



# 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>**

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**Thursday, February 28, 2008**

**10:30 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call to Order

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Present: Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

*The Oakland City Council Rules and Legislation Committee convened at 11:02 AM, with Council President De La Fuente presiding as Chairperson*

1 **Closed Session**

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

**Votes:** Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

*The office of the City Attorney scheduled a Closed Session for Tuesday, March 4, 2008 from 3:30 to 6:00 PM*

2 **Approval of the Draft Minutes from the Committee meeting of February 14, 2008**

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*There was no action taken on this item*

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

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*There was no action taken for this item*

[02-28-08 Rules Pend](#)

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

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

**Votes:** Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

S-4-1 Subject: Automatic License Plate Readers  
From: Oakland Police Department  
Recommendation: Receive An Informational Report From The Office Of Chief Of Police Detailing The Effectiveness Of Currently Installed Automatic License Plate Readers (ALPR) And Costs Associated With Purchasing Six Additional Units For Use By The Oakland Police Department  
[07-1090](#)

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**Scheduled to \*Public Safety Committee on 4/22/2008**

*The following individual spoke and did not indicate a position on this item:*

- Sanjiv Handa

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S-4-2 Subject: Salary Saving Funds - Expenditures  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend Resolution No. 80786 C.M.S., Which Establishes Protocol For Expenditures Of Police Department Salary Savings Funds, To Include Authorization To Use Salary Savings In Accordance With Agency Resolution No. 2007-0075 C.M.S., Which Establishes A Public Safety And Police Services Program In Redevelopment Areas, In The Amount of \$135,650; On The April 8, 2008 Finance And Management Committee Agenda  
[07-1091](#)

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**Scheduled to \*Finance & Management Committee on 4/8/2008**

*The following individual spoke and did not indicate a position on this item:*

- Sanjiv Handa

S-4-3      Subject:      Tobacco Oriented Activities - Municipal Code Amendment  
From:            Councilmember Larry Reid  
Recommendation: A Request To Withdraw From The March 18, 2008 City Council Agenda An Ordinance Amending Chapter 17.09 Definitions and Chapter 17.134 Conditional Use Permit Procedure To Change The Definition of Tobacco Oriented Activities To Include All Activities Occupying Less Than 10,000 Square Feet That Sell Any Amount Of Tobacco Or Tobacco Related Products And To Require A Major Use Permit To Establish Any New Tobacco Oriented Activity; And Reschedule To The April 1, 2008 City Council Agenda

REASON:    Item scheduled for Planning Commission on March 19. Changes to Title 17 of the Municipal Code must have a recommendation from Planning Commission before City Council consideration.

[07-1028](#)

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**\*Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 4/1/2008**

*The following individual spoke and did not indicate a position on this item:*

- Sanjiv Handa

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S-4-4      Subject:      Travel Authorization For Councilmember Nadel  
From:            Councilmember Nancy Nadel  
Recommendation: Adopt A Resolution Authorizing Councilmember Nancy Nadel To Attend The "2008 Energy Matters Summit: Shifting Mindsets Towards Sustainability," In Toronto, Canada, From March 31, 2008 To April 3, 2008

[07-1085](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/18/2008**

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S-4-5      Subject:      Bay Area Blues Society - Recognition  
From:            Councilmember Nancy Nadel  
Recommendation: Adopt A Resolution Recognizing The Bay Area Blues Society's West Coast Blues Hall Of Fame And Awards Show, And Their Efforts To Honor And Pay Homage To West Coast And Oakland Blues Legends

[07-1086](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/18/2008**

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S-4-6      Subject:    Donahue Gallagher Woods, LLP - Recognition  
From:        Councilmember Nancy Nadel  
Recommendation: Adopt A Resolution Recognizing The 90th Anniversary Of Donahue Gallagher Woods, LLP, Their Pro Bono Accomplishments, And Their Continued Commitment To Serving The City Of Oakland, And Proclaiming March 19, 2008 As "Donahue Gallagher Woods Day" In The City Of Oakland  
[07-1087](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/18/2008**

*The following individual spoke and did not indicate a position on this item:*

- *Sanjiv Handa*

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S-4-7      Subject:    Analysis Of Assembly Bill 1984  
From:        Councilmember Nancy Nadel  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1984 (Swanson) Providing Voluntary HIV/AIDS Testing For Inmates Upon Release From Prison  
[07-1088](#)

