



City of Oakland Meeting Minutes

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, May 14, 2009

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

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Excused: Member Reid

Present: Member Quan, Chair Brunner and Member De La Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:51 AM, with Council President Brunner presiding as Chairperson.

1 Closed Session

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The office of the City Attorney scheduled a Closed Session from 3 PM to 6 PM on Tuesday, May 19, 2009

2 Approval of the Draft Minutes from the Committee meeting of April 30, 2009

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A motion was made by Member De La Fuente, seconded by Member Quan, to *Approve the Minutes. The motion carried by the following vote:

Votes: Excused; 1 - Member Reid

Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente

3 Determination of Schedule of Outstanding Committee Items

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A motion was made by Member Quan, seconded by Member De La Fuente, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Member Reid

Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente

[05-14 Rules Pending](#)

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4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of May 19, 2009 (SUPPLEMENTAL)

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A motion was made by Member De La Fuente, seconded by Member Quan, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Excused; 1 - Member Reid

Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente

The May 21, 2009 Rules and Legislation Committee meeting was cancelled, the discussion items from this agenda will be forwarded to the May 28, 2009 Rules and Legislation Committee Agenda

[05-14 Rules Item 4](#)

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S-4-1 Subject: National Medical Services - Professional Services Agreement
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee, On Behalf Of The City Of Oakland To 1) Waive The Competitive Request For Proposals (RFP) Process, And 2) Enter Into A Professional Services Agreement With National Medical Services (NMS) For The Period Of July 1, 2009 Through June 30, 2011 In An Amount Not To Exceed Forty Nine Thousand Nine Hundred And Ninety-Nine Dollars (\$49,999) For Forensic Testing
[09-0432](#)

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Scheduled to *Public Safety Committee on 6/23/2009

The following individual spoke on this item:

- Sanjiv Handa

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S-4-2 Subject: Action Plan For Civilianization Of Internal Affairs
From: Oakland Police Department
Recommendation: Action On A Proposal To Transfer Intake Of Citizen Generated Complaints Against Members Of The Oakland Police Department From Internal Affairs To The Citizens' Police Review Board (TITLE CHANGE)
[09-0434](#)

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Scheduled to *Public Safety Committee on 5/26/2009

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S-4-3 Subject: State Budget Status
 From: Budget Office
 Recommendation: Receive A Status Report From The City Administrator On The
 State Budget And Potential Impacts On The City's Proposed Budget For Fiscal Year
 2009-2011
 [09-0439](#)

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Scheduled to *Finance & Management Committee on 5/26/2009

This item will also appear on the May 28, 2009 Budget Meeting agenda

The following individual spoke on this item:

- Sanjiv Handa
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S-4-4 Subject: Equal Access Implementation Status
 From: Office of the City Administrator
 Recommendation: Receive A Status Report On The Implementation Of The Equal
 Access To Services Ordinance And Recommendations For Improving Language
 Access To City Services For Oakland's Limited English Speaking Population For
 The Period July 1, 2008 Through June 30, 2009
 [09-0441](#)

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Scheduled to *Finance & Management Committee on 6/9/2009

The following individual spoke on this item:

- Sanjiv Handa
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S-4-5 Subject: CompStat Report
 From: Councilmember Larry Reid
 Recommendation: Action On A Report From The Oakland Police Department With
 An Update On The Implementation Of CompStat Including Current Progress,
 Phases, Next Steps, Challenges And A Request For Funding In The Amount Of
 \$1,715,950
 [07-1893-1](#)

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Scheduled to *Public Safety Committee on 6/9/2009

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S-4-6 Subject: Carlos Miguel P. Briones - Recognition
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Recognizing Carlos Miguel P. Briones,
Winner Of The 2009 San Francisco City Golf Championship At The Age of 14,
Becoming The Youngest Winner In The Events 93 Year History
[09-0436](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/2/2009**

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[82035 CMS.pdf](#)

S-4-7 Subject: Support Of Senate Bill 120
From: Vice Mayor Ignacio De La Fuente
Recommendation: Adopt A Resolution To Support Senate Bill 120 (Lowenthal) To
Add Tenant Protections In Foreclosure Situations
[09-0442](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/19/2009**

The following individual spoke on this item:

- *Sanjiv Handa*
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[81993 CMS.pdf](#)

S-4-8 Subject: Support Of Assembly Bill 260
From: Vice Mayor Ignacio De La Fuente
Recommendation: Adopt A Resolution To Support Assembly Bill 260 (Lieu) To
Reform Mortgage Lending Practices By Placing Restrictions On Subprime Loans,
Prohibits Various Practices By Lenders And Brokers And Authorizes State
Regulatory Agencies To Suspend Or Revoke Licenses Of Real Estate Lenders And
Mortgage Brokers That Violate Lending Laws
[09-0444](#)

