

DRAFT



City of Oakland Meeting Minutes

*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, October 16, 2008

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

[Play Video](#)

Present: Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:53 AM, with Council President De La Fuente presiding as Chairperson.

1 **Closed Session**

[Play Video](#)

The Office of the City Attorney scheduled a Closed Session for Tuesday, October 21, 2008 for 4 PM to 6 PM

2 **Approval of the Draft Minutes from the Committee meeting of October 2, 2008**

[Play Video](#)

**A motion was made by Member Chang, seconded by Member Brunner, to
*Approve the Minutes. The motion carried by the following vote:**

Votes: Absent; 1 - Vice Mayor Reid

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

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

[Play Video](#)

**A motion was made by Member Chang, seconded by Member Brunner, to
*Approve with the following amendments. The motion carried by the
following vote:**

Votes: Absent; 1 - Vice Mayor Reid

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

[10-16 Rules Rending](#)

[View Report.pdf](#)

FROM THE OCTOBER 23, 2008 COMMITTEE AGENDA

1

***Withdrawn with No New Date**

*A Report From The Legislative Analyst Of Activities For the City Council's
State Legislative Proposals And Agendas*

FROM THE OCTOBER 30, 2008 COMMITTEE AGENDA

1

***Withdrawn with No New Date**

A Report From The Legislative Analyst Of Activities For the City Council's State Legislative Proposals And Agendas

4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of October 21, 2008 (SUPPLEMENTAL)

[Play Video](#)

A motion was made by Member Brunner, seconded by Member Chang, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

[10-16 Rules Item 4](#)

[View Report.pdf](#)

S-4-1 Subject: 2008 Urban Area Security Initiative Grant
From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland To: 1) Enter Into A Governance Memorandum Of Understanding With The City And County Of San Francisco, Alameda County, Santa Clara County, And The City Of San Jose, And A Grant Administration Agreement With The City And County Of San Francisco For Distribution Of Fiscal Year 2008 Urban Area Security Initiative (UASI) Grant Funds In An Amount Not To Exceed Two Million Dollars (\$2,000,000) To The City Of Oakland; 2) Accept, Appropriate, And Administer Fiscal Year 2008 UASI Grant Allocations, And 3) Approve The Preliminary Spending Plan And Waive Central Services Overhead Fees, And 4) Expend Funds In Accordance With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases In Excess Of The City Administrator's Purchasing Authority For Equipment On The Federally Authorized Equipment List And Services Required By The Grant, Provided That City Bidding Requirements And Purchasing Protocols Are Followed, And Appropriate Said Funds To The Oakland Fire Department's Office Of Emergency Services; On The December 9, 2008 Public Safety Committee Agenda

[07-1753](#)

[Play Video](#)

Scheduled to *Public Safety Committee on 12/9/2008

DRAFT

S-4-2 Subject: 2007 Super Urban Area Security Initiative Grant Amendment
From: Oakland Fire Department
Recommendation: Adopt A Resolution Amending Resolution No. 81421 C.M.S., Which Authorized The City Administrator To: 1) Enter Into The Governance Memorandum Of Understanding With The City Of San Jose, Santa Clara County, Alameda County, San Francisco City And County, And A Grant Administration Agreement With The City And County Of San Francisco For Distribution Of Fiscal Year 2007 Super Urban Area Security Initiative (SUASI) Grant Funds In The Amount Of \$2,667,062.00 To Oakland, And 2) Accept, Appropriate, And Administer The Fiscal Year 2007 SUASI Grant Allocations, And 3) Approve The Preliminary Spending Plan And Waive City Of Oakland Central Services Overhead Fees Of \$100,769.00, And 4) Expend Funds In Accord With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases In Excess Of The City Administrator's Purchasing Authority For Equipment On The Federally Authorized Equipment List And Services Required By The Grant, Provided City Bidding Requirements And Purchasing Programs/Policies Are Followed; To Authorize The City Administrator To Accept And Appropriate Supplemental Fiscal Year 2007 SUASI Grant Funds In An Amount Not To Exceed One Hundred And Forty Thousand Dollars (\$140,000.00) And Appropriate Said Funds To The Oakland Fire Department's Office Of Emergency Services; On The December 9, 2008 Public Safety Committee Agenda
[07-1754](#)

[Play Video](#)

