video](#)

Excused: Vice Mayor Reid

Present: Member Chang, Member Brunner and Chair De La Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:49 AM. with Council President De La Fuente presiding as Chairperson.

1 **Closed Session**

[Play Video](#)

**A motion was made by Member Brunner, seconded by Member Chang, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Chang, Member Brunner and Chair De La Fuente

The office of the City Attorney scheduled a Closed Session for Tuesday, May 6, 2008 from 3 PM to 6 PM

2 **Approval of the Draft Minutes from the Committee meeting of April 17, 2008**

[Play Video](#)

**A motion was made by Member Brunner, seconded by Member Chang, to
*Approve the Minutes. The motion carried by the following vote:**

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Chang, Member Brunner and Chair De La Fuente

3 **Determination of Schedule of Outstanding Committee Items**

[Play Video](#)

There was no action necessary for this item

[RULES 05-01-08](#)

[View Report.pdf](#)

4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of May 6, 2008 (SUPPLEMENTAL)

[Play Video](#)

A motion was made by Member Brunner, seconded by Member Chang, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Chang, Member Brunner and Chair De La Fuente

S-4-1 Subject: Metropolitan Medical Response System
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept A Two Hundred Eighty Five Thousand One Hundred Forty-Five Dollar (\$285,145), Metropolitan Medical Response System (MMRS) Grant From The Governors Office Of Homeland Security To Fund Planning And Equipment For The City Of Oakland's Fire Department For The Continued Support Of The MMRS Program; On The May 27, 2008 Public Safety Committee Agenda [07-1298](#)

Scheduled to *Public Safety Committee on 5/27/2008

S-4-2 Subject: Oakland Medical Reserve Corps - Capacity Expansion
From: Oakland Fire Department
Recommendation: Adopt A Resolution To Authorize The City Administrator Or Her Designee To Accept And Appropriate A Capacity Building Award (CBA) For Ten Thousand Dollars (\$10,000) From The United States Department Of Health And Human Services Administered By The National Association Of County And City Health Officials (NACCHO) To Build The Capacity Of The Newly Established Oakland Medical Reserve Corps (MRC); On The May 27, 2008 Public Safety Committee Agenda [07-1301](#)

Scheduled to *Public Safety Committee on 5/27/2008

S-4-3 Subject: Emergency Management And Disaster Preparedness Council
From: Oakland Fire Department
Recommendation: Receive A Semi-Annual Report On Emergency Management And Disaster Preparedness Council Proceedings For The Period Of July 2007 To December 2007; On The May 27, 2008 Public Safety Committee Agenda [07-1307](#)

Scheduled to *Public Safety Committee on 5/27/2008

S-4-4 Subject: CORE Program Funding
From: Oakland Fire Department
Recommendation: Adopt A Resolution To Accept And Appropriate Two Grants For A Total Of One Hundred Forty-Four Thousand Three Hundred Six Dollars (\$144,306) Applied For During The Federal Fiscal Year 2006 And Fiscal Year 2007 CERT Grant Period From The State Of California's Homeland Security Grant Program For Community Emergency Response Team (CERT) Enhancements And Citizen Corps Council Projects, Awarded And Administered By The Alameda County Operational Area To The Oakland Fire Department's Office Of Emergency Services (OES) For The City Of Oakland's Citizens Of Oakland Respond To Emergencies (CORE) Program; On The May 27, 2008 Public Safety Committee Agenda
[07-1308](#)

Scheduled to *Public Safety Committee on 5/27/2008

S-4-5 Subject: B&B Auto, LLC - Vehicle Towing Service
From: Oakland Police Department
Recommendation: Adopt A Resolution Awarding A Five-Year Contract, Plus Two One-Year Extension Options, With an Estimated Gross Revenue Value of \$8,000,000 To B&B Vehicle Processing, LLC For Towing And Storage Of Vehicles, Collection And Administration Of City's Administrative Towing Fees, Lien Sale By Public Auction Of Abandoned Vehicles And Various Administrative Services Connected With The Towing Operation, And Authorizing The City Administrator To Accept And Appropriate An Estimated Annual Payment In The Amount Of \$1,300,000 From B&B Vehicle Processing, LLC For Payment Of Administrative And Other Costs In Connection With The Requirements Of The Contract
[07-1299](#)