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Scheduled to *Rules & Legislation Committee on 5/28/2009

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[82053 CMS.pdf](#)

S-4-9 Subject: Support Of The DREAM Act
From: Vice Mayor Ignacio De La Fuente
Recommendation: Adopt A Resolution In Support Of The Development, Relief, And Education For Alien Minor - DREAM Act, Which Would Allow Undocumented Students Who Have Lived In The United States For At Least Five Years And Have Graduated High School Or Received A Graduate Equivalency Diploma (GED) To Legalize Their Immigration Status, Thereby Making Them Eligible For Federal Financial Aid, And Allow States To Consider These Students As State Residents For Tuition Purposes At State Universities

[09-0445](#)

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Scheduled to *Rules & Legislation Committee on 5/28/2009

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[82054 CMS.pdf](#)

S-4-10 Subject: Support Of Senate Bill 94
From: Vice Mayor Ignacio De La Fuente
Recommendation: Adopt A Resolution To Support Senate Bill 94 (Calderon) To Reform Mortgage Lending Practices And Prohibited Fee-For-Service Loan Modification Services

[09-0446](#)

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Scheduled to *Rules & Legislation Committee on 5/28/2009

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[82055 CMS.pdf](#)

S-4-11 Subject: Support Of Assembly Bill 8
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution In Support of Assembly Bill 8 (Brownley), Which Convenes A Working Group To Make Recommendations To The Legislature And Governor Regarding Restructuring Of California's Education Finance System

[09-0448](#)

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Scheduled to *Rules & Legislation Committee on 5/28/2009

The following individual spoke on this item:

- Sanjiv Handa

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S-4-12 Subject: 2009-2010 Cal Gang Reduction Intervention And Prevention Grant
From: Department of Human Services
Recommendation: A Request To Withdraw From The May 26, 2009 Public Safety Committee Agenda A Resolution Authorizing The City Administrator To Accept And Appropriate \$400,000 From The State Of California Governor's Office Of Emergency Services, Law Enforcement And Victims Services Division For A California Gang Reduction, Intervention And Prevention (CalGRIP) Grant To The City Of Oakland Department Of Human Services For January 1, 2009-December 31, 2010; And Reschedule To The June 23, 2009 Public Safety Committee Agenda

Reason: Contractual Information/Terms Of The Contract Are Not Available Until June

[09-0349](#)

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Withdrawn and Rescheduled to *Public Safety Committee on 6/23/2009

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S-4-13 Subject: 2008-2009 Consolidated Action Plan Amendment
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The May 26, 2009 Community And Economic Development Committee Agenda A Resolution 1) Authorizing The City Administrator To Amend The Consolidated Plan Annual Action Plan For Housing And Community Development For Fiscal Year 2008-2009 To The U.S. Department Of Housing And Urban Development; 2) Authorizing The City Administrator To Accept And Appropriate Funds Totaling \$2,259,921 For The Community Development Block Grant Program From The American Recovery And Reinvestment Act Of 2009 And 3) Authorizing The City Administrator To Negotiate And Execute Agreements With Contractors For Fiscal Years 2009-2011 For The Community Development Block Grant; And Reschedule As A Public Hearing On The June 2, 2009 City Council Agenda

Reason: Staff Have Just Receive Program Regulations From HUD, Which Does Not Allow Sufficient Time To Prepare A Report For The May 26 CED Committee. Since HUD Is Requiring Completion Of The Substantial Amendment By June 5, Staff Asks That The Item Be Submitted Directly To The Full Council For Action On June 2

[09-0214](#)

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***Withdrawn and Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/2/2009
as a Public Hearing**

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[82057 CMS.pdf](#)

S-4-14 Subject: Project Area Committees One-Year Extension
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing A One-Year Extension Of The Project Area Committee For The Broadway/MacArthur/San Pablo Redevelopment Project To July 25, 2010;
And
[09-0437](#)

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Scheduled to *Community & Economic Development Committee on 6/9/2009

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2) A Resolution Authorizing A One-Year Extension Of The Project Area Committee For The Central City East Redevelopment Project To July 29, 2010
[09-0437-1](#)

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Scheduled to *Community & Economic Development Committee on 6/9/2009

[82074 CMS.pdf](#)

S-4-15 Subject: Linked Banking Services
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Certifying Banks That Have Met Their 2008 Fair Share Goals Pursuant To The City's Linked Banking Services Ordinance
[09-0438](#)

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Scheduled to *Community & Economic Development Committee on 6/9/2009

The following individual spoke on this item:

- *Sanjiv Handa*
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[82075 CMS.pdf](#)

S-4-16 Subject: Oakland's Parking Violation Fines Comparison
From: Finance and Management Agency
Recommendation: Receive A Follow-Up Report From The Parking Division On Comparison Of Oakland's Parking Violation Fines With Other Cities
[09-0433](#)

