



# 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, September 13, 2007**

**10:30 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:**

**Jane Brunner, District 1 ; Larry Reid, District 7; Vice Mayor Henry Chang, At-Large; and Chairperson Ignacio De La Fuente, District 5**

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of July 12, 2007
- 3 Determination of Schedule of Outstanding Committee Items  
[\(RULES 091307\)](#)
- 4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of September 18, 2007 (SUPPLEMENTAL)

S-4-1            Subject:     Oakland Police Department - 4th Of July Operations  
From:        Council President De La Fuente  
Recommendations: Receive An Informational Report From The Oakland Police Department Regarding 4th Of July 2007 Operations In The City Of Oakland Including Citywide Statistics Including But Not Limited To: Number Of Fireworks Calls Responded To, Number Of 8.06.030 OMC Citations Issued, Number Of Felony Arrests, Number Of Misdemeanor Arrests, Number Of Traffic Citations Issued, Number Of Vehicles Towed, Number Of Fireworks Calls Received (Hotline, Emergency And Non-Emergency), Amount Of Explosive Fireworks Recovered, Amount Of Narcotics Recovered

[\(07-0505\)](#)

S-4-2            Subject:     Secure Our Schools Grant 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 Million Dollars (\$1,000,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services, Fiscal Year 2007 Secure Our Schools Act Grant Program, For The Period October 1, 2007 Through September 30, 2008, And Appropriate Said Funds To The Police Department; On The October 9, 2007 Public Safety Committee Agenda

[\(07-0593\)](#)

S-4-3            Subject:     Human Trafficking Grant 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 Twenty-Five Thousand Dollars (\$225,000) From The U.S. Department Of Justice, Office Of Justice Programs, Bureau Of Justice Assistance, Law Enforcement Response To Human Trafficking Grant Program, On Behalf Of The Police Department And The East Bay Task Force On Human Trafficking

[\(07-0594\)](#)

S-4-4            Subject:     2007 Forensic Casework Backlog Reduction 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 Forty-Five Thousand Five Hundred And Forty-Seven Dollars (\$145,547) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The 2007 Forensic Casework DNA Backlog Reduction Grant Program In The Police Department

[\(07-0595\)](#)

- S-4-5      Subject:    2007 Cold Cases Grant 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 Seventy-Three Thousand Eight Hundred And Seventy Dollars (\$273,870) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2007 Solving Cold Cases With DNA Grant Program In The Police Department  
[\(07-0596\)](#)
- S-4-6      Subject:    Police Department Salary Savings  
From:        Oakland Police Department  
Recommendation: Adopt A Resolution Amending Resolution No. 80786 C.M.S., Which Establishes Protocol For Expenditures Of Police Department Salary Savings Funds, To Include Authorization To Use Salary Savings To Fund The Oakland Police Department's Internship Program  
[\(07-0597\)](#)
- S-4-7      Subject:    Project First-Substance Abuse Prevention  
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 Million Dollars (\$1,000,000) From The U.S. Department Of Justice, Office Of Juvenile Justice And Delinquency Prevention, Fiscal Year 2007 Substance Abuse Prevention And Intervention Program, And Authorizing A Waiver Of the Request For Proposal Process For A Contract For Service In An Amount Not To Exceed Eight Hundred And Eighty Thousand Dollars (\$880,000) With Safe Passages For Implementation Of Project First-Substance Abuse Prevention, For The Period October 1, 2007 Through September 30, 2011, And Appropriate Said Funds To The Police Department  
[\(07-0602\)](#)
- S-4-8      Subject:    Interoperable Communications Grant 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 Nine Hundred And Eighty-Eight Thousand Nine Hundred And Sixty-Six Dollars (\$988,966) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services, Fiscal Year 2007 Law Enforcement Technology (Interoperable Communications) Grant Program, For The Period October 1, 2007 Through September 30, 2009, And Authorizing The Execution Of A Memorandum Of Understanding With The City And County Of San Francisco, Office Of Emergency Services, For Implementation Of The Initiative, And Appropriate Said Funds To The Police Department