Scheduled to *Public Safety Committee on 5/27/2008

[View Report.pdf](#)

S-4-6 Subject: Library Services Retention And Enhancement Act (Measure Q)
From: The Budget Office
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2008-2009 Increase To A Special Tax Imposed For Library Services In Accordance With The Library Services Retention And Enhancement Act Of 2004 (Measure Q)
[07-1302](#)

Scheduled to *Finance & Management Committee on 5/27/2008

This item will also be heard as a Public Hearing on the June 17, 2008 City Council agenda

[View Report.pdf](#)

S-4-7 Subject: Paramedic Services Act Of 1997 (Measure N)
From: The Budget Office
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2008-2009 Increase To A Special Tax Imposed For Paramedic Emergency Services In Accordance With The Paramedic Services Act Of 1997 (Measure N)
[07-1303](#)

Scheduled to *Finance & Management Committee

This item will also be heard as a Public Hearing on the June 17, 2008 City Council agenda

[View Report.pdf](#)

S-4-8 Subject: Emergency Medical Services Retention Act Of 1997 (Measure M)
From: The Budget Office
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2008-2009 Increase To A Special Tax Imposed For Emergency Medical Services In Accordance With The Emergency Medical Services Retention Act Of 1997 (Measure M)
[07-1304](#)

Scheduled to *Finance & Management Committee on 5/27/2008

[View Report.pdf](#)

S-4-9 Subject: Special Budget Workshop
From: The Budget Office
Recommendation: A Request To Re-Schedule The Following Four (4) Items From The May 29, 2008 Special Budget Meeting To The June 11, 2008 Special Budget Meeting:

Action On A Report Discussing The Financial Status Of The Internal Service Equipment Fund (4100) And The Internal Service Facilities Fund (4400), And Providing Options For Internal Service Rate Changes For User Agencies / Departments In Order To Balance The Fund
(Reprint from 4/24/2008 Special Budget Meeting)

Action On A Report Discussing Public Safety Vehicle Replacement

Action On A Report Discussing The Process For Addressing Low Usage Vehicles

Action On A Report Discussing the Number and Cost of City Paid Parking Spaces for City Employees

[07-1325](#)

Accepted

S-4-10 Subject: Unequipped Police Vehicles - Status Report
From: Oakland Police Department
Recommendation: A Request To Withdraw From The May 27, 2008 Public Safety Committee Agenda A Joint Informational Report From The Oakland Police Department And Public Works Agency Presenting An Update On The Current Status Of Unequipped Police Vehicles Including A Plan To Address The Current Backlog, And A Comprehensive Plan To Prevent The Same Problem From Occurring Later This Year And In The Next Several Years; And Reschedule To The June 24, 2008 Public Safety Committee Agenda

Reason: Staff has encountered some obstacles surrounding these issues. They are still being worked out between the OPD, PWA and Office of the City Administrator.

[07-1072](#)

Scheduled to *Public Safety Committee on 5/27/2008

[View Report.pdf](#)

S-4-11 Subject: Assembly Bill 218
From: Councilmember Quan
Recommendation: Action On A Report Providing An Analysis Of Assembly Bill 218 (Saldana) An Act To Add Sections 25214.10.3 And 25214.10.4 To The Health And Safety Code, Relating To Hazardous Waste: Electronic Waste

[07-1316](#)

Scheduled to *Rules & Legislation Committee on 5/22/2008

[View Report.pdf](#)

S-4-12 Subject: Support Of Assembly Bill 501
Recommendation: Adopt A Resolution In Support Of Assembly Bill 501 (Swanson and Hancock) - "Pharmaceutical Devices" Which Would Require Pharmaceutical Manufacturers To Provide Safe Disposal Options For Home-Generated Pen Needles, Pre-Filled Syringes, And Other Injection Devices (SHARPS) By Providing A Prepaid Mail-Back Container To Consumer

[07-1317](#)

