

DRAFT



City of Oakland Meeting Minutes

*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, May 22, 2008

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

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Excused: Chair De La Fuente

Present: Member Chang, Vice Mayor Reid and Member Brunner

The Oakland City Council Rules and Legislation Committee convened at 10:45 AM, with Vice Mayor Reid presiding as Chairperson.

1 Closed Session

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The Closed Session for June 3, 2008 was cancelled.

2 Approval of the Draft Minutes from the Committee meeting of May 8, 2008

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No Action Taken

3 Determination of Schedule of Outstanding Committee Items

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There was no action necessary for this item

4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of May 27, 2008 (SUPPLEMENTAL)

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

Votes: Excused; 1 - Chair De La Fuente

Aye; 3 - Member Chang, Vice Mayor Reid and Member Brunner

[05-22 Rules Item 4](#)

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DRAFT

S-4-1 Subject: Surveillance Cameras
 From: Police Department
 Recommendation: Recieve An Informational Report From The Office Of Chief Of
 Police Detailing The Department's Ability, Strategy, And Plan For The Use Of
 Surveillance Cameras Throughout The City Of Oakland, Including Partnerships
 With Merchants And Other Agencies; On The July 8, 2008 Public Safety
 Committee Agenda
[07-1378](#)

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Scheduled to *Public Safety Committee on 7/8/2008

S-4-2 Subject: Crime Fighting Strategic Plan
 From: Police Department
 Recommendation: Receive A Follow-up Report From The Chief Of Police On The
 Department's Crime Fighting Strategic Plan, Including The Department's Top
 Priorities And Strategies To Address Them, The Proposed Timeline For
 Implementation Of The Top Priorities And Strategies, The Processes Used To
 Measure Effectiveness, And The Status Of Community Policing; On The July 22,
 2008 Public Safety Committee Agenda
[07-1380](#)

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Scheduled to *Public Safety Committee on 7/22/2008

*The following individual spoke on this item:
- Sanjiv Handa*

S-4-3 Subject: Analysis Of The Midcycle Budget Proposal
 From: Budget Office
 Recommendation: Receive An Informational Report From The Budget Advisory
 Committee (BAC) On Its Recommendations Regarding The Mayor's Proposed
 Midcycle Fiscal Year 2008-2009 Budget Amendments
[07-1382](#)

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**Scheduled to Special Concurrent Meeting of the Oakland Redevelopment
Agency and City Council - Fiscal Year 2008-2009 Mid-Cycle Policy Budget
Review on 6/11/2008**
[View Report..pdf](#)

DRAFT

S-4-4 Subject: Agenda Confirmation
 From: Office of the City Clerk
 Recommendation: A Request To Confirm The Agenda Items For The May 29,
 2008 Mid-Cycle Budget Workshop (ATTACHMENT B)
 [07-1269-3](#)

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Approved

S-4-5 Subject: May 15, 2008 - Rules Requests
 From: Office of the City Clerk
 Recommendation: Action On A Request To Review And Approve The Rules
 Requests Submitted On May 15, 2008. No Action Was Taken At That Meeting
 Due To A Lack Of Quorum (See Attachment A)
 [07-1410](#)

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Approved

S-4-6 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 Oakland Babe Ruth League In The
 Amount Of \$750.00 To Fund Travel Expenses On Their Fall College Tour
 [07-1403](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/17/2008**
[View Report.pdf](#)

S-4-7 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 Lend-A-Hand Foundation In The
 Amount Of \$400.00 To Fund The Purchase Of Back-To-School Backpacks
 [07-1404](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/17/2008**
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S-4-8 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 Glenview Elementary School PTA In The Amount Of \$1,000.00 To Fund Travel Expenses For Glenview Elementary School's Odyssey Of The Mind Tournament
[07-1405](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/17/2008

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S-4-9 Subject: Dennis Richmond - Recognition
From: Council President De La Fuente
Recommendation: Adopt A Resolution Honoring Dennis Richmond On His Retirement From KTVU Channel 2 After More Than 40 Years Of Broadcast Service
[07-1409](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/17/2008

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S-4-10 Subject: Business Services Contract
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Circulate A Request For Proposals, Select A Contractor, And Negotiate And Execute A Professional Services Contract For Business Retention, Expansion And Support Services For Fiscal Year 2008-2010 Without Returning To The Agency In An Amount Not To Exceed \$600,000; And Authorizing An Amount Not To Exceed \$18,000 (3%) For Contract Compliance; And
[07-1237](#)

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Scheduled to *Community & Economic Development Committee on 6/10/2008

