

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, February 19, 2009 10:45 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:

Jean Quan, District 4; Vice Mayor Ignacio De La Fuente, District 5; Larry Reid, District 7; and Chairperson Jane Brunner, District 1

- 1 Closed Session
- Approval of the Draft Minutes from the Committee meetings of January 29, 2009 and February 5, 2009
- 3 Determination of Schedule of Outstanding Committee Items

(02-19 Rules Pending)

Scheduling of Agenda Items and revisions to the agenda(s) for the (Council Committee meetings) of February 24, 2009 (SUPPLEMENTAL)

(02-19 Rules Item 4)

4-1 Subject: **Emergency Communications Enhancements**

> Oakland Fire Department From:

A Resolution Authorizing The City Administrator Or His Designee To Apply For, Accept, Appropriate And Administer Grant Funding In An Amount Not To Exceed \$1,300,000 From The U.S. Department Of Homeland Security Public Safety Interoperable Communications Grant (PSIC) For Emergency Communications Enhancements That Will Move The City Of Oakland Toward P-25 Full Compliance And Interoperability; On The April 28, 2009 Public Safety Committee Agenda

(09-0120)

4-2 Subject: Emergency Management And Disaster Preparedness Report

> From: Oakland Fire Department

Recommendation: Receive Semi-Annual Report On Emergency Management And Disaster Preparedness Council Proceedings For The Period Of July To December 2008; On The April 28, 2009 Public Safety Committee Agenda

(09-0123)

4-3 Subject: Police Department Rental Vehicles

> From: Oakland Police Department

Recommendation: Receive An Informational Report From The Oakland Police Department On The Need, Use, Cost, And Contracting Options Of Rental Vehicles; On The April 28, 2009 Finance And Management Committee Agenda

(09-0115)

4-4 Subject: Assembly Bill 16

> From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, On Behalf Of The City Of Oakland, To Support Assembly Bill #16, Which Makes It A Felony For Any Person To Solicit Another Person Who Is Under 18 Years Of Age To Engage In An Act Of Prostitution In Return For Money Or Other Consideration Or To Agree To Give Another Person Who Is Under 18 Years Of Age Money Or Other Consideration In Return For The Other Person Committing An Act Of Prostitution; On The March 5, 2009 Rules And Legislation Committee Agenda

(09-0133)

4-5 Subject: Assembly Bill 17

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City
Administrator, Or His Designee, On Behalf Of The City Of Oakland, To
Support If Amended Assembly Bill #17, Which Provides For Additional
Fines To The Already Existing Ones For Those Individuals Convicted For
Soliciting Another Person Under The Age Of 18 Years To Engage In An
Act Of Prostitution For Money Or Other Consideration Or Agree To Give
Another Person Who Is Under The Age Of 18 Years Money Or Other
Consideration In Return For The Other Person Committing An Act Of
Prostitution; On The March 5, 2009 Rules And Legislation Committee
Agenda

(09-0134)

4-6 Subject: Commission On Persons With Disabilities Report

From: Office of the City Administrator

Recommendation: Receive The Commission On Persons With Disabilities Annual Report For Calendar Year 2008; On The March 24, 2009 Life Enrichment Committee Agenda

(09-0111)

4-7 Subject: Mayor's Public Safety Plan

From: Councilmember Reid

Recommendation: Action On A Report From The Mayor's Office On The Mayor's Public Safety Plan/Model Including The Justification (e.g. Empirical Data) For The Specific Recommendations, Financial Impact, The Implementation Status, And How The Plan Aligns With Council's Public Safety Priorities; On The March 10, 2009 Public Safety Committee Agenda (09-0033)

4-8 Subject: Education Partnership Meeting

From: City Council

Recommendation: Request To Cancel Life Enrichment Committee On March 10, 2009 And Schedule A Special Education Partnership Committee In Its Place With The Following Items On The Agenda:

- 1) An Informational Report From The Alameda County Public Health Department On Their Recently Released Report: Death From Unnatural Causes In Alameda County.
- 2) A Report From The Oakland Unified School District On The Student Drop Out Rate; Current Approaches To Address The Problem; And Recommended Strategies Going Forward.
- 3) A Report And Recommendations From Peralta Community College District On The District's Role In Partnership With The City And The Oakland Unified School District In Preparing Oakland Residents For Meaningful Engagement In The Workforce

REASON: Per The Chairperson's Request

(09-0113)

4-9 Subject: Morcom Rose Garden

From: Councilmember Patricia Kernighan

Recommendation: Adopt A Resolution Commending The Staff And Volunteers On The Morcom Rose Garden's Acceptance Into The All-America Rose Selection's Public Gardens Program; On The March 3, 2009 City Council Agenda

(09-0131)

4-10 Subject: Measure Y Oversight Committee Appointment

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Appointing Michael E. Brown, Jr. As The District 3 Appointee To The Measure Y Oversight Committee; On The March 3, 2009 City Council Agenda

(09-0132)

4-11 Subject: T.Y. Lin International - Contract Amendment No. 3

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing Amendment No. 3 To The Professional Services Contract With T.Y. Lin International/Earthtech, Joint Venture For The Replacement Of Embarcadero Bridge Over Lake Merritt Channel (Project No. G121810) Increasing The Scope Of Work And The Contract Amount By Six Hundred Eighty Thousand Dollars (\$680,000.00) For A Total Contract Amount Not To Exceed One Million Nine Hundred Eighty Thousand Two Hundred Forty-Four Dollars (\$1,980,244.00); On The March 10, 2009 Public Works Committee Agenda

(09-0088)

4-12 Subject: Affordable Housing Development Activities
From: Community and Economic Development Agency
Recommendation: Adopt Resolutions Regarding Affordable Housing
Development Activities, Including Authorizing Over \$18 Million In
Affordable Housing Development Loans And Appropriating Funds For The
Affordable Housing Development Program; On The March 10, 2009
Community And Economic Development Committee Agenda; And As A
Public Hearing On The March 17, 2009 City Council Agenda
(09-0091)

4-13 Subject: Rehabilitation Of Existing Affordable Housing
From: Community and Economic Development Agency
Recommendation: Adopt Resolutions And A City Ordinance Regarding
Rehabilitation Of Existing Affordable Housing, Including Authorizing
Over \$9 Million In Loans For Existing Affordable Housing Developments
And Authorizing Certain Foreclosure Activities With Respect To The
Rehabilitation Of Some Of These Developments; On The March 10, 2009
Community And Economic Development Committee Agenda; And As A
Public Hearing On The March 17, 2009 City Council Agenda
(09-0092)

4-14 Subject: Rebuilding Oakland Together- Housing Rehabilitation Grant From: Community and Economic Development Agency Recommendation: Adopt An Agency Resolution Authorizing A \$50,000 Grant From Central City East Redevelopment Funds And A \$50,000 Grant From Coliseum Redevelopment Funds To Rebuilding Together Oakland To Rehabilitate Houses And/Or Facilities For Low-Income Seniors And/Or Disabled Persons Within The Project Areas; On The March 24, 2009 Community And Economic Development Committee Agenda (09-0116)

4-15 Subject: **Uptown Project Amendments**

> From: Community and Economic Development Agency Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing An Amendment To The Lease Disposition And Development Agreement Between The Redevelopment Agency, The City Of Oakland And Uptown Housing Partners, LP, For The Development Of A Mixed-Use Project In The Central District Redevelopment Project Area, Commonly Known As The Uptown Project (Phase 1), To: (A) Reduce The Agency's Contribution Toward Hazardous Materials Abatement By \$217,000, From \$4,085,600 To \$3,868,600, And (B) Reallocate The \$217,000 Of Reduced Agency Hazardous Materials Contribution Toward The Construction Of The Public Park In The Uptown Project (Phase 1); On The March 24, 2009 Community And Economic Development Committee Agenda; And As A Public Hearing On The April 7, 2009 City Council Agenda (09-0117)

