



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, June 17, 2010

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

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of June 3, 2010.
- 3 Determination of Schedule of Outstanding Committee Items
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings) of June 22, 2010 (SUPPLEMENTAL)
(617item4)
 - S-4-1 Subject: Sewer Service Fund - Franchise Fee Payment
From: Budget Office
Recommendation: Adopt A Resolution To Fully Appropriate The Sewer Service Fund 10% Franchise Fee Payment To The General Purpose Fund;
On The June 24, 2010 Special City Council Agenda

(09-1590)

S-4-2 Subject: 2010-2011 Article XIIIIB Appropriations Limit
From: Budget Office
Recommendation: Adopt A Resolution Establishing An Appropriations
Limit For Fiscal Year 2010-2011 Pursuant To Article XIIIIB Of The
California Constitution; On The June 24, 2010 Special City Council
Agenda

(09-1591)

S-4-3 Subject: Biennial Budget Amendments
From: Budget Office
Recommendation: Adopt A Resolution Authorizing Amendments To The
Biennial Budget As The Financial Plan For Conducting The Affairs Of The
City Of Oakland For Fiscal Year 2010-2011 By (1) Amending The
Midcycle Policy Budget (Amended By Resolution #82235 C.M.S., 82335
C.M.S., 82519 C.M.S., 82582 C.M.S., 82578 C.M.S., 82646 C.M.S. And
82731 C.M.S.) To Reflect Further Changes To Revenues And Expenditures
In The General Purpose Fund And In Various Funding Sources, Eliminate
The Budget Deficit And Balance The Budget For Fiscal Year 2010-2011;
And (2) Appropriating Certain Funds To Provide For The Expenditures
Proposed By Said Budget; On The June 24, 2010 Special City Council
Agenda

(09-1592)

S-4-4 Subject: 20th Anniversary Of The Americans With Disabilities Act
From: Council President Brunner
Recommendation: Adopt A Resolution Celebrating The Twentieth
Anniversary Of The American With Disabilities Act And Honoring Local
Disability Services Agencies And Disability Advocates For Distinguished
Service To The City Of Oakland And The Disability Community; On The
July 20, 2010 City Council Agenda

(09-1570)

S-4-5 Subject: Citywide Records Management Program
From: Council President Brunner
Recommendation: Adopt A Resolution Regarding Development Of A
Citywide Records Management Program; On The July 13, 2010 Finance
And Management Committee Agenda

(09-1575)

S-4-6 Subject: Support Of Assembly Bill 1532
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution In Support Of Amended Assembly
Bill 1532 (Assembly Member Lieu) Related To Codifying The Definition
of A Code Enforcement Officer; On The July 1, 2010 Rules And
Legislation Committee Agenda

(09-1576)

