



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>

Thursday, April 28, 2011

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:

Vice Mayor Desley Brooks, District 7; President Pro Tempore Ignacio De La Fuente, District 5; Libby Schaaf, District 4; and Chairperson Council President Larry Reid, District 7

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of April 14, 2011
- 3 Determination of Schedule of Outstanding Committee Items
([rules42811](#))
- 4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of May 3, 2011(SUPPLEMENTAL)
([rules42811item4](#))

S-4-1 Subject: Measure Y Evaluation And Quarterly Reports
From: Office Of The City Administrator
Recommendation: Receive An Informational Report From The Office Of
The City Administrator And Resource Development Associates On The
Measure Y Evaluation Reports For The Individual Violence Prevention
Programs For Fiscal Year 2009 - 2010 And The Community Policing April
15, 2011 Quarterly Report; On The May 24, 2011 Public Safety Committee
Agenda

[\(10-0604\)](#)

S-4-2 Subject: Amending Conflict Of Interest Code
From: Office Of The City Attorney
Recommendation: Adopt An Ordinance Amending The City Of Oakland's
Conflict Of Interest Code (Ordinance Number 11562 C.M.S. Adopted
March 23, 1993, As Amended, Oakland Municipal Code Chapter 3.16)
Enacting A Conflict Of Interest Code For City Of Oakland Employees,
Members Of Boards And Commissions, And Consultant Positions To
Update The Designation Of Positions Covered By The Code; On The May
17, 2011 City Council Agenda

[\(10-0606\)](#)

S-4-3 Subject: May 5, 2011 Special Council Meeting Agenda
From: Office Of The City Clerk
Recommendation: Request To Review The Agenda For The May 5, 2011
Special Budget Meeting To Be Held At 5:30 p.m.

[\(10-0612\)](#)

S-4-4 Subject: Civil Service Board Appointments
From: Department Of Human Resource Management
Recommendation: Adopt A Resolution Reappointing Judith Bodenhausen,
Dee Dee Brantley, And Wendall Mitchell As Members Of The Civil
Service Board; On The May 3, 2011 City Council Agenda

This Item Requires An Urgency Finding.

[\(10-0605\)](#)

S-4-5 Subject: Measure Y Reports And Grant Renewal
From: Department Of Human Services
Recommendation: Receive A Report On The Progress Of Fiscal Year
2010-2011 Measure Y Violence Prevention Grantees And A Resolution To
Exercise The Option To Renew Grant Agreements With Various Public
And Non-Profit Agencies In An Estimated Amount Of \$5,323,328 For
Fiscal Year 2011-2012; On The May 24, 2011 Public Safety Committee
Agenda

[\(10-0607\)](#)

S-4-6 Subject: International Blvd and 95th Avenue - Real Property Purchase
From: Community And Economic Development Agency
Recommendation: A Request To Withdraw An Item Previously Scheduled
To The May 10, 2011 Community And Economic Development Meeting
Agenda And Reschedule To The June 14, 2011 Community And Economic
Development Agenda

An Agency Resolution Authorizing The Purchase Of Real Property At
9409, 9415, 9423, 9431 And 9437 International Boulevard, 1361 95th
Avenue And An Unknown Address On 95th Avenue (Assessor's Parcel
Number: 044-4967-009) In The Coliseum Redevelopment Project Area,
From Elmhurst Plaza Developer, LLC, Charles Hill And Cherry Hill, And
Charles Hill, Surviving Joint Tenant, In An Amount Not To Exceed
\$1,300,000 And Authorizing Up To \$400,000 For Demolition, Abatement
And Real Estate Closing Costs

REASON: A Recent Fair Market Appraisal Of The Properties Suggested A
Purchase Price Below The Contract Price Of \$1,300,000. Staff Are
Negotiating A Revised Purchase Price With The Owner Which Is
Consistent With The Appraisal.