- 2) A City Resolution Authorizing An Amendment To The Lease Disposition And Development Agreement Between The City Of Oakland, The Redevelopment Agency And Uptown Housing Partners LP For The Development Of A Mixed-Use Project In The Central District Redevelopment Project Area, Commonly Known As The Uptown Project (Phase 1), To: (A) Reduce The Agency's Contribution Toward Hazardous Materials Abatement By \$217,000, From \$4,085,600 To \$3,868,600, And (B) Reallocate The \$217,000 Of Reduced Agency Hazardous Materials Contribution Toward The Construction Of The Public Park In The Uptown Project (Phase 1); On The March 24, 2009 Community And Economic Development Committee Agenda; And As A Public Hearing On The April 7, 2009 City Council Agenda (09-0117-1)
- 3) An Agency Resolution Authorizing An Amendment To The Disposition And Development Agreement Between The Redevelopment Agency And FC Uptown Parcel 4 LLC, For The Development Of A Mixed-Use Project At 1911 Telegraph Avenue, Commonly Known As The Uptown Project (Phase 2), To: (A) Extend The Dates For Project Development And Completion; And (B) Place An Amount Of Up To \$70,000 From The Sales Proceeds In Escrow To Reimburse FC Uptown Parcel 4 LLC For Certain Hazardous Materials Abatement Costs In To Be Incurred By FC Uptown Parcel 4 LLC In Connection With The Development Of 1911 Telegraph Avenue; On The March 24, 2009 Community And Economic Development Committee Agenda; And As A Public Hearing On The April 7, 2009 City Council Agenda (09-0117-2)
- 4) A City Resolution Approving An Amendment To The Disposition And Development Agreement Between The Redevelopment Agency And FC Uptown Parcel 4 LLC, For The Development Of A Mixed-Use Project At 1911 Telegraph Avenue, Commonly Known As The Uptown Project (Phase 2), To: (A) Extend The Dates For Project Development And Completion; And (B) Place An Amount Of Up To \$70,000 From The Sales Proceeds In Escrow To Reimburse FC Uptown Parcel 4 LLC For Certain

Hazardous Materials Abatement Costs In To Be Incurred By FC Uptown Parcel 4 LLC In Connection With The Development Of 1911 Telegraph Avenue; On The March 24, 2009 Community And Economic Development Committee Agenda; And As A Public Hearing On The April 7, 2009 City Council Agenda (09-0117-3)

- 5) An Agency Resolution Authorizing The Agency Administrator To Execute A Lease With FC Oakland, Inc, Or Related Entities For A Term Of 36 Months To Construct And Operate A Parking Lot At 1911 Telegraph Avenue; On The March 24, 2009 Community And Economic Development Committee Agenda (09-0117-4)
- 6) An Agency Resolution Authorizing The Submittal Of Applications To The California Department Of Housing And Community Development For Funding Under The Infill Housing Program And/Or The TOD Housing Program For The Mixed-Use Project At 1911 Telegraph Avenue, Commonly Known As The Uptown Project (Phase 2), And Authorizing Acceptance And Appropriation Of Grant Funds From These Programs And The Execution Of Standard Agreements And Any Related Documents Necessary, If Selected For Such Funding; On The March 24, 2009 Community And Economic Development Committee Agenda

(09-0117-5)

4-16 Subject: Defremery Recreation Center Rehabilitation

From: Community and Economic Development Agency
Recommendation: Adopt City And Redevelopment Agency Resolutions
Authorizing And Accepting A Contribution Of Oak Center Redevelopment
Funds To The City Under The Cooperation Agreement In An Amount Not
To Exceed \$85,000 For Rehabilitation Of The Defremery Recreation
Center At 1651 Adeline Street In The Oak Center Redevelopment Project
Area; On The March 24, 2009 Community And Economic Development
Committee Agenda; And As A Public Hearing On The April 7, 2009 City
Council Agenda

(09-0118)