The following individual spoke on this item:

- Sanjiv Handa

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S-4-11 Subject: Freeway Auto Mall Development
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The June 10, 2008 Community and Economic Development Committee Agenda Adopt The Following Pieces Of Legislation:
1) An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Disposition And Development Agreement With Legend Auto Group, LLC For: (1) The Sale Of Approximately 15 Acres Within The Former Oakland Army Base For \$17,470,000 For The Development Of General Motors, Nissan, And Chrysler-Jeep-Dodge Auto Dealerships; And (2) The Sale Of Up To An Additional 3.7 Acres For \$5,225,000 To Develop Additional Dealerships; And [07-1280](#)

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***Withdrawn with No New Date**

The following individual spoke on this item:

- Sanjiv Handa

2) A City Resolution Approving The Sale Of Up To Approximately 19 Acres Of Real Property Located Within The Former Oakland Army Base For The Appraised Fair Market Value To Legend Auto Group, LLC For Its Development Of General Motors, Nissan, And Chrysler-Jeep-Dodge Auto Dealerships And Up To Two Additional Dealerships; With No New Date

REASON: At the Rules Committee of May 15, in response to a Councilmember's request to address over-crowded CED Committee agendas, staff proposed and the chair accepted the withdrawal of this item, to be rescheduled after the Council Summer Recess. Lacking a quorum on May 15, staff asks that the Rules Committee reaffirm this request.

[07-1280-1](#)

***Withdrawn with No New Date**

DRAFT

S-4-12 Subject: Aaron Metals Scrap Metal Recycling Facility - Public Hearing
From: Community And Economic Development Agency
Recommendation: A Request To Withdraw From The June 17, 2008 City Council Agenda A Public Hearing Regarding 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; And Reschedule To The July 15, 2008 City Council Agenda As A Public Hearing

REASON: To further review with the appellant the large submittal of material on their part to determine what is appropriate to include in the appeal.

[07-1300](#)

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/15/2008

S-4-13 Subject: 5805 Foothill Boulevard - Real Property Purchase
From: Community And Economic Development Agency
Recommendation: A Request To Withdraw From The May 27, 2008 Finance And Management Committee Agenda 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; With No New Date

REASON: Current owner has four adjacent parcels; staff propose to have all four parcels appraised together, and then to negotiate a purchase of the entire property as an opportunity site for future development.

[07-1309](#)

***Withdrawn with No New Date**

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S-4-14 Subject: East Gateway Development Area
From: Community and Economic Development
Recommendation: Adopt The Following Pieces Of Legislation:
(1) Recieve An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Fair Share Memorandum Of Agreement With The Port Of Oakland For The Deconstruction Of Buildings 804, 805, 806, 807, And 808 In The East Gateway Development Area Of The Former Oakland Army Base; And [07-1383](#)

Scheduled to *Community & Economic Development Committee on 7/8/2008

(2) Recieve An Agency Resolution Authorizing The Allocation Of \$1,505,838 From The OBRA Operations Fund (9570), West Oakland Base Reuse Organization (88679), Bay Bridge Gateway Project (S235320), Demolition Costs Account (57115) For The Fair Share Cost Of Deconstructing Buildings 804, 805, 806, 807 And 808 Within The East Gateway Development Area Of The Former Oakland Army Base; And [07-1383-1](#)

Scheduled to *Community & Economic Development Committee on 7/8/2008

(3) A City Resolution Authorizing The City Administrator To Negotiate And Execute A Fair Share Memorandum Of Agreement With The Port Of Oakland For The Deconstruction Of Buildings 804, 805, 806, 807, And 808 In The East Gateway Development Area Of The Former Oakland Army Base; And [07-1383-2](#)

Scheduled to *Community & Economic Development Committee on 7/8/2008

(4) Recieve A City Resolution Accepting And Allocating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not-To-Exceed \$1,505,838 To Project P235310 From OBRA Operations Fund (9570), West Oakland Base Reuse Organization (88679), BayBridge Gateway Project (S235320), Demolition Costs Account (57115) For The Fair Share Cost Of Deconstructing Buildings 804, 805, 806, 807 And 808 Within The East Gateway Development Area Of The Former Oakland Army Base; On The July 8, 2008 Community and Economic Development Agenda [07-1383-3](#)