**Scheduled to \*Rules & Legislation Committee on 3/13/2008**

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S-4-8      Subject:    Analysis Of Assembly Bill 1996  
From:        Councilmember Nancy Nadel  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1996 (Swanson) Providing Eligibility Criteria For Drug Felons To Receive Food Stamps  
[07-1089](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/13/2008**

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S-4-9      Subject:    Priority Project Funds - District Five  
From:        Council President De La Fuente  
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La Fuente's Priority Project Funds To The Friends Of Oakland Parks & Rec In The Amount Of \$1,166.19 To Fund The Purchase Of Martial Arts Equipment To Be Used At Oakland Recreation Centers For Martial Arts Classes  
[07-1095](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/18/2008**

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S-4-10      Subject:    Career Academies Program - Internship Stipends  
From:        Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Grant Agreement With The Oakland Unified School District In An Amount Not To Exceed \$600,000 For Fiscal Year 2007-2009 To Provide 598 Internship Stipends For Students Participating In The Career Academies Program  
[07-1092](#)

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**Scheduled to \*Life Enrichment Committee on 4/22/2008**

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S-4-11      Subject:    Central City East Commercial Safety Program  
From:        Community and Economic Development Agency  
Recommendation: A Request To Withdraw From The March 11, 2008 Community And Economic Development Committee Agenda The The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Allocation Of \$100,000 From Fiscal Year 2007-08 And \$100,000 From Fiscal Year 2008-2009 Of Oak Knoll Tax Increment Funds For The Central City East Redevelopment Area Pilot Commercial Safety Program And Adopting The Central City East Pilot Commercial Safety Program; And

[07-1036](#)

**\*Withdrawn and Rescheduled to \*Community & Economic Development Committee on 4/8/2008**

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2) An Agency Resolution Authorizing The Allocation Of \$60,000 From Fiscal Year 2007-08 And \$60,000 From Fiscal Year 2008-2009 From The Neighborhood Commercial Revitalization Service Delivery System Funds To Pay For A Portion Of The Central City East Pilot Commercial Safety Program; And  
[07-1036-1](#)

**\*Withdrawn and Rescheduled to \*Community & Economic Development Committee on 4/8/2008**

3) An Agency Resolution Authorizing The Allocation Of \$15,000 From Fiscal Year 2007-08 And \$15,000 From Fiscal Year 2008-2009 From Central City East Operations To The Central City East Redevelopment Pilot Commercial Safety Program; And  
[07-1036-2](#)

**\*Withdrawn and Rescheduled to \*Community and Economic Development Committee - CANCELLED on 4/8/2008**

4) An Agency Resolution Authorizing The Allocation Of \$55,000 From Fiscal Year 2007-08 And \$55,000 From Fiscal Year 2008-2009 From Central City East Façade Improvement Program Funds For The Central City East Redevelopment Pilot Commercial Safety Program

Reason: Additional time is required to research the program.  
[07-1036-3](#)

**\*Withdrawn and Rescheduled to \*Community & Economic Development Committee on 4/8/2008**

S-4-12      Subject:      CIP Traffic Signal Project  
From:          Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Ray's Electric, Lowest Responsive, Responsible Bidder, For Traffic Signal Installations At 73rd Avenue At Garfield Avenue And International Boulevard At 7th Avenue (City Project Nos. C333010, C269510) In The Amount Of Three Hundred Forty-Six Thousand Nine Hundred Forty-Two Dollars (\$346,942.00)  
[07-1042](#)

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**\*Withdrawn and Rescheduled to \*Public Works Committee on 4/8/2008**

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S-4-13      Subject:      Lake Merritt Bandstand ADA Ramp Project  
From:            Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract To Sposeto Engineering, Inc., For The Lake Merritt Bandstand ADA Ramp Project In The Amount Of Two Hundred Nineteen Thousand Dollars (\$219,000.00) In Accordance With The Specifications For The Project And Contractor's Bid  
[07-1043](#)

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**\*Withdrawn with No New Date**

