



# 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>**

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**Thursday, April 21, 2011**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call to Order

Excused: Vice Mayor Brooks

Present: Member Schaaf, Member Reid and President Pro Tempore De La Fuente

*The Oakland City Council Rules and Legislation Committee convened at 11:17a.m., with Council President Reid presiding as Chairperson.*

1 **Closed Session**

**A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Brooks

Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente

2 **Approval of the Draft Minutes from the Committee meeting of April 7, 2011**

**A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Brooks

Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente

3 **Determination of Schedule of Outstanding Committee Items**

**A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Brooks

Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente

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4 Scheduling of Agenda Items and revisions to the agendas for the Council Committee meetings of April 26, 2011 (SUPPLEMENTAL)

**A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Brooks  
Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente

[rules42111item4](#)

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S-4-1 Subject: Managed Health Network (MHN) Contract  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Waiving Advertising And The Request For Proposals/Qualifications And Authorizing The City Administrator To Enter Into A Contract With Managed Health Network (MHN) To Continue Providing Psychological Counseling Services For Sworn Members Of The Police Department And Their Dependents, In The Amount Of One Hundred Five Thousand (\$105,000), For The Period Of May 1, 2011 Through November 30, 2012  
[10-0589](#)

**Scheduled to \*Public Safety Committee on 5/10/2011**

*There was one speaker on this item.*

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S-4-2 Subject: Project 25 (P25) Radio System  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report Regarding The Status Of The City Of Oakland's Existing Radio System And The Implementation Of The New Project 25 (P25) Standards Based Radio System For Public Safety; On The May 24, 2011 Public Safety Committee Agenda  
[10-0588](#)

**Scheduled to \*Public Safety Committee on 5/24/2011**

S-4-3      Subject:      Preliminary Engineer's Report - LLAD  
From:          Office Of Budget  
Recommendation: Adopt A Resolution Of Intention To Levy Assessments,  
Acceptance Of The Fiscal Year 2011-12 Preliminary Engineer's Report For The  
City Of Oakland Landscaping And  
Lighting Assessment District, And Setting June 7, 2011 As The Date For A Public  
Hearing  
[10-0592](#)

**Scheduled to \*Finance & Management Committee on 5/10/2011**

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S-4-4      Subject:      Preliminary Wildfire Prevention Assessment District Report  
From:          Office Of Budget  
Recommendation: Adopt A Resolution Of Intention To Levy Assessments,  
Acceptance Of The Fiscal Year 2011-12 Preliminary Annual Report For The City  
Of Oakland Wildfire Prevention Assessment District, And Setting June 7, 2011 As  
The Date For A Public Hearing  
[10-0593](#)

**Scheduled to \*Finance & Management Committee on 5/10/2011**

*There was one speaker on this item.*

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S-4-5      Subject:      Installation Of Art At Hardy Park  
From:          Councilmember De La Fuente  
Recommendation: Adopt A Resolution Waiving Advertising, Bidding And Request  
For Proposal Requirements For The Purchase Of Materials And Public Art From  
The Rockridge Community Planning Council In The Amount Of \$22,021.70 Used  
To Build And Install A Kiosk And Benches And To Fabricate And Install Art By  
Mark Brest Van Kempen At Hardy Park  
[10-0583](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 5/3/2011**

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- S-4-6      Subject:      OFCY Grant Renewal  
From:          Department Of Human Services  
Recommendation: Adopt A Resolution Appropriating And Allocating \$7,000 In Interest Income Earned To The Oakland Fund For Children And Youth, And Authorizing The City Administrator To Negotiate And Execute Grant Renewal Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Direct Services For Children And Youth For Fiscal Year 2011-2012 In An Amount Not To Exceed \$9,772,400  
[10-0585](#)  
**Scheduled to \*Life Enrichment Committee on 5/24/2011**
- S-4-7      Subject:      OFCY Interim Report  
From:          Department Of Human Services  
Recommendation: Receive An Informational Report On The Oakland Fund For Children And Youth "2010-2011 Evaluation Interim Report" From The Firm See Change And On The "Out-Of-School Time Program Evaluation Interim Findings Report" From The Firm Public Profit  
[10-0586](#)  
**Scheduled to \*Life Enrichment Committee on 5/24/2011**
- S-4-8      Subject:      Central District Basement Backfill And Repair Program Ammendment  
From:          Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Amending Resolution No. 2008-0069 C.M.S. To Revise The Central District Basement Backfill And Repair Program To Increase The Maximum Grant Amount For' Small Projects From \$4,000 Per Linear Foot To The Greater Of \$200,000 Or \$4,000 Per Linear Foot  
[10-0587](#)  
**Scheduled to \*Community & Economic Development Committee on 5/10/2011**  
*There was one speaker on this item.*  
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S-4-9            Subject:     BE Fitzpatrick Development Inc. Incentive Agreement  
From:           Community And Economic Development Agency  
Recommendation: Adopt A City Resolution Authorizing The City Administrator To Execute A Certificate Of Completion And Other Release Of Obligations By BE Fitzpatrick Development Inc., Owner Of The Coliseum Lexus Dealership Project (“Project”) Under A Business Incentive Agreement Regarding The Project; On The May 24, 2011 Community And Economic Development Committee Agenda  
[10-0591](#)