Scheduled to *Community & Economic Development Committee on 7/8/2008

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S-4-15 Subject: Quarterly Newsletter For Redevelopment Agency
From: Community and Economic Development Agency
Recommendation: Receive An Agency Resolution Authorizing The Agency Administrator To Negotiate, Execute And Amend Professional Services Contracts Without Returning To The Agency As Needed For The Design, Development And Production Of A Quarterly Newsletter For The Redevelopment Agency In An Amount Not To Exceed \$80,000 For Fiscal Year 2008-2009; On The July 8, 2008 Community Economic Development Agenda
[07-1385](#)

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Scheduled to *Community & Economic Development Committee on 7/8/2008

The following individual spoke on this item:

- Sanjiv Handa

S-4-16 Subject: St. Mary's Contract
From: Community and Economic Development
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Negotiate And Enter Into A Contract With St. Mary's For The Acquisition Of Properties For St. Mary's Center Village In An Amount Not To Exceed \$350,000 For The Period Of July 1, 2008 To June 30, 2009; On The July 8, 2008 Community and Economic Development Agenda
[07-1386](#)

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Scheduled to *Community & Economic Development Committee on 7/8/2008

S-4-17 Subject: Habitat For Humanity - Final Tract Map
From: Community and Economic Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving A Final Map For Tract No. 7904 At 10800 Edes Avenue For Phase II Of An Affordable Housing Project For Habitat For Humanity Of The East Bay; And

[07-1387](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/17/2008

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S-4-18 Subject: Mortgage Lending Bills
 From: Community And Economic Development
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Support Assembly Bill 69 (Lieu) To Expand Reporting Requirements By Mortgage Lenders And Servicers To Include Information About Defaults, Foreclosures And Loan Modifications;
[07-1388](#)

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Scheduled to *Rules & Legislation Committee on 6/12/2008

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S-4-19 Subject: Support Of Assembly Bill 31
 From: Community And Economic Development
 Recommendation: Adopt A Resolution Declaring Council Support For Assembly Bill No. 31, Which Would Establish Legislative Intent To Make \$400 Million Available For The Acquisition And Development Of Urban Parks, Recreational Areas And Facilities Through Competitive Grants Under The Urban Parks Act Of 2006, Changes The Target Community Definition From "Heavily Urbanized County" To "Critically Underserved Community" And Establishes Priority Grant Award Criteria
[07-1389](#)

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Scheduled to *Public Works Committee on 7/8/2008

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S-4-20 Subject: Oakland Waterfront Trail
 From: Community And Economic Development
 Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The Derby Avenue To Lancaster Street Segment Of The Oakland Waterfront Trail To The Lowest Responsible Bidder/Contractor To Be Named Upon Successful Bidding Of The Project For An Amount Not To Exceed One Million Nine Hundred Thousand Dollars (\$1,900,000.00); On The July 8, 2008 Public Works Committee Agenda
[07-1390](#)

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Scheduled to *Public Works Committee on 7/8/2008

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S-4-21 Subject: City Stables Paddocks Project
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The City Stables Paddocks Project To The Lowest Responsible Bidder/Contractor To Be Named Upon Successful Bidding Of The Project For An Amount Not To Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00), Or If All Bids Submitted Are Non-Responsive, To Reject All Bids, Waive Further Competitive Bidding Requirements, And Negotiate a Contract Within Budget, For An Amount Not To Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00) Without Return To Council; On The July 8, 2008 Public Works Committee Agenda
[07-1391](#)

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Scheduled to *Public Works Committee on 7/8/2008

S-4-22 Subject: Municipal Boathouse: Park & Street Improvements
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The Park And Street Improvements For The Municipal Boathouse And Lakeside Drive Project To The Lowest Responsible Bidder/Contractor To Be Named Upon Successful Bidding Of The Project For An Amount Not To Exceed Three Million Six Hundred Ninety Thousand Dollars (\$3,690,000.00), Or If All Bids Submitted Are Non-Responsive, To Reject All Bids, Waive Further Competitive Bidding Requirements, And Negotiate A Contract Within Budget, For An Amount Not To Exceed Three Million Six Hundred Ninety Thousand Dollars (\$3,690,000.00) Without Return To Council; On The July 8, 2008 Public Works Committee Agenda
[07-1392](#)

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Scheduled to *Public Works Committee on 7/8/2008

S-4-23 Subject: Stop Sign Installation
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving The Installation Of Stop Signs On 4th Street At Webster Street
[07-1394](#)

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Scheduled to *Public Works Committee on 6/24/2008

DRAFT

S-4-24 Subject: Purchase Of Real Property - 73rd Avenue And Foothill Boulevard
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of A
1.22 Acre Parcel Of Real Property Located At The Southwest Corner Of 73rd
Avenue And Foothill Boulevard, Adjacent To Eastmont Town Center, From East
Oak Land Associates, LLC. For \$2,340,000 And Authorizing Up To \$150,000 For
Demolition And Real Estate Closing Costs
[07-1402](#)

