



SUPPLEMENTAL

City of Oakland

Meeting Agenda

*Rules & Legislation Committee

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

City of Oakland Website: <http://www.oaklandnet.com>

Thursday, April 24, 2008

10:30 AM

City Council Chambers - 3rd Floor

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

Roll Call / Call to Order

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 April 10, 2008
- 3 Determination of Schedule of Outstanding Committee Items
([rules 04-24-08](#))
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting of April 29, 2008 (SUPPLEMENTAL)

SUPPLEMENTAL

S-4-1 Subject: Global Positioning System (GPS) - Ankle Bracelet Monitoring Service
From: Oakland Police Department
Recommendation: Adopt Resolutions Authorizing The City Administrator, Or Her Designee (1) To Waive The Competitive Bid Process And Enter Into A Service Contract Not To Exceed One Hundred Thousand Dollars (\$100,000) With Securealert, Inc. And (2) To Enter Into Memorandums Of Understanding With The Adult And Juvenile Divisions Of The Alameda County Probation Department For The Purpose Of Collaborated Monitoring Service Of Global Positioning System (GPS) Ankle Bracelet With The Oakland Police Department; On The May 27, 2008 Public Safety Committee Agenda

[\(07-1282\)](#)

S-4-2 Subject: Third Quarter Revenue And Expenditure Results
From: Budget Office
Recommendation: Receive A Report On Fiscal Year 2007-2008 Third Quarter Revenue And Expenditure Results And Year-End Projections For The General Purpose Fund (1010); On The May 29, 2008 Special Council Budget Workshop Agenda

[\(07-1288\)](#)

S-4-3 Subject: Municipal Clerk's Week 2008
From: Office of the City Clerk
Recommendation: Adopt A Resolution Declaring May 4, 2008 Through May 10, 2008 As Municipal Clerk's Week; On The May 6, 2008 City Council Agenda (No Presentation)

[\(07-1289\)](#)

S-4-4 Subject: H. Mahlon Harmon - Recognition
From: Vice Mayor Larry Reid
Recommendation: Adopt A Resolution Honoring Mr. H. Mahlon Harmon. For Nineteen (19) Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Him On His Retirement; On The May 6, 2008 City Council Agenda

[\(07-1275\)](#)

S-4-5 Subject: Joseph LeChevallier - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Joseph LeChevallier In The Amount Of \$7,500, As A Result Of Property Damage And Bodily Injury Sustained In A Motorcycle Accident On January 21, 2007. (Public Works Agency)

[\(07-1290\)](#)

SUPPLEMENTAL

*Rules & Legislation Committee

Thursday, April 24, 2008

- S-4-6 Subject: Business Access Center Implementation
From: Councilmember Jane Brunner
Recommendation: Action On A Status Report And Recommendations For
The Implementation Of The Business Access Center, The Opportunity Sites
Map And The Outside Consultants For Business Attraction; On The May
27, 2008 Community And Economic Development Committee Agenda
[\(07-1292\)](#)
- S-4-7 Subject: California Department Of Transportation - Funding Agreements
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator,
Assistant City Administrator, Deputy City Administrator, Director -
Community And Economic Development Agency, And/Or Public Works
Director To Execute Funding Agreements With The California Department
Of Transportation For Transportation Infrastructure And/Or Planning
Grants; On The May 20, 2008 City Council Agenda
[\(07-0727\)](#)
- S-4-8 Subject: Economic Strategy - City Of Oakland
From: Community and Economic Development Agency
Recommendation: Receive A Progress Report From The Oakland Chamber
Of Commerce On The Oakland Partnership's Development Of An Economic
Strategy For The City Of Oakland
[\(07-0961\)](#)
- S-4-9 Subject: Tract 7868 - Final Map
From: Community and Economic Development Agency
Recommendation: Adopt Resolutions Approving A Final Map For Tract
7868 And A Subdivision Improvement Agreement With The Oakland
Housing Authority For Deferred Construction Of Public Infrastructure
Improvements For The Tassafaronga Affordable Housing Project At 968
81st Avenue; On The June 3, 2008 City Council Agenda
[\(07-1276\)](#)
- S-4-10 Subject: Freeway Auto Mall Development
From: Community and Economic Development Agency
Recommendation: 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
[\(07-1280\)](#)

SUPPLEMENTAL

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; On The June 10, 2008 Community And Economic Development Committee Agenda; And As A Public Hearing On The June 17, 2008 City Council Agenda
[\(07-1280-1\)](#)

S-4-11 Subject: Exclusive Negotiating Agreement - Avant Housing And Hahn Family
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Council Resolution Authorizing An Exclusive Negotiating Agreement With Avant Housing, LLC, And The Hahn Family To Redevelop Portions Of The Block Bounded By Telegraph Avenue, Broadway, 22nd Street, And 21st Street; And
[\(07-1281\)](#)

2) An Agency Resolution Authorizing An Exclusive Negotiating Agreement With Avant Housing, LLC, And The Hahn Family To Redevelop Portions Of The Block Bounded By Telegraph Avenue, Broadway, 22nd Street, And 21st Street; On The May 27, 2008 Community And Economic Development Committee Agenda
[\(07-1281-1\)](#)

S-4-12 Subject: Bicycle Parking Regulations
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance For Proposed Amendments To The Oakland Municipal Code:

(1) Adding Chapter 17.117 "Bicycle Parking Regulations" To The Planning Code, Which Will Create Bicycle Parking Requirements For Certain Types Of Development And Making Related Amendments To Other Provisions Of The Planning Code; And

(2) Amending Chapter 9.52 Of The Oakland Municipal Code, "Special Event Permits," To Require Valet Bicycle Parking At Large Public Events; On The June 10, 2008 Community And Economic Development Committee Agenda; And As A Public Hearing On The June 17, 2008 City Council Agenda
[\(07-1283\)](#)