- S-4-7 Subject: Oakland City Charter - Deleting Section 910 Of Article IX
From: Councilmember Kernighan
Recommendation: Adopt A Resolution To Place A Measure On The
November 2010 Ballot To Amend The Oakland City Charter, Removing
The Requirement Of Binding Arbitration For Uniformed Members Of The
Police And Fire Departments By Deleting Section 910 Of Article IX From
The City Charter: On The July 8, 2010 Rules And Legislation Committee
Agenda
[\(09-1597\)](#)
- S-4-8 Subject: Professional Services Agreement - Salvation Army
From: Department of Human Services
Recommendation: Resolution Authorizing The City Administrator, To
Execute A Professional Services Agreement With Salvation Army To
Provide Center-Based Early Care And Education Services For 28
Low-Income Families With Children Ages 0-3, In An Amount Not To
Exceed \$73,450 For July-September 2010; And Contingent Upon Receipt
Of Early Head Start Funding, Authorizing The City Administrator To
Execute A One-Year Extension For October 1, 2010 Through September
30, 2011 For An Additional Amount Not To Exceed \$109,200, For A Total
Not To Exceed \$182,650; On The July 13, 2010 Life Enrichment
Committee Agenda
[\(09-1571\)](#)
- S-4-9 Subject: Lease Of City-Owned Property - 1226 73rd Avenue
From: Department of Human Services
Recommendation: Adopt An Ordinance Authorizing The Assumption By
East Oakland Community Project, Of A Lease On A City-Owned Property
Located At 1226-73rd Avenue And Awarded Previously To Mercy
Properties California For Use As A Shelter Plus Care Housing Facility,
And An Extension Of The Lease Period For Another Three Years Until
June 2015; On The July 13, 2010 Life Enrichment Committee Agenda
[\(09-1572\)](#)
- S-4-10 Subject: Professional Services Contract - Abbott, Little Consulting
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator
Or His Designee To Enter Into A Professional Services Contract With
Abbott, Little Consulting Services For The Period Of July 1, 2010 Through
June 30, 2011 In An Amount Not To Exceed \$50,000 From Federal
Sources For Technical Assistance, Training, And Program Development
Related To The Implementation Of Oakland PATH Strategy; On The July
13, 2010 Life Enrichment Committee Agenda
[\(09-1587\)](#)

- S-4-11 Subject: 1226 73rd Avenue Repairs And Upkeep Grant
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The Assumption By East Oakland Community Project, Of A Grant In The Amount Of \$25,000 Awarded Previously To Mercy Properties California By The City For Repairs And Upkeep Of The City-Owned Property Located At 1226 73rd Avenue Which Is Used For Households Enrolled In The Shelter Plus Care Program; On The July 13, 2010 Life Enrichment Committee Agenda
[\(09-1588\)](#)
- S-4-12 Subject: SAP Professional Services Contract
From: Department of Information Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Award A Professional Services Contract To SAP Or Its Authorized Partner, For Installation, Configuration And Training Of The Crystal Report Server Application In An Amount Not-To-Exceed Thirty Five Thousand Dollars (\$35,000) In Oakland Police Department; On The July 13, 2010 Public Safety Committee Agenda
[\(09-1577\)](#)
- S-4-13 Subject: Sewer Service Charge Increase
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution On The Proposed Service Charge Increase And Introduction Of An Ordinance Amending Chapter 13 of The Oakland Municipal Code Increasing Sewer Service Charge; On The July 20, 2010 City Council Agenda
[\(09-1299-1\)](#)
- S-4-14 Subject: Self-Serve Laundromat Appeal
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal (A10-125), Thereby Upholding The Planning Commission Decision to Approve a Major Conditional Use Permit At 1500 E. 12th Street to Establish A Self-Serve Laundromat (Consumer Service Commercial); On The July 20, 2010 City Council Agenda
[\(09-1553\)](#)
- S-4-15 Subject: Fruitvale Bart Parking Lot
From: Community And Economic Development
Recommendation: Adopt An Agency Resolution Authorizing The Acquisition Of 3.41 Acres Of Real Property At The Fruitvale BART Parking Lot Located In The Coliseum Redevelopment Project Area, From The San Francisco Bay Area Rapid Transit District, For \$6,000,000, And Authorizing Up To \$20,000 For Real Estate Closing Costs; On The July 13, 2010 Community And Economic Development Committee Agenda.
[\(09-1567\)](#)

S-4-16 Subject: Proposed Foods Co Supermarket And Fuel Station
From: Community And Economic Development Agency
Recommendation: Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute An Exclusive Negotiating Agreement With Ralphs/ Food 4 Less Grocery Company For Development Of A Proposed Foods Co Supermarket And Fuel Station At The Northeast Corner Of 66th Avenue And San Leandro Street; On The July 13, 2010 Community And Economic Development Committee Agenda

[\(09-1568\)](#)

