



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, November 06, 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; Vice Mayor Larry Reid, District 7; Henry Chang, At-Large; and Chairperson Ignacio De La Fuente, District 5

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meetings of October 9, 2008 and October 16, 2008
- 3 Determination of Schedule of Outstanding Committee Items
[\(11-06 Rules Pending\)](#)
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of November 12, 2008 (SUPPLEMENTAL)
[\(11-06 Rules Item 4\)](#)

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Thursday, November 06, 2008

- S-4-1 Subject: Urban Search And Rescue Team Training
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The State Of California Fire And Rescue Training Authority For A January 17-18, 2009 Mobilization Exercise In Exchange For Reimbursement In The Amount Of One Hundred Thousand Dollars (\$100,000) For Personnel And Supply Expenses Incurred In Training Of The Oakland Fire Department Urban Search And Rescue (USAR) Team And To Appropriate Said Funds; On The December 16, 2008 Public Safety Committee Agenda
[\(07-1801\)](#)
- S-4-2 Subject: Emergency Management Disaster Preparedness Council Report
From: Oakland Fire Department
Recommendation: Receive The Semi-Annual Report On Emergency Management And Disaster Preparedness Council Proceedings For The Period Of January To June 2008; On The December 16, 2008 Public Safety Committee Agenda
[\(07-1807\)](#)
- S-4-3 Subject: Police Department Civilianized Positions
From: Oakland Police Department
Recommendation: Receive An Informational Report From The Office Of Chief Of Police Detailing Steps That Have Been Taken To More Effectively Deploy Sworn Officers Throughout The City By Identifying Positions Within The Department That Can Be Or Have Been Civilianized Since Implementation Of The New Oakland Police Officers' Association (OPOA) Contract With The City Of Oakland; On The December 2, 2008 Public Safety Committee Agenda
[\(07-1767\)](#)
- S-4-4 Subject: Marine Unit Equipment
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In The Amount Of Fifty-Six Thousand Dollars (\$56,000) From The State Of California, Department Of Boating And Waterways, To The Oakland Police Department For Use By The Marine Unit For Equipment Purchases To Outfit And Maintain Two Vessels Used For Law Enforcement And Homeland Security On City Of Oakland Waterways And The Port Of Oakland Terminals; On The December 2, 2008 Public Safety Committee Agenda
[\(07-1795\)](#)

SUPPLEMENTAL

S-4-5 Subject: First Quarter Revenue And Expenditure Results
From: Budget Office
Recommendation: Action On A Report On Fiscal Year 2008-2009 First
Quarter Revenue And Expenditure Results And Year-End Projections For
Four Selected Funds - General Purpose Fund (1010), Landscape & Lighting
Assessment District Fund (2310), Equipment Fund (4100) And City
Facilities Fund (4400); And Overtime Analysis For General Purpose Fund
(1010) And All Funds; On The December 2, 2008 Finance And
Management Committee Agenda

[\(07-1768\)](#)

S-4-6 Subject: Measure Y First Quarter Evaluation Report
From: City Administrator
Recommendation: Adopt A Resolution Adopting The Measure Y (Violence
Prevention And Public Safety Act Of 2004) Evaluation Report From
Resource Development Associates (RDA) For The Period Of July -
September, 2008 (First Quarter); On The December 2, 2008 Public Safety
Committee Agenda

[\(07-1776\)](#)

S-4-7 Subject: Meeting Schedule Change For December
From: Office of the City Administrator
Recommendation: Approve The Request To Change The City Council And
Council Committee Meeting Schedule For The Month Of December As
Follows:

The Current December Schedule:

December 2, 2008 - City Council Meeting
December 9, 2008 - Council Committee Meetings
December 16, 2008 - City Council Meeting
December 23, 2008 - Meetings Cancelled

Proposed December Schedule:

December 2, 2008 - Council Committee Meetings
December 9, 2008 - City Council Meeting
December 16, 2008 - Council Committee Meetings
December 23, 2008 - Meetings Cancelled
January 6, 2009 - City Council Meeting

All Items Scheduled Prior To This Change Will Be Re-Scheduled
Accordingly

Reason: Changing The Committee Meetings To December 2 And December
16 Will Help Balance Out The End Of The Year And Allow The Start Of
The New Year With A 1st Tuesday City Council Meeting.