(07-0604)

S-4-9            Subject:     Edward Byrne Memorial Grant 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 Eight Hundred And Twenty-One  
                  Thousand Two Hundred Dollars (\$821,200) From The U.S. Department Of  
                  Justice, Office Of Justice Programs, Bureau Of Justice Assistance, Edward  
                  Byrne Memorial (BYRNE) Discretionary Grants Program To Supplement  
                  Frontline And Other Policing Services On Behalf Of The Police Department

(07-0605)

S-4-10           Subject:     Edward Byrne Memorial Justice Assistance Grant 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 Five Hundred And Thirty-Nine  
                  Thousand Nine Hundred And Seventy-Four Dollars (\$539,974) From The  
                  U.S. Department Of Justice, Office Of Justice Programs, Bureau Of Justice  
                  Assistance, Edward Byrne Memorial Justice Assistance Grant (JAG)  
                  Program To Supplement Frontline Policing Services, And Authorizing A  
                  Waiver Of The Request For Proposal Process For A Contract For Service  
                  In An Amount Not To Exceed Eighty Thousand Dollars (\$80,000) With  
                  The Oakland Police Activities League For Implementation Of The Oakland  
                  Midnight Basketball Program, And Appropriate Said Funds To The Police  
                  Department

(07-0606)

S-4-11           Subject:     Project Safe Neighborhoods  
                  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 Ninety-Five Thousand Dollars  
                  (\$95,000) From The State Of California, Office Of Emergency Services,  
                  Serving As the Fiscal Agent For Project Safe Neighborhoods As  
                  Administered Through The Office Of The U.S. Attorney For The Northern  
                  District Of California, For The U.S. Department of Justice, Bureau Of  
                  Justice Assistance, in Support Of The Oakland Police Department  
                  Criminalistics Division

(07-0620)

- S-4-12      Subject:    Marine Unit Equipment - Oakland Police Department  
From:        Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In An Amount Not To Exceed Sixty-Four Thousand Two Hundred Dollars (\$64,200) From The State Of California, Department Of Boating And Waterways, For Use By The Oakland Police Department Marine Unit For Equipment Purchases And Repairs To Vessels Used For Law Enforcement And Security On City Of Oakland Waterways  
[\(07-0621\)](#)
- S-4-13      Subject:    Oak Tree Survey  
From:        Councilmember Jean Quan  
Recommendation: Receive An Informational Report By The Friends Of Sausal Creek On The Survey Of Oak Trees In Dimond Park  
[\(07-0083-1\)](#)
- S-4-14      Subject:    Register Of Big Trees  
From:        Councilmember Jean Quan  
Recommendation: Adopt A Resolution Directing Creation Of The Oakland Register Of Big Trees  
[\(07-0084-1\)](#)
- S-4-15      Subject:    Emergency Shelter/Housing And Winter Relief Programs  
From:        Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The Performance Period Of Existing Grant Agreements Under The Fiscal Year 2006-2007 Emergency Shelter Grant (\$160,417) And Emergency Housing Program (\$52,676) From The June 30, 2007 End Date To January 31, 2008 And To Extend The Performance Period Of Existing Agreements Under The Fiscal Year 2006-2007 Winter Relief Program (\$87,522) From The May 15, 2007 End Date To January 31, 2008 And To Continue Annual Funding Commitments To Other Homeless Services Programs (\$127,388), And To Support Said Programs With Available Program Balances From The Fiscal Year 2006-2007 And Fiscal Year 2007-2008 Emergency Shelter Grant, Emergency Housing And Winter Relief Program Years  
[\(07-0422-1\)](#)
- S-4-16      Subject:    Auto Mall Project  
From:        Council President De La Fuente  
Recommendation: Action On A Report On The Auto Mall Project At The Oakland Army Base Including An Updates On Any Exclusive Negotiating Agreements Or Development Agreements With Car Dealerships And An Update On Construction Plans For The Auto Mall Project  
[\(07-0600\)](#)