Scheduled to *Rules & Legislation Committee on 5/15/2008

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[81332 CMS.pdf](#)

- S-4-13 Subject: Assembly Bill 822
From: Councilmember Quan
Recommendation: Action On A Report Providing An Analysis Of Assembly Bill 822 (Levine) An Act To Add Section 42913 To The Public Resources Code, Relating To Recycling: Multi-Family Dwellings
[07-1318](#)
Scheduled to *Rules & Legislation Committee on 5/22/2008
[View Report.pdf](#)
- S-4-14 Subject: Support Of Assembly Bill 2347
From: Councilmember Quan
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2347 (Ruskin) - "Mercury Thermostats Take-Back" That Would Provide For Free And Convenient Return Of Mercury-Containing Thermostats To Any Location That Sells Them
[07-1319](#)
Scheduled to *Rules & Legislation Committee on 5/15/2008
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[81333 CMS.pdf](#)
- S-4-15 Subject: Support Of Assembly Bill 2505
From: Councilmember Quan
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2505 (Brownley) - "Toxic Packaging Phase Out" Which Would Prevent Human And Environmental Exposure To Toxins And Encourage Recycling Of Packaging By Phasing Out Use Of Toxic, Non Recyclable Polyvinyl Chloride (PVC) Packaging
[07-1320](#)
Scheduled to *Rules & Legislation Committee on 5/15/2008
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[81334 CMS.pdf](#)
- S-4-16 Subject: Support Of Assembly Bill 2640
From: Councilmember Quan
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2640 (Huffman) - "Compostable Organics Management" Which Would Incentivize The Development Of Environmentally Superior Alternatives To Landfilling Organic Compostable Materials Through A \$1.40 Per Ton Fee For Green Materials Use For "Beneficial Reuse" In Landfills, Used To Promote Activities That Divert These Materials From Landfills
[07-1322](#)
Scheduled to *Rules & Legislation Committee on 5/22/2008
[View Report.pdf](#)
[81335 CMS.pdf](#)

- S-4-17 Subject: Arts And Cultural Services In Oakland - Contracts
From: Cultural Arts And Marketing
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Cultural Services Grants With Seventy (70) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2008-2009 In A Total Amount Not To Exceed \$1,144,838.51
[07-1305](#)
Scheduled to *Life Enrichment Committee on 5/27/2008
[View Report.pdf](#)
- S-4-18 Subject: Oakland Fund For Children And Youth - Summer Programs
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Summer Programs For Children And Youth For Fiscal Year 2008-2009 In An Amount Not To Exceed \$989,590
[07-1323](#)
Scheduled to *Life Enrichment Committee on 5/27/2008
[View Report.pdf](#)
- S-4-19 Subject: 2008-2009 Children And Youth Services
From: Department of Human Services
Recommendation: Adopt A Resolution Appropriating And Allocating \$695,275 In Interest Income Earned To The Oakland Fund For Children And Youth; Appropriating And Allocating \$2,060,973 From Fund Balance In Kids First! Children's Fund (1780); And Authorizing The City Administrator To Negotiate And Execute 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 2008-2009 In An Amount Not To Exceed \$12,830,415
[07-1324](#)
Scheduled to *Life Enrichment Committee on 6/10/2008
[View Report.pdf](#)

S-4-20 Subject: Aaron Metals Scrap Metal Recycling Facility - Public Hearing
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A
Resolution Denying The Appeals And Upholding The Planning Commission
Approval And Conditions Of Approval For The Expansion Of Aaron Metals Scrap
Metal Recycling Facility At 750 105th Avenue; On The June 17, 2008 City
Council Agenda As A Public Hearing
[07-1300](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/17/2008**
as a Public Hearing

S-4-21 Subject: 5805 Foothill Boulevard - Real Property Purchase
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of
Real Property At 5805 Foothill Boulevard From Fame Faith Foundation, LLC, A
California Limited Liability Company For \$90,000 Plus Real Estate Closing Costs,
Granting Fame Foundation LLC A First Right To Repurchase The Property For A
Redevelopment Project Within Eighteen Months, And Securing From Fame Faith
Foundation LLC The First Right To Purchase Properties Surrounding And
Adjacent To 5805 Foothill Boulevard Currently Owned By Fame Faith
Foundation, LLC
[07-1309](#)