[\(07-1786\)](#)

SUPPLEMENTAL

- S-4-8 Subject: Neighborhood Project Initiative Program
From: Office of the City Administrator
Recommendation: Adopt City And Agency Resolutions Allocating
Redevelopment Agency Funds Under The Cooperation Agreement In An
Amount Not To Exceed Two Hundred And Forty Thousand Dollars
(\$240,000) For Certain Public Improvements Within The Coliseum
Redevelopment Project Area Under The Neighborhood Project Initiative
Program; On The December 2, 2008 Community And Economic
Development Committee Agenda
[\(07-1789\)](#)
- S-4-9 Subject: Measure Q Performance Audit
From: Office of the City Auditor
Recommendation: Receive The Measure Q Performance Audit: Library
Funds Were Mostly Spent In Accordance With The Measure
[\(07-1784\)](#)
- S-4-10 Subject: Independent Audit Committee Implementation
From: Councilmember Nadel and City Auditor Ruby
Recommendation: Action On A Report And Recommendations To
Implement An Independent Audit Committee To Provide Independent
Oversight, Selection, And Monitoring Of External Financial Statement
Auditors; On The December 2, 2008 Finance And Management Committee
Agenda
[\(07-1782\)](#)
- S-4-11 Subject: Community Choice Aggregation - Joint Workshop
From: Councilmember Nancy Nadel
Recommendation: A Request For The City Council To Approve The
Scheduling Of A Joint Workshop, In Early 2009, On Community Choice
Aggregation Including The City Councils Representing Oakland, Berkeley
and Emeryville; On The November 18, 2008 City Council Agenda
[\(07-1797\)](#)
- S-4-12 Subject: Early Retirement And Voluntary Time Off Analysis
From: Councilmember Jane Brunner
Recommendation: Action On An Implementation Plan And Cost Analysis
Of 1) An Early Retirement Program ("Golden Handshake"), And 2) A
Voluntary Time Off Program For City Employees; On The December 16,
2008 Finance And Management Committee Agenda
[\(07-1798\)](#)

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- S-4-13 Subject: Leadership Excellence Grant
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Authorizing A Grant Of \$850.00 From Councilmember Nancy J. Nadel's Pay-Go Funds To Leadership Excellence For The Purchase Of 100 Bus Passes At \$8.50 Per Pass To Be Used As An Incentive For West Oakland Youth Who Participate In A Survey Sponsored By The Teen Planning Committee For The West Oakland Teen Center
[\(07-1804\)](#)
- S-4-14 Subject: Youth Protection Curfew
From: Vice Mayor Larry Reid and the Oakland Police Department
Recommendation: Adopt An Ordinance Of The City Of Oakland (1) Amending Chapter 9.12 Of The Oakland Municipal Code To Establish A Youth Protection Curfew And (2) To Repeal Oakland Municipal Code Sections 9.12.020 And 9.12.030 (Minors Loitering In Public Places); On The December 16, 2008 Public Safety Committee Agenda
[\(07-1806\)](#)
- S-4-15 Subject: Emergency Preparedness On-Line Training Expenses
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Authorizing The Transfer Of Councilmember Jean Quan's Pay-Go Funds In The Amount Of \$7,450.00 To The Oakland Fire Department, Office Of Emergency Services To Pay For Consultant Costs Incurred To Develop A Basic Family And Individual Emergency Preparedness On-Line Training Course In Cantonese For The Chinese Community
[\(07-1808\)](#)
- S-4-16 Subject: Travel Authorization
From: Councilmembers Larry Reid And Jean Quan
Recommendation: Adopt A Resolution Authorizing Councilmembers Larry Reid And Jean Quan To Travel To Orlando, Fl On November 11-15, 2008 To Attend The National League Of Cities, Congressional City Conference
[\(07-1809\)](#)
- S-4-17 Subject: Anti-Nepotism Policy Amendment
From: Councilmember Nancy Nadel
Recommendation: Adopt An Ordinance Amending Title 9 Of The City Of Oakland Municipal Code By Adding A New Chapter, 2.38, Entitled Anti-Nepotism Policy, To Prevent Nepotism And Cronyism In Hiring And Administration
[\(07-1812\)](#)