S-4-14      Subject:      Residential Permit Parking - Addition To Existing Area "C"  
From:            Community and Economic Development Agency  
Recommendation: Adopt A Resolution Approving Implementation Of Residential Permit Parking (RPP) On Clifton Street (Between Lawton Avenue And Desmond Street), Desmond Street (Between Clifton Street And Hemphill Place), Glendale Avenue (Between Desmond Street And Manila Avenue), Hemphill Place, And Manila Avenue (Between Clifton Street And Cavour Street) As An Addition To The Existing Area "C" RPP Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Section 10.44 And Restricting General Street Parking Within Said Residential Permit Parking Zone To Two And Four Hours Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Section 10.44  
[07-1044](#)

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**\*Withdrawn and Rescheduled to \*Public Works Committee on 4/8/2008**

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4-15            Subject:      Consortium Of Community Agencies Grant  
From:            Community and Economic Development Agency  
Recommendation: Adopt A Resolution Approving A Two-Year Grant To A Maximum Of \$100,000 Per Year (\$200,000 Total) To A Consortium Of Community Agencies With Centro Legal De La Raza As The Prime Grantee To Counsel And Represent Low Income Participants In Oakland Rent Adjustment Program Hearings And Appeals To The Rent Board, With An Option By The City To Extend The Grant An Additional Three Years, One Year At A Time, To A Maximum Of \$100,000 For Each Year Of Extension  
[07-1096](#)

**Scheduled to \*Community & Economic Development Committee on 4/8/2008**

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[81218 CMS.pdf](#)

4-16            Subject:     Oakland Merchant Leadership Forum - Agreement Amendment  
                  From:           Community and Economic Development Agency  
                  Recommendation: Adopt A Resolution Amending Resolution No. 80750 C.M.S.  
                  To Authorize An Amendment To A Professional Services Agreement With The  
                  Oakland Merchant Leadership Forum (OMLF) For Merchant Organizing And  
                  Commercial District Support Services To Increase The Contract Amount By  
                  \$40,000 For Fiscal Year 2007-2008 For A Total Contract Amount Not To Exceed  
                  \$112,500  
                  [07-1097](#)

**Scheduled to \*Community & Economic Development Committee on  
4/8/2008**  
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[81219 CMS.pdf](#)

4-17            Subject:     Telegraph Phase One Streetscape  
                  From:           Community and Economic Development Agency  
                  Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To (                    ) For the  
Telegraph Phase One Streetscape Improvement Project (P128840) For An Amount  
Not to Exceed an Estimated \$1,179,116 And Accepting And Appropriating A  
Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement  
For An Estimated \$1,563,116; And  
[07-1098](#)

**Continued to \*Rules & Legislation Committee on 3/6/2008**  
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[2008-0037 CMS.pdf](#)

2) A Resolution Awarding A Construction Contract To Mcguire And Hester, The Lowest  
Responsive, Responsible Bidder, For The Telegraph Avenue Phase One Streetscape  
Improvement Project (P128840) For An Amount Not-To-Exceed One Million Two Hundred  
Thirty-Nine Thousand Five Hundred Sixty-Three Dollars (\$1,239,563), And Accepting And  
Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation  
Agreement For An Amount Not-To-Exceed One Million Seven Hundred Thirty-Two Thousand  
Two Hundred-One Dollars (\$1,732,201)  
[07-1098-1](#)

**Continued to \*Rules & Legislation Committee on 3/6/2008**  
[81257 CMS.pdf](#)

**ADDITIONAL ITEMS SUBMITTED ON THE DAIS**

Subject:     State Legislative Proposals And Agenda  
From:        City Council  
Recommendation: Action On The City Council's State Legislative Proposals And Agenda  
[07-0948-1](#)

**\*Withdrawn with No New Date**



Subject: Tobacco Shop Moratorium - Extension  
From: Councilmember Larry Reid  
Recommendation: Adopt An Urgency Ordinance, Pursuant To California Government Code Section 65858, Extending Until May 1, 2008 A Moratorium On The Establishment Of Any New Activity Or Facility Selling Tobacco Or Tobacco Related Products Or Paraphernalia  
[07-1031](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 3/18/2008**

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[12866 CMS.pdf](#)