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Scheduled to *Finance & Management Committee on 6/24/2008

S-4-25 Subject: Municipal Code Amendments - Sewer Design
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending Chapter 13 Of The Oakland
Municipal Code Adding Section 13.02 To Establish Sewer Design Standards
[07-1406](#)

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Scheduled to *Public Works Committee on 6/24/2008

S-4-26 Subject: East Oakland Sports Center Project
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or
Her Designee, To Award A Construction Manager At Risk Contract To Turner
Construction Company For An Amount Not To Exceed Eleven Million Nine
Hundred Thousand Dollars (\$11,900,000.00) For The East Oakland Sports Center
Project
[07-1407](#)

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Scheduled to *Public Works Committee on 6/24/2008

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S-4-27 Subject: Parking Zones
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving: 1) The Removal Of A Parking Zone On The East Side Of Mandela Parkway Between 26th And 28th Streets; 2) The Establishment Of A No Parking Anytime/Tow-Away Zone On International Boulevard Between 54th And 57th Avenues; 3) The Establishment Of A No Parking Any Time Zone On The North Side Of La Salle Avenue Between Liggett Drive And Moraga Avenue; 4) The Establishment Of No Parking Between 3:00 A.M. And 6:00 A.M. Zone On Both Sides Of 56th Street Between Carberry And Telegraph Avenues; And 5) The Establishment Of A No Parking Anytime Zone On The East Side Of Tunnel Road From Hiller Drive To A Point 500 Feet North Thereof
[07-1408](#)

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Scheduled to *Public Works Committee on 6/25/2008

S-4-28 Subject: Team Oakland Program
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter A One Year Agreement With A One Year Option For Renewal With The Nonprofit Youth Employment Partnership, Inc. (YEP) To Implement The Team Oakland Program In An Amount Not To Exceed \$249,000.00 Each Year
[07-1395](#)

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Scheduled to *Public Works Committee on 6/10/2008

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S-4-29 Subject: Graffiti Abatement Programs
From: Public Works Agency
Recommendation: Receive An Informational Report From The Public Works Agency Regarding Citywide Graffiti Abatement Programs
[07-1396](#)

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Scheduled to *Public Works Committee on 6/24/2008

DRAFT

S-4-30 Subject: Mandela Parkway Maintenance
From: Public Works Agency
Recommendation: Action On A Report And Options From The Public Works Agency On The Costs Of Assuming Maintenance From Caltrans For The Mandela Parkway Landscaped Area
[07-1397](#)

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Scheduled to *Public Works Committee on 6/10/2008

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S-4-31 Subject: Salary Ordinance Amendment - Classifications
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 (The Salary Ordinance) To: Add The Permanent Full Time Equivalent Classifications Of: Director Of Information Technology, Director Of Contracting And Purchasing, Associate Director, Library Services, Budget Director, Assistant, Chief Of Police, Assistant, Police Services Manager II, Police Services Manager I, And Archivist; And To Add The Permanent Part Time Equivalent Classifications: Case Manager I, PPT, Animal Control Officer, PPT And Recreation Attendant II, PPT; And To Re-Title: Youth Sports Program Coordinator To Sports Program Coordinator, Chief Deputy City Auditor To City Auditor, Assistant; Deputy City Auditor III To Performance Audit Manager; Deputy City Auditor II To Performance Auditor, Senior And Deputy City Auditor I To Performance Auditor
[07-1414](#)

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Scheduled to *Finance & Management Committee on 6/10/2008

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ADDITIONAL ITEM SUBMITTED ON THE DAIS

DRAFT

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](#)

FROM THE MAY 27, 2008 FINANCE AND MANAGEMENT COMMITTEE AGENDA

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](#)

***Withdrawn with No New Date**

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5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of June 3, 2008 - CANCELLATION NOTICE and the Rules and Legislation Committee for the meeting of June 5, 2008

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**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 - Chair De La Fuente

Aye; 3 - Member Chang, Vice Mayor Reid and Member Brunner

The following individual spoke on this item:

- Sanjiv Handa

[05-22 Rules Item 5](#)

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

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The following individual spoke on this item:

- Sanjiv Handa

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](#)

***Received and Filed**

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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](#)

***Approve the Recommendation of Staff, and Forward to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/17/2008**

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OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individuals spoke under Open Forum:

- Helen Hutchison

- Sanjiv Handa

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:30 AM

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.

City Clerk and Clerk of the Council