S-4-17 Subject: Revenue Projections Revision
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Amending Resolution Numbers 2009-0090 And 2010-0055 To Amend The Budget For Fiscal Years 2010-2011 To Revise Revenue Projections And Appropriations Related To Negative Revenue In Oak Center And Stanford/Adeline Redevelopment Areas; And

[\(09-1569\)](#)

2) A City Resolution Forgiving The Remaining Interest And Principal Owed On The \$3,285,131 Debt From The Redevelopment Agency Under The 1966 Oak Center Repayment Contract; On The July 13, 2010 Community And Economic Development Committee Agenda

[\(09-1569-1\)](#)

S-4-18 Subject: Opposition To Senate Bill 974
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Opposing Senate Bill 974 (Steinberg (D)), A Bill That Eliminates The Enterprise Zone Hiring Tax Credit And Establishes A New Career Pathways Investment Credit Which Would Dismantle The Enterprise Zone Program And Drastically Affect The Ability Of California Businesses To Benefit From The Program; On The July 8, 2010 Rules And Legislation Committee Agenda

[\(09-1594\)](#)

S-4-19 Subject: Refuse Packer Repair
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Expend Insurance Claim Recoveries Of One Hundred And Seventy Thousand, Four Hundred And Twenty Five Dollars And Seventy-Five Cents (\$170,425.75) Received For Damage To Public Works Agency Refuse Packer Equipment Number 4297; On The July 13, 2010 Finance And Management Committee Agenda

[\(09-1574\)](#)

- S-4-20 Subject: Storm Drain Line Rehabilitation Contract
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To J & M, Inc. For Rehabilitation Of Storm Drain Line Along Shepherd Canyon Road Between Gunn Drive And Paso Robles Drive (Project Number C336020) In The Amount Of Five Hundred Twenty-Four Thousand Eight Hundred Fifty-Three Dollars (\$524,853.00); On The July 13, 2010 Public Works Committee Agenda
[\(09-1578\)](#)
- S-4-21 Subject: Restoration Access Road - North Oakland Sports Field
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Beliveau Engineering Contractors, Inc. For The Restoration Of Slope And Fire Access Road Above North Oakland Sports Field (Project Number C375910) In The Amount Of Two Hundred Forty Six Thousand Six Hundred Fifty Five (\$246,655.00); On The July 13, 2010 Public Works Committee Agenda
[\(09-1579\)](#)
- S-4-22 Subject: Energy Efficiency Improvements Agreement - Civic Center Buildings
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving Competitive Bidding And Authorizing The City Administrator Or Designee To:
1. Award A Design-Build Agreement To United Comfort Solutions, Inc. For Energy Efficiency Improvements To The Heating, Ventilating And Air Conditioning (HVAC) System Controls For The Civic Center Buildings For An Amount Not To Exceed Seven Hundred Sixteen Thousand Dollars (\$716,000.00), Including But Not Limited To Federal Government's Stimulus Package Funds; And
 2. Accept And Appropriate Energy-Related Rebates In Project Numbers C388910 (Civic Center Data Center Server Virtualization), And C389010 (Civic Center Electronic HVAC Control Upgrades BAS) For Energy Efficiency Improvements To The HVAC System Controls For The Civic Center Buildings; And
 3. Appropriate Fifty-Five Thousand Four Hundred Five Dollars (\$55,405.00) Of Energy Rebate Funds In Project H33620 (CEC Loan - HVAC Conservation) For Energy Efficiency Improvements To The HVAC System Controls For The Civic Center Buildings; On The July 13, 2010 Public Works Committee Agenda
[\(09-1581\)](#)