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Scheduled to *Finance & Management Committee on 5/26/2009

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S-4-17 Subject: 2009-2010 Tax And Revenue Anticipation Notes
From: Finance and Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The Sale Of The 2009-2010 Tax And Revenue Anticipation Notes, Series A And Series B (Federally Taxable) In An Amount Not To Exceed One Hundred Fifty-Five Million Dollars (\$155,000,000); And, Authorizing The Execution And Delivery Of Related Documents And Approving Certain Related Actions; And

[09-0435](#)

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Scheduled to *Finance & Management Committee on 5/26/2009

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[82064 CMS.pdf](#)

2) An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2009-2010 In An Amount Not To Exceed \$155,000,000 And The Issuance And Sale Of 2009-2010 Tax And Revenue Anticipation Notes, Series A And Series B (Federally Taxable) Therefore And Approving Certain Related Matters

[09-0435-1](#)

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Scheduled to *Finance & Management Committee on 5/26/2009

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[12940 CMS.pdf](#)

S-4-18 Subject: Worforce Investment Act Title 1 Funds
From: Office of the Mayor
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate \$6,336,628 In The Fiscal Year 2008-2009 American Reinvestment And Recovery Act's (ARRA) Workforce Investment Act Title 1 Funds And To Allocate \$6,035,323 In Said Funds To The Oakland Private Industry Council, Inc. For The Purpose Of Serving As The Oakland Workforce Investment Board's System Administrator And Administer Subcontracts To Designate Service Providers As Approved By The Mayor And Oakland Workforce Investment Board

[09-0447](#)

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Scheduled to *Community & Economic Development Committee on 5/26/2009

The following individual spoke on this item:

- Sanjiv Handa

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S-4-19 Subject: Renaming Of Dunsmuir House And Gardens
 From: Office of Parks and Recreation
 Recommendation: Adopt A Resolution Renaming Dunsmuir House And Gardens To
 Dunsmuir Hellman Historic Estate
[09-0440](#)

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Scheduled to *Life Enrichment Committee on 6/23/2009

The following individual spoke on this item:

- Sanjiv Handa
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ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Lake Merritt BART Station Area Specific Plan
 From: Community and Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of An Amount Not To Exceed Fifty
 Thousand Dollars (\$50,000) From The Central City District Redevelopment Project And Two
 Hundred Fifteen Thousand Dollars (\$215,000) From The Central District Redevelopment Project
 To The City Of Oakland Under The Cooperation Agreement To Fund The Development Of The
 Lake Merritt BART Station Area Plan And Environmental Document; And
[09-0247](#)

***Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
 Redevelopment Agency / City Council on 6/2/2009**
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[2009-0070 CMS.pdf](#)

2) A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency
 Funds Under The Cooperation Agreement In An Amount Not To Exceed Two Hundred
 Sixty-Five Thousand Dollars (\$265,000) For The Development Of The Lake Merritt Bart Station
 Area Plan And Environmental Document, And Authorizing The City Administrator To Negotiate
 And Execute A Professional Services Agreement With Dyett & Bhatia For Development Of The
 Lake Merritt Bart Station Area Plan In An Amount Not To Exceed One Million Eighty-Five
 Thousand Dollars (\$1,085,000)
[09-0247-1](#)

***Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
 Redevelopment Agency / City Council on 6/2/2009**
[82090 CMS.pdf](#)

Subject: Mother Wright - Recognition
 From: Councilmembers Reid, Nadel, Brooks and Quan
 Recommendation: Adopt A Resolution Honoring And Recognizing The Life Of Mother Mary
 Ann "Mother" Wright Upon Her Passing On May 7, 2009
[09-0450](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
 City Council on 5/19/2009**
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[81994 CMS.pdf](#)

Subject: New Business Incentives
From: Council President Jane Brunner
Recommendation: Action On A Report On A Jobs And Tax Base Expansion Initiative
[09-0451](#)

**Scheduled to *Community & Economic Development Committee on
6/23/2009**
[View Report.pdf](#)

Subject: General Purpose Fund Clarification
From: Councilmember Jean Quan
Recommendation: Discussion And Consideration Of An Ordinance Amending Ordinance No. 12502 C.M.S. To Clarify General Purpose Fund (GPF) Reserve Requirements; Require A Mayoral Declaration Of Fiscal Emergency And Approval By Council Before The GPF Reserve Can Be Drawn Down; Require That Excess Real Property Transfer Tax Revenues Be Used To Build Up The GPF Reserve, Pay Back Negative Internal Service Fund Balances, Establish Set-Asides For Other Post-Employment Benefits (OPEB) And Police And Fire Retirement System (PFRS) Liabilities, And Fund Capital Improvements Projects; Require That One-Time Revenues Be Used To Repay Negative Fund Balances In Internal Service And Other Funds; And Provide Criteria For Project Carryforwards And Encumbrances In The GPF (TITLE CHANGE)
[09-0452](#)