SUPPLEMENTAL

- S-4-13 Subject: City Helicopter Storage Agreement
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A One-Year License Agreement With The Port Of Oakland For Use Of Real Property Located At Port Building L-118, North Airport, Oakland International Airport, For Office Use And For The Operation, Storage And Maintenance Of City Helicopters, And Reasonable Related Uses; In An Annual Amount Not To Exceed \$168,000, Plus \$42,000 For The Performance Deposit; On The May 13, 2008 Finance And Management Committee Agenda
[\(07-1284\)](#)
- S-4-14 Subject: Darcy And Harty Contract - Rehabilitation Of Sanitary Sewers
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Award of A Construction Contract To Darcy And Harty Construction, Inc. For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Franklin Street, 3rd Street, Broadway, And 11th Street (Project No. C227710) For The Amount Of Two Million One Hundred Eighty-Six Thousand One Hundred Sixty-Four Dollars (\$2,186,164.00); On The May 27, 2008 Public Works Committee Agenda
[\(07-1285\)](#)
- S-4-15 Subject: Andes Construction Contract - Sanitary Sewer Rehabilitation
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Award Of A Construction Contract To Andes Construction, Inc. For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Blair Avenue And Wood Drive (Project No. C282870) For The Amount Of Six Hundred Ninety-Five Thousand Five Hundred Fifty-Two Dollars (\$695,552.00); On The May 27, 2008 Public Works Committee Agenda
[\(07-1286\)](#)
- S-4-16 Subject: Andes Construction Contract - Sanitary Sewer Rehabilitation
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Award Of A Construction Contract To Andes Construction, Inc. For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Embarcadero, Fallon Street, 12th Street, And Alice Street (Project No. C267110) For The Amount Of Three Million One Hundred Seven Thousand One Hundred Forty-Two Dollars (\$3,107,142.00); On The May 27, 2008 Public Works Committee Agenda
[\(07-1287\)](#)

SUPPLEMENTAL

S-4-17 Subject: Engineer's Report Approval - Landscaping & Lighting Assessment
From: Public Works Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution To Accept And Grant Final Approval Of The Fiscal Year 2008-2009 Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District; Make A Determination With Regard To The Majority Protest Procedure For Approval Of The Assessment Increase; And Approve, Adopt And Levy The Assessments For The Landscaping And Lighting Assessment District; On The May 20, 2008 City Council Agenda
[\(07-1279\)](#)

S-4-18 Subject: Library Advisory Commission Meetings
From: Oakland Library
Recommendation: Adopt An Ordinance To Amend Ordinance No. 8064 C.M.S., To Change The Frequency Of Meetings To Be Held By The Library Advisory Commission; On The June 10, 2008 Life Enrichment Committee Agenda
[\(07-1274\)](#)

S-4-19 Subject: Library Advisory Commission - Annual Report
From: Oakland Library
Recommendation: Receive The Annual Report Of The Library Advisory Commission For The Period From February 1, 2007 To January 31, 2008; On The June 10, 2008 Life Enrichment Committee Agenda
[\(07-1277\)](#)

S-4-20 Subject: Second Start Adult Literacy Program Grant
From: Oakland Library
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate A Grant In The Amount Of \$75,000 From The California State Library California Library Literacy Service To Support The Oakland Public Library Second Start Adult Literacy Program For Fiscal Year 2008-2009; On The June 10, 2008 Life Enrichment Committee Agenda
[\(07-1278\)](#)

[\(04-24 Rules 4\)](#)

5 A review of the Council Committees' actions from April 22, 2008 and determination of scheduling to the ORA/City Council meeting of April 29, 2008 or future dates
(MATRIX)
[\(04-24 Rules 5\)](#)

6 A review of the Agendas for the ORA/City Council meeting of May 6, 2008 and the Rules and Legislation Committee Meeting of May 8, 2008
[\(04-24 Rules 6\)](#)

SUPPLEMENTAL

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

Subject: Support Of Assembly Bill 1334

From: City Council

Recommendation: Adopt A Resolution Supporting Senate Bill 1334 (Calderaon), As Amended, Which Will Amend California Health And Safety Code Section 116875 And Require Independent Testing Of Lead Content In Products Conveying And Dispensing Water For Human Consumption

[\(07-1198\)](#)

Subject: Support Of Assembly Bills 2760, 2763, 2764, 2765, And 2892

From: Councilmembers Nadel and Brunner

Recommendation: Adopt A Resolution In Support Of The Following State Assembly Bills Regarding Pesticide Spraying And Directing City Lobbyists To Advocate For Provisions In These Bills That Ensure Independent Verification Of Program Safety Prior To Any Aerial Pesticide Application Over Urban Areas:

a) AB2760 (Leno) Would Require That An Environmental Impact Report Be Completed Before The State Agricultural Department Could Apply Pesticides In Urban Areas For The Eradication Of The Light Brown Apple Moth.

b) AB2763 (Laird) Would Require The State Department Of Food And Agriculture To Prepare A List Of Invasive Species That Might Enter The State And Prepare A Written Assessment For The High Priority Species, Describing Eradication, Control, Management, Including Which Chemicals Might Be Used.

c) AB2765 (Huffman) Would Require A Public Hearing And The Examination Of Alternatives To Aerial Spraying Before Any Decision To Do So. It Also Requires Full Disclosure Of All Pesticide Components And To Seek Independent Certification Of Their Safety. (TITLE CHANGE)

[\(07-1248\)](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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

[\(TDD\)](#)

SUPPLEMENTAL

***Rules & Legislation Committee**

Thursday, April 24, 2008

- * 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