- S-4-17      Subject:    Travel Authorization - Councilmember Larry Reid  
From:        Councilmember Larry Reid  
Recommendation: Adopt A Resolution Authorizing Councilmember Larry E. Reid To Travel To New Orleans, Louisiana To Attend The National League Of Cities Congress Of Cities And Exposition November 12-18, 2007  
[\(07-0614\)](#)
- S-4-18      Subject:    Priority Project Funds - District Seven  
From:        Councilmember Larry Reid  
Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of \$10,000.00 From Councilmember Larry E. Reid's Priority Project Funds To E.C. Reems Community Services For Operating Expenses  
[\(07-0615\)](#)
- S-4-19      Subject:    Priority Project Funds - District Seven  
From:        Councilmember Larry Reid  
Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of \$5,000.00 From Councilmember Larry E. Reid's Priority Project Funds To Oakland Turfgrass Education Initiative For Operating Expenses  
[\(07-0616\)](#)
- S-4-20      Subject:    Priority Project Funds - District Seven  
From:        Councilmember Larry Reid  
Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of \$10,000.00 From Councilmember Larry E. Reid's Priority Project Funds To Oakland Parents Literacy Project For Operating Expenses  
[\(07-0617\)](#)
- S-4-21      Subject:    Dog Ordinance Amendment  
From:        Councilmember Jean Quan  
Recommendation: Adopt The Following Pieces Of Legislation:  
  
1) Adopt A Resolution Approving The Naming Of A New Trail The "Montclair Railroad Trail" In Assessor Parcels 048E-7348-28-02, 048E-7348-67-00, 048E-7349-32-00, 048E-7350-10-00, 048F-7355-19-00 And 048F-7366-21-02 That Are Included In The Resolution "Exchange With East Bay Regional Parks District" To Be Presented To City Council On September 18, 2007  
[\(07-0619\)](#)
- S-4-22      Subject:    Purchasing And Contracting Disparity Study  
From:        Contracting and Purchasing  
Recommendation: Action On A Report On The Findings And Recommendations Of The Fairness In Purchasing And Contracting Disparity Study; On The September 25, 2007 Community And Economic Development Committee Agenda  
[\(07-0607\)](#)

- S-4-23      Subject:    Family Bridges Operation Contract  
From:        Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Two-Year Grant Agreement With Family Bridges, Inc. To Fund Its Programs And Operations At The Hong Lok Senior Center For Fiscal Years 2007-2008 And 2008-2009 In An Amount Not To Exceed \$200,000  
[\(07-0520\)](#)
- S-4-24      Subject:    Unity Council Operation Contract  
From:        Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Two-Year Grant Agreement With The Unity Council, Inc. To Fund Its Programs And Operations At The Fruitvale San Antonio Senior Center For Fiscal Years 2007-2008 And 2008-2009 In An Amount Not To Exceed \$440,000  
[\(07-0521\)](#)
- S-4-25      Subject:    West Oakland Community Trust Fund  
From:        Community And Economic Development Agency  
Recommendation: Receive An Informational Report On The West Oakland Community Trust Fund; On The October 9, 2007 Community And Economic Development Committee Agenda  
[\(07-0582\)](#)
- S-4-26      Subject:    Zoning And General Plan Conformance  
From:        Community and Economic Development Agency  
Recommendation: Adopt An Ordinance To Extend The Interim Land Use Controls Governing Zoning And General Plan Conformance; On The October 9, 2007 Community And Economic Development Committee Agenda  
[\(07-0583\)](#)
- S-4-27      Subject:    Sale Of Surplus Property At 73rd And Deerwood Avenues  
From:        Community And Economic Development Agency  
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Purchase And Sale Agreement To Sell Approximately 1,400 Square Feet Of City-Owned Surplus Real Property Located At 73rd And Deerwood Avenues To Johnny R. Nicks And Pinkey R. Mitchell-Nicks, The Adjoining Property Owners, For The Total Fair Market Value Of Four Thousand Two Hundred And Fifty Dollars (\$4,250.00) Including All Fees And Costs  
[\(07-0584\)](#)