Scheduled to *Finance & Management Committee on 5/26/2009
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[View Supplemental Report.pdf](#)

Subject: State-Owned Freeway Area Lease
From: Councilmember Jane Brunner
Recommendation: Receive An Informational Report On Actions To Support Honda Of Oakland And Kaiser Foundation Health Plan, Inc. To Extend State-Owned Freeway Area Leases With The California State Department Of Transportation (Caltrans)
[09-0453](#)

**Scheduled to *Community & Economic Development Committee on
6/9/2009**
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FROM THE MAY 19, 2009 CITY COUNCIL AGENDA

Subject: City Planning Commission Appointments
From: Office of the Mayor
Recommendation: Adopt A Resolution Appointing Vien V. Troung, Amanda J. Monchamp, Sean Heron And Re-Appointing Michael Colbruno, As Members Of The City Planning Commission
[09-0427](#)

***Withdrawn with No New Date**
[View Report.pdf](#)

5 A review of the Council Committees' actions from May 12, 2009 and determination of scheduling to the ORA/City Council meeting of May 19, 2009 or future dates (MATRIX)
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A motion was made by Member Quan, seconded by Member De La Fuente, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Excused; 1 - Member Reid
Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente
The following individual spoke on this item:
- Sanjiv Handa

[05-14 Rules Item 5](#)
[View Report.pdf](#)

6 A review of the Agendas for the Council Committees for the meetings of May 26, 2009 and the Rules and Legislation Committee for the meeting of May 28, 2009
[Play Video](#)

A motion was made by Member Quan, seconded by Member De La Fuente, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Excused; 1 - Member Reid
Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente
The May 26, 2009 Public Works Committee meeting will begin at 10:00 AM

The May 28, 2009 Special Council meeting will begin at 1:00 PM

The following title change was read into the record for Item 6 on the Finance & Management Committee agenda: Ordinance Amending Chapter 2.34, Article 2, Of The Oakland Municipal Code Authorizing A Municipal Identification Card Program To Provide For The Issuance Of Municipal Identification Cards To Residents Of The City Of Oakland For The Purposes Of Improving Public Safety, Increasing Civic Participation, And Supporting Local Commerce

The following individual spoke on this item:
- Sanjiv Handa

[05-14 Rules Item 6](#)
[View Report.pdf](#)

7 Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")
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The following individual spoke on this item:
- Sanjiv Handa

09-0188

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8 Subject: Townsend Public Affairs Agreement
From: Office of the Mayor
Recommendation: Adopt A Resolution Awarding A Contract To Townsend Public Affairs, Inc. To Serve As The City's State Legislative Representative For The Period Of November 1, 2008 Through October 31, 2010, A Period Of Two Years, In An Amount Of One Hundred Thirty Thousand Dollars (\$130,000) Per Year, For A Total Amount Not To Exceed Two Hundred Sixty Thousand Dollars (\$260,000.00), And Authorizing The City Administrator, Without Further Council Action, To Exercise An Option To Renew The Contract For A Third Year Under The Same Terms, Conditions And Price, For A Total Amount Not-To-Exceed Three Hundred Ninety Thousand Dollars (\$390,000) For Three Years
[09-0355](#)

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The following individual spoke on this item:
- Sanjiv Handa
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[82022 CMS.pdf](#)

S-9 Subject: Support Of Assembly Bill 772
From: Vice Mayor De La Fuente
Recommendation: Adopt A Resolution In Support Of Assembly Bill 772 (Ammiano) "Local Government Identification Act," Which Would Authorize Counties To Establish Municipal ID Programs

[09-0412](#)

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The following individual spoke on this item:
- Sanjiv Handa
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[82023 CMS.pdf](#)

S-10 Subject: Support Of Assembly Bill 603
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution To Support Assembly Bill 603 (Price) To Add Tenant Protections In Foreclosure Situations

[09-0422](#)

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The following individual spoke on this item:
- Sanjiv Handa
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[82033 CMS.pdf](#)

S-11 Subject: Opposition To Assembly Bill 781
From: Vice Mayor De La Fuente And Councilmembers Quan And Kernighan
Recommendation: Adopt A Resolution Opposing Assembly Bill 781 (Jeffries) "Public
Employment: Language" Relating To Bilingual Hiring Requirements In Local And State
Government Which If Enacted Would Hinder Oakland's Ability To Implement The Equal Access
To Services Ordinance (TITLE CHANGE)
[09-0423](#)
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The following individual spoke on this item:

- Sanjiv Handa
 - Luz Buitrago
- [View Report.pdf](#)
[82024 CMS.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual spoke on this item:

- 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 12:15
PM*

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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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* 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