Scheduled to *Finance & Management Committee on 5/27/2008
[View Report.pdf](#)

S-4-22 Subject: 2521 And 2529 Seminary Avenue - Real Property Purchase
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of
Real Property At 2521 And 2529 Seminary Avenue, From Danilo Mayorga Sr. For
\$1,450,000 Less Cost Of Environmental Site Remediation And Authorizing Up To
\$100,000 For Costs For Demolition And Real Estate Closing
[07-1310](#)

Scheduled to *Finance & Management Committee on 6/10/2008
[View Report.pdf](#)

S-4-23 Subject: Coliseum Redevelopment Plan - Keyser Marston Contract
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A Professional Services Agreement With Keyser Marston Associates In An Amount Not To Exceed \$131,460 Including Contingency To Prepare An Updated Blight Study And Provide Other Services For An Amendment To The Coliseum Redevelopment Plan, And Allocating A Contract Compliance Fee To The City Under The Cooperation Agreement In The Amount Of 3% Of The Contract Amount
[07-1311](#)

Scheduled to *Community & Economic Development Committee on 5/27/2008
[View Report.pdf](#)

S-4-24 Subject: Broadway/MacArthur/San Pablo Redevelopment Project
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A One-Year Extension Of The Project Area Committee For The Broadway/MacArthur/San Pablo Redevelopment Project To July 25, 2009
[07-1312](#)

Scheduled to *Community & Economic Development Committee on 5/27/2008
[View Report.pdf](#)

S-4-25 Subject: Association Of Bay Area Governments Funding
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The Application For, Acceptance And Appropriation Of Up To \$30,000 From Association Of Bay Area Governments Community Engagement Funding Program To Provide Community Engagement Efforts Associated With The Lake Merritt BART Station Area Specific Plan Project And Up To \$30,000 To Provide Community Engagement Efforts Associated With The Broadway Retail Corridor Area Specific Plan
[07-1313](#)

Scheduled to *Community & Economic Development Committee on 5/27/2008
[View Report.pdf](#)

S-4-26 Subject: Oakland Police Officers' Association - Arbitration Award
From: Finance And Management Agency
Recommendation: Adopt The Following Pieces of Legislation:

1) A Resolution Implementing Arbitration Award Pertaining To Sworn Police Officers In Bargaining Units PP And PT, Represented By The Oakland Police Officers' Association Covering The Period Of July 1, 2006 To June 30, 2010; And [07-1306](#)

Continued to *Rules & Legislation Committee on 5/8/2008
for scheduling

3) An Ordinance Amending The Salary Schedule Ordinance No. 12187 (The Salary Ordinance) To Increase The Salaries Of Employees
[07-1306-2](#)

Continued to *Rules & Legislation Committee on 5/8/2008
for scheduling

S-4-27 Subject: Sale Of 2008-2009 Tax And Revenue Anticipation Notes
From: Treasury Division - Finance And Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The Sale Of The 2008-2009 Tax And Revenue Anticipation Notes, Series A And Series B (Federally Taxable) In An Amount Not To Exceed One Hundred Fifty-Five Million Dollars (\$155,000,000); And, Authorizing The Execution And Delivery Of Related Documents And Approving Certain Related Actions, And [07-1315](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 5/20/2008**
[View Report.pdf](#)
[81296 CMS.pdf](#)

2) An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2008-2009 In An Amount Not To Exceed \$155,000,000 And The Issuance And Sale Of 2008-2009 Tax And Revenue Anticipation Notes, Series A And Series B (Federally Taxable) Therefor And Approving Certain Related Matters
[07-1315-1](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/20/2008**

ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Measure Y Oversight Committee Appointment
 From: Councilmember Desley Brooks
 Recommendation: Adopt A Resolution Appointing Elias J. Ferran As A Member Of The
 Violence Prevention And Public Safety Oversight Committee
[07-1326](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
 City Council on 5/20/2008**
[View Report.pdf](#)
[81306 CMS.pdf](#)