- S-4-28      Subject:    7th Street Community Partners - ENA Extension  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing An Extension Of The Exclusive Negotiating Agreement With 7th Street Community Partners, LLC, To Development The Block Bounded By 5th, 7th, Kirkham And Union Streets In West Oakland  
[\(07-0585\)](#)
- S-4-29      Subject:    West Oakland Redevelopment Project Extension  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing A One-Year Extension The Project Area Committee For The West Oakland Redevelopment Project To November 18, 2008  
[\(07-0586\)](#)
- S-4-30      Subject:    Land Use Development Strategy - Oakland Army Base  
From:        Community and Economic Development Agency  
Recommendation: Receive An Informational Report On A Proposed Land Use Development Strategy For The Former Oakland Army Base; On The October 9, 2007 Community And Economic Development Committee  
[\(07-0587\)](#)
- S-4-31      Subject:    San Jose Management, LLC - Agreement Approval  
From:        Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution (1) Approving The Agreement As Directed By Agency Resolution No. 2007-0036 C.M.S., Which Authorized The Agency To Negotiate A Three-Year Agreement With San Jose Arena Management, LLC To Manage And Operate The Oakland Ice Center For A Percentage Of Net Revenue, Pursuant To Specific Criteria, And (2) Extending The Term Of The Agreement By Two Months For A Total Of Three Years And Two Months  
[\(07-0589\)](#)
- S-4-32      Subject:    Rent Adjustment Program  
From:        Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12744 C.M.S. (Master Fee Schedule) To Increase The \$24 Rent Program Service Fee By \$6 To \$30  
[\(07-0590\)](#)
- S-4-33      Subject:    Traffic Signal Priority List  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Approving The Traffic Signal Priority List For The Top Ten (10) Intersections Citywide, Pursuant To City Council Resolution No. 78747 C.M.S.  
[\(07-0591\)](#)



- S-4-34      Subject:    Revocable And Conditional Permit - 901 Jefferson Street  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Granting 901 Jefferson Housing  
LLC A Revocable And Conditional Permit To Allow A Vault And  
Electrical Transformer For A Building At 901 Jefferson Street To Encroach  
Under The Public Sidewalk Along 9th Street  
[\(07-0592\)](#)
- S-4-35      Subject:    Revocable And Conditional Permit - 4302 West Street  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Granting Maryann Tucker And  
Richard Scott A Revocable And Conditional Permit For An Existing  
Building, Detached Garage, And Retaining Wall At 4302 West Street To  
Encroach Into The Public Right-Of-Way Along West Street And 43rd  
Street; On The October 23, 2007 Public Works Committee Agenda  
[\(07-0608\)](#)
- S-4-36      Subject:    Arcadia Park Subdivision - New Public Street  
From:        Community and Economic Development Agency  
Recommendation: Adopt Resolutions Conditionally Accepting Dedications  
Of Public Right-Of-Way From Pulte Homes Corporation And Mother Fish  
LLC For A New Public Street In The Arcadia Park Subdivision To Connect  
With 92nd Avenue; On The October 23, 2007 Public Works Committee  
Agenda  
[\(07-0610\)](#)
- S-4-37      Subject:    Transportation Workshop  
From:        Community and Economic Development Agency  
Recommendation: Conduct A Transportation Workshop At 5:00 P.M.; On  
The October 30, 2007 City Council Agenda  
[\(07-0611\)](#)
- S-4-38      Subject:    Bicycle Master Plan  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Adopting The Oakland Bicycle  
Master Plan As A Part Of The Land Use And Transportation Element Of  
The City's General Plan; On The November 13, 2007 Community And  
Economic Development Committee Agenda; And Also As A Public Hearing  
On The December 4, 2007 City Council Agenda  
[\(07-0612\)](#)