Subject: Canada Goose Management  
From: Councilmember Pat Kernighan  
Recommendation: Adopt A Resolution Authorizing Implementation Of A Program Of Canada Goose Management Techniques At Lake Merritt And Appropriating Up To \$23,000 To Fund The Canada Goose Management Program  
[07-1059](#)

**Scheduled to \*Public Works Committee on 4/8/2008**

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Subject: Infill Housing Status Report  
From: Council President De La Fuente  
Recommendation: Action On The Eligibility Criteria Of The California Department Of Housing And Community Development Propositions 1C Infill Housing Program  
[07-1100](#)

**Scheduled to \*Community & Economic Development Committee on  
3/11/2008**

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Subject: Naturesweep Tow Behind Sweeper  
From: Councilmember Patricia Kernighan  
Recommendation: Adopt A Resolution Authorizing Up To \$22,000 Of Councilmember Pat Kernighan's District 2 Pay-Go Funds For the Purchase Of A Naturesweep Tow Behind Sweeper And A Gator Cart For Use On Lake Merritt Lawns, And Plastic Fencing To Create A Pilot Canada Geese  
[07-1102](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 3/18/2008**

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**FROM THE MARCH 4, 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 and Rescheduled to Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council on 3/18/2008**

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[02-28 Rules Item 4](#)

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5 A review of the Council Committees' actions from February 26, 2008 and determination of  
scheduling to the ORA/City Council meeting of March 4, 2008 or future dates (MATRIX)  
[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:** Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La  
Fuente

*The following individual spoke and did not indicate a position on this item:*

*- Sanjiv Handa*

[02-28 Rules Item 5](#)

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6 A review of the Agendas for the Council Committees for the meeting(s) of March 11, 2008 and the Rules and Legislation Committee for the meeting of March 13, 2008

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**A motion was made by Member Chang, seconded by Member Brunner, to  
\*Approve with the following amendments The following individual spoke  
and did not indicate a position on this item:**

**- Sanjiv Handa**

**The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

*The following March 11, 2008 committee times were adjusted:*

*Public Works will begin at 12 Noon*

*Finance and Management will begin at 1:30 PM*

*Community and Economic Development will begin at 3:30 PM*

[02-28 Rules Item 6](#)

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7 Subject: State Legislative Proposals And Agenda

From: City Council

Recommendation: Action On The City Council's State Legislative Proposals And Agenda

[07-0948](#)

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*The following individual spoke and did not indicate a position on this item:*

*- Sanjiv Handa*

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Subject: Support Of Assembly Bill 499 - Standardize Training Curriculum

From: Council President De La Fuente

Recommendation: Adopt A Resolution In Support Of Assembly Bill #499 (Swanson), To Establish A Pilot Project In The County Of Alameda To Standardize A Training Curriculum To Provide Selected County Personnel And Other Designated Professionals With Training To Respond/Address Sexually Exploited Minors

[07-1055](#)

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**\*Approve the Recommendation of Staff, and Forward to Concurrent  
Meeting of the Oakland Redevelopment Agency / City Council on 3/4/2008**

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[81098 CMS.pdf](#)

S-8            Subject:    June 2008 - Eminent Domain Initiatives  
                 From:           Councilmember Nancy Nadel  
                 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Support Proposition 99, The Homeowners And Private Property Protection Act; And  
[07-0983](#)  
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**A motion was made by Member Brunner, seconded by Member Chang, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on March 4, 2008 as a Non-Consent item. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente  
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[81113 CMS.pdf](#)

2) A Resolution To Oppose Proposition 98, The California Property Owners And Farmland Protection Act  
[07-0983-1](#)

**A motion was made by Member Chang, seconded by Chair De La Fuente, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on March 4, 2008 as a Non-Consent item. The motion carried by the following vote:**

**Votes:** Abstained; 1 - Member Brunner  
Aye; 3 - Member Chang, Vice Mayor Reid and Chair De La Fuente  
*The following individuals spoke on this item:*  
- Helen Hutchison  
- Sanjiv Handa  
- Steven Edrington  
- Kimberly Ota  
- Vivian Kahn  
- Eric Figueroa  
[81114 CMS.pdf](#)

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

*The following individual spoke under Open Forum:*  
- Sanjiv Handa

**Adjournment**

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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.

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*City Clerk and Clerk of the Council*