- S-4-23 Subject: Stop Sign Installation - Various Locations
From: Public Works Agency
Recommendation: Adopt A Resolution Approving The Installation Of Stop Signs On: 1. Cunningham Street At Davenport Avenue; 2. Whitney Street At 65th Street; 3. East 24th Street At 12th Street; 4. Carisbrook Drive At Skyline Boulevard; 5. Ney Avenue At 75th Avenue; 6. Holway Street At 57th Avenue; And 7. Wood Street At 14th Street; On The July 13, 2010 Public Works Committee Agenda
[\(09-1582\)](#)
- S-4-24 Subject: Sanitary Sewer Root Foaming
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Award A Construction Contract To Duke's Root Control, Inc. For The Sanitary Sewers Root Foaming 2009 - 2011 Project (Project No. P188440) For The Amount Of Three Hundred Twenty-Five Thousand Dollars (\$325,000.00); On The July 13, 2010 Public Works Committee Agenda
[\(09-1586\)](#)
- S-4-25 Subject: Parking Zone Establishment - 37th Avenue
From: Public Works Agency
Recommendation: Adopt A Resolution Approving The Establishment Of: 1. One-Hour Parking From 8:00 A.M. To 6:00 P.M., From Monday To Friday, On Both Sides Of 37th Avenue Between East 8th Street And Boehmer Street; And 2. "No Parking Anytime" From Monday To Sunday On Both Sides of 37th Avenue Between Boehmer Street And The Southern End; On The July 13, 2010 Public Works Committee Agenda
[\(09-1593\)](#)
- S-4-26 Subject: Streets And Roads Rehabilitation Phase II
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding The Contract For Construction of Various Streets And Roads Rehabilitation Phase II (Project Number C396810) To The Lowest Responsible And Responsive Bidder, In Accord With The Project Plans And Specifications And Contractor's Bid Amount to Not Exceed One Million Two Hundred Sixty-Five Thousand Eighty Dollars (\$1,265,080.00); On The July 13, 2010 Public Works Committee Agenda
[\(09-1580\)](#)
- S-4-27 Subject: Montclair Business Association Contract Extension
From: Finance and Management Agency
Recommendation: Adopt A Resolution Authorizing An Extension Of The Contract Between The City And The Montclair Business Association On A Month To Month Basis Not to Exceed June 30, 2011; On The June 22, 2010 Finance And Management Committee Agenda
[\(09-1573\)](#)

- S-4-28 Subject: Renaming Of The Fox Square Park
From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Renaming The "Fox Square Park" Located At 1900 Rashida Muhammad Street To The "Henry J. Kaiser Memorial Park" In Response To A Significant Donation From Kaiser Permanente For The Completion And Installation Of The "Remember Them: Champions For Humanity" Monument; On The July 13, 2010 Life Enrichment Committee Agenda
[\(09-1583\)](#)

- S-4-29 Subject: Master Fee Schedule Amendment - Office Of Parks And Recreation
From: Office of Parks and Recreation
Recommendation: Adopt An Ordinance Amending Ordinance Number 12948 C.M.S. (Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees Assessed By The Office Of Parks And Recreation; On The July 13, 2010 Life Enrichment Committee Agenda
[\(09-1584\)](#)

- S-4-30 Subject Operations Of Dunsmuir:
From: Office of Parks and Recreation
Recommendation: Receive An Informational Report Regarding The Operations At Dunsmuir Hellman Historic Estate; On The July 13, 2010 Life Enrichment Committee Agenda
[\(09-1585\)](#)

- S-4-31 Subject: Lincoln Square Outdoor Corridor Improvement
From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Grant Contract And To Approve, Accept And Appropriate Grant Funds In The Amount Of Two Hundred Thousand Dollars (\$200,000) From The Stewardship Council Infrastructure Grant For The Lincoln Square Outdoor Recreation Corridor Improvement Project; On The July 13, 2010 Life Enrichment Committee Agenda
[\(09-1589\)](#)

5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting(s) of July 6, 2010 and Rules and Legislation Committee for July 8, 2010
[\(617item5\)](#)

6 Subject: Tracking Of Council Items
From: Office Of The City Administrator
Recommendation: Receive A Monthly Report Tracking Significant Items Passed by Council As Identified By The Council President
[\(09-0488-10\)](#)

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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(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