- S-4-39      Subject:    Industrial Land Use Policy  
From:        Community and Economic Development Agency  
Recommendation: Action On A Report And Recommendations On The City's Industrial Land Use Policy; On The December 11, 2007 Community And Economic Development Committee Agenda
- Reason:     This item had been requested to return to the CED Committee at an unspecified meeting in September. The Planning Commission will begin considering Industrial Land Use policy at their mid-October meeting. Staff expects the Planning Commission to require at least two meetings to finalize their recommendations to City Council. Therefore, the earliest date on which the CED Committee could hear this item is December 11, 2007.  
[\(07-0613\)](#)
- S-4-40      Subject:    Fleet Utilization Report  
From:        Public Works Agency  
Recommendation: A Request To Withdraw From The September 25, 2007 Finance And Management Committee Agenda An Informational Report On The City's Fleet Utilization; And Reschedule To The November 13, 2007 Finance And Management Committee Agenda
- Reason:     Survey of job classifications incomplete, equipment pool expansion incomplete.  
[\(07-0296\)](#)
- S-4-41      Subject:    Gender Disparity Study  
From:        Finance and Management Agency  
Recommendation: Action On A Report On The Findings And Recommendations Of Phase II Of The Race And Gender Disparity Study Of The City's Workforce Diversity In Comparison To The Relevant Labor Pool; On The October 30, 2007 City Council Agenda  
[\(07-0609\)](#)
- S-4-42      Subject:    Managed Health Network - Professional Services Agreement  
From:        Oakland Police Department  
Recommendation: Adopt A Resolution Waiving The Request For Proposal Process For Psychological Counseling Services For Sworn Members Of The Police Department And Their Dependents, And Authorizing The City Administrator To Extend The Professional Services Agreement With Managed Health Network (MHN) To Provide The Psychological Counseling Services For Sworn Members Of The Police Department And Their Dependents, For The Period Of July 1, 2006 Through December 31, 2007, In An Amount Not To Exceed One Hundred Five Thousand Dollars (\$105,000.00) For A Total Contract Amount Not To Exceed One Hundred Seventy-One Thousand One Hundred Seventy-Four Dollars (\$171,174.00)  
[\(07-0524\)](#)

S-4-43      Subject:    2007-2008 Second Start Adult Literacy Program  
From:        Oakland Public Library  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate A Grant In The Amount Of \$72,000 From The California State Library California Library Literacy Service To Support The Oakland Public Library Second Start Adult Literacy Program For Fiscal Year 2007-2008  
[\(07-0598\)](#)

S-4-44      Subject:    Library Forgiveness Campaign  
From:        Oakland Public Library  
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Adopt A "Forgiveness Campaign" That Targets Youth And Families With Long Outstanding Fines And Fees During The Weeks Of January 13-31, 2008  
[\(07-0599\)](#)

S-4-45      Subject:    Pay-Go Report  
From:        Budget Office  
Recommendation: Receive An Informational Annual Report On Fiscal Year 2006-2007 Council And Mayoral Pay-Go Commitments Through June 30, 2007  
[\(07-0601\)](#)

[\(09-13 Rules Item 4\)](#)

5            A review of the Council Committees' actions from September 11, 2007 and determination of scheduling to the ORA/City Council meeting of September 28, 2007 or future dates (MATRIX)  
[\(09-13 Rules item 5\)](#)

6            A review of the Agendas for the Council Committees for the meeting(s) of September 25, 2007 and the Rules and Legislation Committee for the meeting of September 27, 2007  
[\(09-13 Rules Item 6\)](#)

7            Subject:    Instant Run-off Voting  
From:        Council President Ignacio De La Fuente  
Recommendation: An Informational Status Report From The Office Of The City Clerk Regarding Implementation Of Instant Run-Off Voting For The November 4th, 2008 Local Election  
[\(07-0525\)](#)

**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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[\(TDD\)](#)

- \* 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