[\(10-0541\)](#)

S-4-7 Subject: Rehabilitation - Scotlan Memorial Convention Center
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Amending Resolution
No. 2010-0099 C.M.S. To Increase A Previous Allocation Of Agency
Funds Of \$4,000,000 By An Amount Of Up To \$3,750,000 For A Total
Amount Of Up To \$7,750,000 For Necessary Capital Improvements,
Repairs And Rehabilitation Of The George P. Scotlan Memorial
Convention Center, And Authorizing The Agency Administrator To
Negotiate And Execute An Amendment To The Management Agreement
With Integrated Services Corporation To Increase The Original
Construction Management Fee Of \$153,000 By An Amount Of Up To
\$153,000 For A Total Amount Of Up To \$306,000 For Construction
Management Services To Administer Up To \$7,750,000 In Capital
Improvements; On The May 24, 2011 Community And Economic
Development Committee

[\(10-0601\)](#)

- S-4-8 Subject: West Oakland Neighborhood Project Initiative Program
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) An Agency Resolution Allocating \$442,085 In Funding Under The West Oakland Neighborhood Project Initiative Program, Including (A) Funding In An Amount Not To Exceed \$208,635 For (1) Creation Of Murals Under The 580 Freeway Overpass, (2) Upgrades To The Entryway Of The Crucible At 1260 7th Street, (3) Tenant Improvements To 1485 8th Street, And (4) Installation Of Lighting Improvements At 716 Peralta Street; And (B) A Contribution Of Agency Funds To The City Under The Cooperation Agreement In An Amount Not To Exceed \$233,450 For (1) Installation Of Motion Detectors/Cameras To Deter Or Apprehend Illegal Dumpers, (2) Renovations To St. Andrew's Plaza At 32nd Street And San Pablo, (3) Tree Planting On San Pablo Avenue, (4) Installation Of "Keep Oakland Beautiful" Signage, And (5) Installation Of Bike Racks And Sidewalk Repairs At 716 Peralta Street; And
[\(10-0602\)](#)
- 2) A City Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$233,450 For City Public Improvements Within The West Oakland Redevelopment Project Area Under The Neighborhood Project Initiative Program, And Authorizing The City Administrator To Enter Into Agreements And Make Necessary Expenditures To Implement Projects Funded Under The Program Without Returning To The City Council; On The May 24, 2011 Community And Economic Development Committee Agenda
[\(10-0602-1\)](#)
- S-4-9 Subject: BART Signs Grant Agreement
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Enter Into A Signage Matching Grant Agreement Between The Agency And The San Francisco Bay Area Rapid Transit District In An Amount Not To Exceed \$1,000,000.00, To Fund Wayfinding Signage In The Central District; On The May 24, 2011 Community And Economic Development Committee
[\(10-0603\)](#)
- S-4-10 Subject: Accela, Inc - Lease Purchase Agreement
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Negotiate And Execute A Sole Source Five-Year Contract And Competitively Bid A Lease Purchase Agreement For Software, Licenses, Hardware, Maintenance And Professional Services From Accela, Inc., For An Amount Not To Exceed \$4,995,000 Over The Term Of The Contract Without Return To Council; On The May 10, 2011 Finance And Management Committee Agenda
[\(10-0610\)](#)

S-4-11 Subject: Oakland Airport Intelligent Transportation System
From: Public Works Agency
Recommendation: Adopt A Resolution: 1) Rejecting All Bids Submitted For The Oakland Airport Intelligent Transportation System (ITS) Project (City Project No. C389510); 2) Waiving Further Competitive Bidding Requirements; And 3) Authorizing The City Administrator, Or His Designee To Negotiate And Purchase The Necessary Construction Services And Material In Accordance With Plans And Specifications For The Project On The Open Market In An Amount Not To Exceed Eight Hundred Fifty Thousand Dollars (\$850,000.00) Without Return To The City Council; On The May 24, 2011 Public Works Committee Agenda
[\(10-0599\)](#)

S-4-12 Subject: East Bay Bus Rapid Transit Project
From: Public Works Agency
Recommendation: Receive An Informational Report On The East Bay Bus Rapid Transit Project - Current Status; On The May 24, 2011 Public Works Committee Agenda
[\(10-0600\)](#)

S-4-13 2) A Resolution Authorizing The Sale Of The 2011-2012 Tax And Revenue Anticipation Notes In An Amount Not To Exceed \$125,000,000; Authorizing The Execution And Delivery Of Related Documents And Approving Certain Related Actions; On The May 10, 2011 Finance And Management Committee Agenda
[\(10-0611-1\)](#)