**Scheduled to \*Community & Economic Development Committee on 5/24/2011**

S-4-10           Subject:     Sale Of City Property And Purchase Of Materials  
From:           Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution: 1) Waiving Advertising, Competitive Bid And Request For Proposals/Qualifications Requirements; And, 2) Authorizing The City Administrator. Or His Designee, To Purchase Necessary Design And Other Licensed Professional Services, Construction Labor And Materials, Design-Build Services And Construction Manager At Risk Services On The Open Market For The Design And Construction Of The Redevelopment Agency Funded Projects Listed In Exhibit " A " Within The Project Budgets Indicated Therein, Without Return To The City Council  
[10-0596](#)

**Scheduled to \*Community & Economic Development Committee on 5/10/2011**  
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2) An Ordinance Amending Ordinance Nos.13061 And 13062 C.M.S. Authorizing The Sale Of Various City-Owned Properties To The Redevelopment Agency. To Remove 250 Fallon Street And 600-620 Washington Street, And To Add The 12th Street Remainder Parcel; And  
[10-0596-1](#)

**Scheduled to \*Community & Economic Development Committee on 5/10/2011**

3) An Agency Resolution Amending Resolution Nos. 2011-0023 C.M.S. And 2011-0024 C.M.S. Authorizing The Purchase Of Various Properties From The City, To Remove 250 Fallon Street And 600-620 Washington Street, And To Add The 12th Street Remainder Parcel  
[10-0596-2](#)

**Scheduled to \*Community & Economic Development Committee on 5/10/2011**

S-4-11      Subject:      Shepherd Canyon Storm Drain Rehabilitation  
From:          Public Works Agency  
Recommendation: Adopt A Resolution Increasing The 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 Two Hundred Thousand Dollars (\$200,000.00) For A Total Contract Amount Of Seven Hundred Twenty Four Thousand Eight Hundred Fifty-Three Dollars (\$724,853.00); On The May 24, 2011 Public Works Committee Agenda [10-0590](#)

**Scheduled to \*Public Works Committee on 5/24/2011**

*There was one speaker on this item.*

S-4-12      Subject:      Proposition 84 Grant Funds  
From:          Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His/Her Designee, To Apply For, Accept, And Appropriate Proposition 84: Safe Drinking Water, Water Quality And Supply, Flood Control, River And Coastal Protection Bond Act - 2008 Statewide Park Development And Community Revitalization Program Grant Funds In An Amount Not-To-Exceed Five Million Dollars (\$5,000,000.00) For Each Of Six Proposed Projects:  
• Brookdale Park Improvement & Teen Center Expansion,  
• Durant Mini-Park Improvement,  
• Golden Gate Recreation Center Renovation & Expansion,  
• Lincoln Square Park Improvement & Recreation Center Expansion,  
• Rainbow Recreation Center Expansion & Teen Center, And  
• Tassafaronga Recreation Center Expansion  
[10-0594](#)

**Scheduled to \*Public Works Committee on 5/10/2011**

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S-4-13      Subject:      On-Call Citywide Emergency Roadway Repairs  
From:          Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Beliveau Engineering Contractors, Inc. For On-Call Citywide Emergency Roadway Repairs (Project Number C369911) In The Amount Of Seven Hundred Eighty-Five Thousand Three Hundred Dollars (\$785,300.00) Over A Twelve-Month Term  
[10-0595](#)

**Scheduled to \*Public Works Committee on 5/10/2011**

*There was one speaker on this item.*

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S-4-14      Subject:      Proposed 2011-2013 Budget Meetings  
From:            Office Of The Council President  
Recommendation: Request To Approve The Preliminary Schedule Of Budget Meetings  
[10-0574](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Brooks  
Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente  
*There was one speaker on this item.*

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5            A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of May 3, 2011 and the Rules and Legislation Committee meeting of May 5, 2011

**A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Brooks  
Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente  
*There was one speaker on this item.*

[rules42111item5](#)  
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S-6        Subject:    City Of Oakland Lobbyist Registration Act - Amendments  
              From:        Public Ethics Commission  
              Recommendation: Adopt An Ordinance Establishing Regulation Of Lobbyists In Oakland  
              Municipal Code Chapter 3.20  
              [10-0342](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by Member Reid, that this matter be \*Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on May 3, 2011. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Brooks  
              No; 1 - Member Schaaf  
              Aye; 2 - Member Reid and President Pro Tempore De La Fuente  
*Councilmember Schaaf made a substitute motion on the floor, which failed due to lack of a second.*

*There were 13 speakers on this item.*

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7            Subject:    Enterprise Zone Program  
              From:        Community And Economic Development Agency  
              Recommendation: Adopt A Resolution In Support Of AB 231, AB 232, And ABX 11;  
              Proposed Amendments To Reform The California Enterprise Zone Program  
              [10-0497](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on May 3, 2011. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Brooks  
              Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente  
*There was one speaker on this item.*

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8 Subject: Seismic Safety Finance Act  
 From: Office Of The City Attorney  
 Recommendation: Adopt A Resolution Supporting Assembly Bill 184 (Swanson) Which Will Add A New Section 5899, Entitled The Seismic Safety Finance Act, To The California Streets And Highways Code To Allow The Voluntary Creation Of Contractual Assessment Programs For Property Owners To Seismically Retrofit Residential, Commercial, Industrial, And Agricultural Buildings  
[10-0492](#)

**A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on May 3, 2011. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Brooks  
 Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente  
*There was one speaker on this item.*

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**OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)**

*There was one speaker during Open Forum.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 12:41p.m.*

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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.

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*City Clerk and Clerk of the Council*