4-17 Subject: Fitzgerald Park Improvements

From: Community and Economic Development Agency Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Allocating Redevelopment Funds In An Amount Not To Exceed \$100,000 For Improvements To Fitzgerald Park In West Oakland, And Authorizing A Contribution Of Agency Funds To The City Under The Cooperation Agreement For This Purpose; And (09-0119)

2) A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$100,000 For Improvements To Fitzgerald Park In West Oakland; On The March 24, 2009 Community And Economic Development Committee Agenda (09-0119-1)

4-18 Subject: Senate Bill 7

From: Public Works Agency

Recommendation: Adopt A Resolution To Support, If Amended, Senate Bill 7 Legislation Expanding Electric Utilities' Obligations To Purchase Electricity From Customers Who Generate More Electricity In A

Twelve-Month Period Than They Consume; On The March 5, 2009 Rules

And Legislation Committee Agenda

(09-0094)

4-19 Subject: Assembly Bill 64

From: Public Works Agency

Recommendation: Adopt A Resolution To Support, If Amended, Assembly Bill 64 Legislation Regarding Modifying Statewide Renewables Portfolio Standards, Creating A Standard Tariff For Certain Renewable Energy Generation Projects And Creating A Renewable Infrastructure Authority; On The March 5, 2009 Rules And Legislation Committee Agenda

(09-0095)

4-20 Subject: Assembly Bills 68 And 87

From: Public Works Agency

Recommendation: Adopt A Resolution In Support Of Assembly Bill 68 (Brownley) And Assembly Bill 87 (Davis) - Solid Waste: Single Use Carryout Bags, Which Would Require On Or After July 1, 2010, A Store Providing Plastic Carryout Bags To Customers To Charge Not Less Than \$0.25 Per Bag; On The March 5, 2009 Rules And Legislation Committee Agenda

(09-0096)

4-21 Subject: Solid Waste Management Assessment

From: Public Works Agency

Recommendation: Adopt A Resolution Adopting Evaluative Criteria For Assessing Solid Waste Management System Designs Responsive To The Zero Waste By 2020 Goal; On The March 10, 2009 Public Works Committee Agenda

(09-0121)

4-22 Subject: Delinquent Transient Occupancy Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes; On The December 15, 2009 City Council Agenda

(09-0068)

4-23 Delinquent Mandatory Garbage Fees - Public Hearing Subject: From: Finance and Management Agency Recommendations: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For April/May/June 2009, Monthly Accounts And July/September/October 2009, Quarterly Accounts; On The December 15, 2009 City Council Agenda (09-0069)4-24 Subject: Delinquent Business Taxes - Public Hearing From: Finance and Management Agency Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes; On The December 15, 2009 City Council Agenda (09-0070)4-25 Subject: Delinquent Real Property Taxes - Public Hearing From: Finance and Management Agency Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes; On The December 15, 2009 City Council Agenda (09-0071)4-26 Subject: Delinquent Transient Occupancy Taxes - Public Hearing From: Finance and Management Agency Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes; On The September 15, 2009 City Council Agenda (09-0072)4-27 Subject: Delinquent Mandatory Garbage Fees - Public Hearing Finance and Management Agency From: Recommendations: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For January/ February/March 2009, Monthly Accounts and April/May/June 2009, Quarterly Accounts; On The September 15, 2009 City Council Agenda (09-0073)4-28 Subject: Delinquent Business Taxes - Public Hearing From: Finance and Management Agency Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes; On The September 15, 2009 City Council Agenda (09-0074)