S-4-14 Subject: Federal Legislative Lobbyist Agreement
From: Office Of The Mayor
Recommendation: Adopt A Resolution Authorizing An Agreement With Townsend Public Affairs To Serve As The City's Federal Legislative Lobbyist For The Period Of June 1, 2011 Through May 31, 2012, At A Cost Of Seventy Two Thousand Dollars (\$72,000), And Authorizing An Option To Renew For One Year Until May 31, 2013 For An Additional Seventy Two Thousand Dollars (\$72,000), For A Total Amount Not-To-Exceed One Hundred Forty Four Thousand Dollars (\$144,000) For The Entire Term Of The Agreement; On The May 19, 2011 Rules And Legislation Committee Agenda
[\(10-0608\)](#)

5 A review of the Council Committees' actions from April 26, 2011 and determination of scheduling to the ORA/City Council meeting of May 3, 2011 or future dates (MATRIX)
[\(rules4281item5\)](#)

6 A review of the Agendas for the Council Committees for the meetings of May 10, 2011 and the Rules and Legislation Committee meeting of May 12, 2011
[\(rules4281item6\)](#)

- 7 Subject: Support Of Senate Bill SB 729
 From: Councilmember Rebecca Kaplan
 Recommendation: Adopt A Resolution To Support Senate Bill 729 This Bill Would Prohibit A Mortgagee, Trustee, Beneficiary, Or Authorized Agent From Recording A Notice Of Default Unless That Party Makes Reasonable And Good Faith Efforts, Defined In Bill, To Evaluate The Borrower For All Available Loss Mitigation Options To Avoid Foreclosure. [TITLE CHANGE]
[\(10-0527\)](#)
- 8 Subject: Support Of Assembly Bill 1321
 From: Councilmember Rebecca Kaplan
 Recommendation: Adopt A Resolution To Support Assembly Bill 1321 (Wieckowski) - Mortgage Title Transparency. A Bill Mandating The Recording Of All Mortgage Deeds/Trusts And Assignments, And Payment Of The Requisite Fees. It Would Also Require That The Mortgage Note Be Filed Prior To Issuing A Notice Of Default To Ensure That The Foreclosing Party Has The Right To Foreclose. [TITLE CHANGE]
[\(10-0528\)](#)
- 9 Subject: Support Of Assembly Bill SB 935
 From: Councilmember Rebecca Kaplan
 Recommendation: Adopt A Resolution To Support Assembly Bill 935 (Blumenfield) An Act To Amend Section 27360 Of The Government Code, Creating A Foreclosure Mitigation Charge Of \$20,000.00, That Must Be Deposited By A Mortgage Servicer Upon Filing A Notice Of Trustee's Sale With The County Recorder. The Monies Collected To Be Used To Create A Foreclosure Mitigation Fund To Be Distributed To Local Agencies For Specific Designated Uses. [TITLE CHANGE]
[\(10-0529\)](#)
- 10 Subject: Waste, Recycling, And Labeling Legislative Bills
 From: Public Works Agency
 Recommendation: Adopt Five Resolutions To Support Five California Legislative Bills Concerning Solid Waste, Recycling, And Product Labeling:
- 1) A Resolution To Support California Senate Bill 515 (Corbett) Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Household Batteries They Sell In California After Their Useful Life;
[\(10-0558\)](#)
 - 2) A Resolution To Support California Senate Bill 567 (Desaulnier) Which Would Extend Existing Environmental Labeling Requirements Affecting Plastic Bags And Food And Beverage Containers To All Plastic Products;
[\(10-0558-1\)](#)
 - 3) A Resolution To Support California Senate Bill 568 (Lowenthal), Which Would Ban Restaurants And All Other Food Vendors From Serving Prepared Food In Polystyrene Foam Containers;
[\(10-0558-2\)](#)
 - 4) A Resolution In Support Of Assembly Bill 341 (Chesbro) - "Solid Waste: Diversion" That Would Establish A Statewide Goal Of 75% Waste Diversion By The Year 2020

And Require Cities And Counties To Establish Mandatory Recycling For Businesses
And Multi-Family Dwellings; And
(10-0558-3)

5) A Resolution In Support Of Assembly Bill 818 (Blumenfeld) - Solid Waste -
Multifamily Dwelling "Renters Right To Recycle Act"
(10-0558-4)

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) 238-3226
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(TTD)

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