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- S-4-18 Subject: Gibson And Associates Agreement
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute An Agreement With Gibson And Associates For The Period December 11, 2008 Through December 15, 2009, In An Amount Not To Exceed \$135,000 For Professional Services To Develop The Oakland Fund For Children And Youth Strategic Plan (2011-2014); On The December 2, 2008 Life Enrichment Committee Agenda
[\(07-1796\)](#)
- S-4-19 Subject: Oakland Retail Enhancement Strategy - Implementation
From: Community and Economic Development Agency
Recommendation: Action On A Report And Recommendations To Accept The Oakland Retail Enhancement Strategy And To Authorize Actions Included In The Implementation Plan (TITLE CHANGE); On The December 16, 2008 Community And Economic Development Committee Agenda
[\(07-1175\)](#)
- S-4-20 Subject: Income Producing Encroachments - License Fee
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 12.08 To Require A License For Income Producing Encroachments Within The Public Right-Of-Way, And Amending The Master Fee Schedule To Establish A License Fee For Income Producing Encroachments Within The Public Right-Of-Way; On The December 16, 2008 Public Works Committee Agenda
[\(07-1769\)](#)
- S-4-21 Subject: Wallace Street Project - Re-Bid Authorization
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Rejecting All Bids For The Demolition Of Unsafe Structures Located At 2621, 2631, And 2633 Wallace Street Project, Authorizing Re-Bid Of The Project, Waiving Advertising, And Authorizing The City Administrator Or Designee To Award The Construction Contract In A Not-To-Exceed Amount Of \$200,000.00 For The Demolition Of Unsafe Structures Located At 2621, 2631, And 2633 Wallace Street Project To The Lowest Responsible, Responsive Bidder, Or To Negotiate With The Bidders If Bids Are Deemed Non-Responsive Or Non-Responsible, Without Return To Council
[\(07-1771\)](#)

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- S-4-22 Subject: 2008-2009 Consolidated Plan Amendment
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution 1) Adopting A Substantial Amendment To The Consolidated Plan Annual Action Plan For Housing And Community Development For Fiscal Year 2008-2009; 2) Authorizing The City Administrator To Submit The Amendment To The U.S. Department Of Housing And Urban Development; 3) Authorizing The City Administrator To Accept And Appropriate Funds Totaling \$8,250,668 To The HUD-CDBG Fund To Develop And Administer The Neighborhood Stabilization Program; 4) Authorizing The Community And Economic Development Agency To Issue A Request For Proposal/Qualifications For The Neighborhood Stabilization Program; And 5) Authorizing The Reallocation Of Funds From The Existing Neighborhood Housing Revitalization Program As Needed For The Neighborhood Stabilization Program
[\(07-1772\)](#)
- S-4-23 Subject: General Plan Land Use Diagram Corrections
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Correcting Long-Standing, Scrivener's Errors Of The General Plan Land Use Diagram To Conform To What Was Previously Adopted; On The December 2, 2008 Community And Economic Development Committee Agenda; And As A Public Hearing On The December 9, 2008 City Council Agenda
[\(07-1773\)](#)
- S-4-24 Subject: Planning Code Amendments - Chapters 17.73 And 17.10
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending The Oakland Planning Code To: (1) Amend Chapter 17.73 "CIX-1, CIX-2, IG And IO Industrial Zones" To Include Proposed Regulations Concerning Primary Recycling Centers In CIX-1, CIX-2 And IG Zones; (2) Amend Chapter 17.10 "Use Classifications" To Delete "Intermediate Processing Facility" As A Land Use Activity Type From O.M.C. 17.10.586 "Recycling And Waste-Related Industrial Activities"; On The December 2, 2008 Community And Economic Development Committee; And As A Public Hearing On The December 9, 2008 City Council Agenda
[\(07-1774\)](#)

SUPPLEMENTAL

- S-4-25 Subject: Various BID Annual Reports
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving The Annual Reports Of
The Lakeshore/Lake Park Business Improvement Management
District, Temescal/Telegraph Avenue Property Business Improvement
District Of 2005, The Laurel Property Business Improvement District Of
2005, The Fruitvale Property Business Improvement District Of 2006, And
The Koreatown/Northgate Community Benefit District Of 2007 Advisory
Boards And Confirming The Continuing Annual Assessment For Each
District For Fiscal Year 2008/2009; On The December 2, 2008 Community
And Economic Development Committee Agenda
[\(07-1775\)](#)
- S-4-26 Subject: Central City East And Coliseum Project Areas Security
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A Professional
Services Agreement For An Amount Not To Exceed \$180,000 With (TBD)
To Provide Private Commercial Security Services In The Central City East
And Coliseum Redevelopment Project Areas; On The December 16, 2008
Community And Economic Development Committee Agenda
[\(07-1778\)](#)
- S-4-27 Subject: Studio One Art Center - Landmark Designation
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Designating Studio One Art Center
(Historic Name: Ladies Relief Society Children's Home), Located At 365
45th Street, As A Landmark Pursuant To Section 17.136.070 Of The
Oakland Planning Code; On The December 2, 2008 Community And
Economic Development Committee Agenda; And As A Public Hearing On
The December 9, 2008 City Council Agenda
[\(07-1790\)](#)
- S-4-28 Subject: The Altenheim - Landmark Designation
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Designating The Altenheim,
Located At 1720 MacArthur Boulevard, As A Landmark Pursuant To
Section 17.136.070 Of The Oakland Planning Code; On The December 2,
2008 Community And Economic Development Committee Agenda; And As
A Public Hearing On The December 9, 2008 City Council Agenda
[\(07-1791\)](#)