FROM THE MAY 6, 2008 CITY COUNCIL AGENDA

Subject: (A Motion To Reconsider) Arcadia Park Subdivision - New Public Street
 From: Community and Economic Development Agency
 Recommendation: A Motion To Reconsider The Adoption On November 6, 2007, Of
 Resolution No. 80922 C.M.S. Conditionally Accepting The Dedication of Public Right Of Way
 To Extend Ellington Way To 92nd Avenue For The Arcadia Park Project

If Reconsidered, Either To

- § Reconfirm The Adoption Of Resolution No. 80922 C.M.S., Or
- § Not Adopt A Resolution Conditionally Accepting The Dedication, Or To
- § Continue The Item For A Future Meeting Of The City Council, Or To
- § Refer The Item To The Public Works Committee For Further Consideration
[07-0610](#)

***Withdrawn with No New Date**
[80922 CMS.pdf](#)
[View Report.pdf](#)
[View Report.pdf](#)

[05-01 Rules Item 4](#)
[View Report.pdf](#)

5 A review of the Agendas for the Council Committees for the meetings of May 13, 2008 and the Rules and Legislation Committee for the meeting of May 15, 2008

**A motion was made by Member Brunner, seconded by Member Chang, to
 *Approve with the following amendments. The motion carried by the
 following vote:**

Votes: Excused; 1 - Vice Mayor Reid
 Aye; 3 - Member Chang, Member Brunner and Chair De La Fuente

FROM THE MAY 13, 2008 PUBLIC SAFETY COMMITTEE AGENDA

Subject: Taxicab Ordinance - Amendment
From: Office of the City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

- 1) An Ordinance Amending Oakland Municipal Code Chapter 5.64 To
 - A) Require Companies Holding A Fleet Management Permit That Utilize Two Or More Taxis To Provide Proof That Permitted Taxis Are Driven By Either The Permittee Or Employees Of The Fleet Management Company
 - B) Require Companies To Provide To Drivers Receipts For Fees Paid To The Company By The Drivers
 - C) Require Companies To Provide Drivers With Documentation On Insurance Claims For Accidents Involving A Driver
 - D) Require Cameras In Taxicabs That Do Not Have Safety Shields And Prohibit Re Tread Tires
 - E) Require In-Cab Signage Informing Passengers Of Their Rights And The Procedure For Filing Complaints
 - F) Require GPS Systems In Taxicabs
 - G) Establish Additional Driver Training Requirements
 - H) Issue Permits On The Basis Of Service Proposals, Instead Of By Lottery
 - I) Increase Basic Fare Components, Add New Fare Components, And Authorize Collection From Passengers Of All Mandatory Fees Paid By Drivers
 - J) Place A Temporary Freeze On The Taxicab Lease Rates Charged By Taxi Companies To Drivers
 - K) Authorize Administrative Citations For Violations Of The Chapter
 - L) Establish A Process And A Fee For The Establishment And Maintenance Of Taxi Stands
 - M) Require That Permits Issued After June 1, 2008 Be Driven A Minimum Number Of Hours And Days Per Year By The Permit Holder Or By Employees Of The Permit Holder
 - N) Allow Revocation Of Vehicle Permit If Vehicle Not Used More Than 10 (Ten) Days In Any 30 (Thirty) Day Period
 - O) Provide Prompt Hearings On Suspended Permits
 - P) Authorize City Administrator To Establish A Gasoline Surcharge Should Gasoline Prices Warrant
 - Q) Require Companies Of 10 Or More Vehicles To Submit Plan For 24/7 Coverage Of City
 - R) Allow Transfer Of Vehicle Permits Only With Sale Of Company, With No Consideration For The Permit; And

07-0710

***Withdrawn and Rescheduled to *Public Safety Committee on 5/27/2008**

[View Report.pdf](#)

05-01 Rules item 5

[View Report.pdf](#)

6 ~~Action On The City Council's State Legislative Proposals And Agenda~~

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 11:39 AM.

NOTE:

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee 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.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451

[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.

City Clerk and Clerk of the Council