| 4-29 | Subject: Delinquent Real Property Taxes - Public Hearing From: Finance and Management Agency Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes; On The September 15, 2009 City Council Agenda (09-0075) |
|------|--|
| 4-30 | Subject: Delinquent Transient Occupancy Taxes - Public Hearing From: Finance and Management Agency Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes; On The June 16, 2009 City Council Agenda (09-0076) |
| 4-31 | Subject: Delinquent Mandatory Garbage Fees - Public Hearing From: Finance and Management Agency Recommendations: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For October/ November/December 2008, Monthly Accounts and January/February/March 2009, Quarterly Accounts; On The June 16, 2009 City Council Agenda (09-0077) |
| 4-32 | Subject: Delinquent Business Taxes - Public Hearing From: Finance and Management Agency Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes; On The June 16, 2009 City Council Agenda (09-0078) |
| 4-33 | Subject: Delinquent Real Property Taxes - Public Hearing From: Finance and Management Agency Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes; On The June 16, 2009 City Council Agenda (09-0079) |
| 4-34 | Subject: Delinquent Transient Occupancy Taxes - Public Hearing From: Finance and Management Agency Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes; On The March 17, 2009 City Council Agenda (09-0080) |
| 4-35 | Subject: Delinquent Mandatory Garbage Fees - Public Hearing From: Finance and Management Agency Recommendations: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For July/August/September 2008, Monthly Accounts And October/November/December 2008, Quarterly Accounts; On The March 17, 2009 City Council Agenda |

(09-0081)

4-36 Delinquent Business Taxes - Public Hearing Subject:

> From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes; On The March 17, 2009 City Council Agenda

(09-0082)

4-37 Subject: Delinquent Real Property Taxes - Public Hearing

> From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes; On The March 17, 2009 City Council Agenda

(09-0083)

4-38 Subject: Spousal Retirement Benefits - Ballot Measure

> From: Police and Fire Retirement Board

Recommendation: Adopt A Resolution Submitting, On The Oakland City Council's Own Motion, A Proposed Charter Amendment, Entitled, "Measure Allowing All Widows And Widowers Who Remarry To Receive Spousal Retirement Benefits" To Be Submitted To The Electors At The Election Of June 2, 2009; Directing The City Clerk To Fix The Date For Submission Of Arguments And To Provide For Notice And Publication In Accordance With The Law And Authorizing Certain Other Election Activities; On The March 3, 2009 City Council Agenda

(09-0089)

4-39 Subject: Retirement Benefits Funding - Ballot Measure

> From: Police and Fire Retirement Board

Recommendation: Adopt A Resolution Submitting On The City Council's Own Motion, A Proposed Charter Amendment, Entitled, "Measure Extending The City Of Oakland's Deadline To Fund Retirement Benefits For All Members Of The Police And Fire Retirement System And Their Beneficiaries Beyond July 1, 2026 " To Be Submitted To The Electors At The Election Of June 2, 2009; Directing The City Clerk To Fix The Date For Submission Of Arguments And To Provide For Notice And Publication In Accordance With The Law And Authorizing Certain Other Election Activities; On The March 3, 2009 City Council Agenda

(09-0090)

4-40 Subject: Business Tax Board Of Review Report

> From: Finance and Management Agency

Recommendation: Receive An Informational Report On The Business Tax Board Of Review Meeting For The Fourth Quarter Of Calendar Year 2008; On The March 10, 2009 Finance And Management Committee Agenda

(09-0112)

4-41 Subject: Outside Service Contracts

From: Finance and Management Agency

Recommendation: Receive A Follow-Up Informational Report On Outside Services Contracts Including Discussion Of Combining Various Types Of Contracts And As-Needed Contracts; And Responses To Questions Submitted By International Federation Of Professional & Technical Engineers, Local 21 At The February 10, 2009 Finance & Management Committee Meeting; On The April 28, 2009 Finance And Management

Committee Agenda

(09-0130)

A review of the Agendas for the Concurrent Meeting of ORA/City Council) for the meeting of March 3, 2009 and the Rules and Legislation Committee for the meeting of March 5, 2009

(02-19 Rules Item 5)

6 Subject: Boards And Commissions Report

From: Council President Jane Brunner

Recommendation: Receive A Status Report And List Of Vacancies On All City Of

Oakland Boards And Commissions, Along With The Date Vacated

(09-0062)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

NOTE: Americans With Disabilities Act

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Office of the City Clerk - Agenda Management Unit

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(TDD)

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM

* 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