SUPPLEMENTAL

- S-4-29 Subject: Various Façade Improvement Program Allocations
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) An Agency Resolution Allocating \$125,000 To The West Oakland
Redevelopment Project Area Façade Improvement Program And Allocating
\$125,000 To The West Oakland Redevelopment Project Area Tenant
Improvement Program;
[\(07-1792\)](#)
- 2) An Agency Resolution Allocating \$300,000 To The Coliseum Redevelopment Project
Area Façade Improvement Program And Allocating \$245,000 To The Coliseum
Redevelopment Project Area Tenant Improvement Program; And
[\(07-1792-1\)](#)
- 3) An Agency Resolution Allocating \$300,000 To The Broadway/MacArthur/San Pablo
Redevelopment Project Area Façade Improvement Program And Allocating \$300,000 To
The Broadway/MacArthur/San Pablo Redevelopment Project Area Tenant Improvement
Program; On The December 2, 2008 Community And Economic Development
Committee Agenda
[\(07-1792-2\)](#)
- S-4-30 Subject: Business Retention, Expansion And Support Services
From: Community and Economic Development Agency
Recommendation: Action On A Report On The Interim Plan To Provide
Business Retention, Expansion And Support Services, Pending The
Conclusion Of A Competitive Request For Proposals Process; On The
December 16, 2008 Community And Economic Development Committee
Agenda
[\(07-1793\)](#)
- S-4-31 Subject: Central City East Neighborhood Projects Program
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Adopting The Central City East
Neighborhood Projects Initiative Program And Allocating \$160,000 For
The Program From Central City East Redevelopment Project Funds; On
The December 16, 2008 Community And Economic Development
Committee Agenda
[\(07-1794\)](#)

SUPPLEMENTAL

S-4-32 Subject: Olson 737-Oakland 1, LLC - Agreement Amendment
From: Community and Economic Development Agency
Recommendation: Adopt A Redevelopment Agency And City Resolutions
Authorizing An Amendment To The Disposition And Development
Agreement With Olson 737 - Oakland 1, LLC, For The City Center T-10
Residential Project At 14th Street, 13th Street Pedestrian Walk, Jefferson
Street And Martin Luther King, Jr. Way, To Permit The Project To Be A
Rental Project, To Extend The Dates For Project Development And
Completion, To Authorize Transfer Of The Development Right To DCA
City Walk, L.P., Or To Another Qualified Entity Approved By The Agency
Administrator Without Returning To The Agency, And To Eliminate
Profit-Sharing; On The December 2, 2008 Community And Economic
Development Committee Agenda; And As A Public Hearing On The
December 9, 2008 City Council Agenda

[\(07-1802\)](#)

S-4-33 Subject: Conditional And Revocable Permit - 2400 Webster Street
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Randal M. Lee, Et Al., A
Conditional And Revocable Permit To Allow An Existing Building At 2400
Webster Street To Encroach Into The Public Right-Of-Way; On The
December 16, 2008 Public Works Committee Agenda

[\(07-1803\)](#)

S-4-34 Subject: Gallagher And Burk - Street Resurfacing
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Award Of A
Construction Contract To Gallagher And Burk, Inc., For Citywide Street
Resurfacing Fiscal Year 2007-2008 (Project No. G339610), In The Amount
Of One Million Eight Hundred Ninety-Five Thousand and Seventy Dollars
(\$1,895,070.00); On The December 2, 2008 Public Works Committee

[\(07-1805\)](#)

S-4-35 Subject: Brown Act Amendments To The Sunshine Ordinance
From: Public Ethics Commission
Recommendation: Adopt An Ordinance Amending Chapter 2.20 Of The
Oakland Municipal Code (AKA "The Oakland Sunshine Ordinance") For
The Purpose Of Revising The Current Definition Of "Meeting" To Achieve
Consistency With Recent Amendments To The Ralph M. Brown Act; On
The December 2, 2008 Finance And Management Committee Agenda

[\(07-1695-1\)](#)

5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the
meeting of November 18, 2008 and the Rules and Legislation Committee for the meeting
of November 20, 2008

[\(11-06 Rules Item 5\)](#)

SUPPLEMENTAL

*Rules & Legislation Committee

Thursday, November 06, 2008

S-6 Subject: 2009 State Legislative Agenda
 From: City Council
 Recommendation: Action On A Report Requesting Approval Of The Proposed 2009
 State Legislative Agenda For The City Of Oakland
 (07-1752)

**This item was placed on this agenda pursuant to Rule 28 of the Council's
Rules of Procedure Resolution No. 79006 C.M.S.**

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.

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**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