Scheduled to *Public Safety Committee on 12/9/2008

S-4-3 Subject: FBI Narcotic Investigation - Reimbursement
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To Accept And Appropriate Reimbursement Funds In An Amount Not-To-Exceed Fifteen Thousand Dollars (\$15,000) In Federal Funds From The Department Of Justice (DOJ), Federal Bureau Of Investigation (FBI) Operating Within The Organized Crime Drug Enforcement Task Forces (OCDETF) To The Oakland Police Department (OPD) In Overtime Costs For Six (6) Police Officers And One (1) Sergeant, For The Period Of October 1, 2008 Through October 1, 2009 For Work Associated With A FBI Narcotic Investigation
[07-1757](#)

[Play Video](#)

Scheduled to *Public Safety Committee on 11/12/2008

DRAFT

S-4-4 Subject: Municipal Code Amendment - Massage Establishments & Therapists
From: Office of the City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (OMC) Chapter 5.36, "Massage Establishments And Massage Therapists," To Provide That: A) Chair Massage And Other Fully Clothed Massage, B) Sole Proprietor Massage Therapists, And C) Non-Massage Businesses That Lease Space To Individual Massage Therapists Are Exempt From The Requirement To Obtain A Massage Establishment Permit
[07-1738](#)

[Play Video](#)

Scheduled to *Public Safety Committee on 11/12/2008

S-4-5 Subject: Civicorps Schools Agreement
From: Office of the City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Professional Services Agreement With Civicorps Schools For Administration Of The Excess Litter Fee Program
[07-1756](#)

[Play Video](#)

Scheduled to *Community & Economic Development Committee on 11/12/2008

S-4-6 Subject: City Attorney's Annual Report 2007-2008
From: Office of the City Attorney
Recommendation: A Request To Withdraw From The October 28, 2008 Finance And Management Committee Agenda The City Attorney's Annual Report For 2007-2008; With No New Date

Reason: Preparation Of The Report Is Still In Process. We Will Submit A New Rules Request To Schedule The Item In The Future.

[07-1642](#)

[Play Video](#)

***Withdrawn with No New Date**

S-4-7 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](#)

[Play Video](#)

Scheduled to *Rules & Legislation Committee on 11/6/2008

DRAFT

S-4-8 Subject: Oil Depletion Protocol Analysis
From: Councilmember Nancy Nadel
Recommendation: Action On A Report Analyzing How The City Of Oakland And
The Oakland Community Would Reduce Oil Consumption By 3% Annually If The
Oil Depletion Protocol Were To Be Adopted As Recommended By The Oil
Independent Oakland By 2020 Task Force; On The December 9, 2008 Public Works
Committee Agenda
[07-1760](#)

[Play Video](#)

***Withdrawn with No New Date**

S-4-9 Subject: Men Of Valor Academy - Grant
From: Councilmembers Henry Chang & Jean Quan
Recommendation: Adopt A Resolution Authorizing A Grant of \$10,000 From
Councilmember Henry Chang's At-Large Pay-Go Funds And A Grant Of \$20,000
From Councilmember Jean Quan's District 4 Pay-Go Funds To Men Of Valor
Academy For Operating Expenses For The Educational Enhancement And Job
Readiness Training Program
[07-1761](#)

[Play Video](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 10/21/2008**
[81609 CMS.pdf](#)

S-4-10 Subject: Toler Heights Estates LLC - Sales Amendment
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending Ordinance No. 12726 C.M.S.,
Which Authorized The Sale Of City-Owned Properties To Toler Heights Estates
LLC, To Authorize A Price Reduction For 9724 And 9745 Thermal Street From
\$416,000 To Eighty-Five Percent Of The Sales Price Minus The First Mortgage To
Allow The Completion Of Two Market-Rate Homes
[07-1708](#)

[Play Video](#)

**Scheduled to *Community & Economic Development Committee on
11/12/2008**

DRAFT

S-4-11 Subject: Inner Harbor Bay Trail Segment - Oakland Waterfront Trail
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or
Designee, To Apply For, Accept And Appropriate Up To Seven Hundred Thousand
Dollars (\$700,000.00) In Grant Funds From The California Department Of Parks
And Recreation Recreational Trails Program For The Fruitvale Avenue To High
Street Bridge - Inner Harbor Bay Trail Segment Of The Oakland Waterfront Trail
[07-1755](#)

[Play Video](#)

Scheduled to *Public Works Committee on 11/12/2008

S-4-12 Subject: Community Choice Aggregation
From: Public Works Agency
Recommendation: Adopt A Resolution Receiving The East Bay Cities Community
Choice Aggregation Business Plan And Directing The City Administrator To
Re-Allocate Three Hundred Ninety Thousand Dollars (\$390,000.00) To
Implementing The Energy And Climate Action Plan

[07-1687](#)

[Play Video](#)

**Scheduled to *Community & Economic Development Committee on
10/28/2008**

[View Report.pdf](#)

DRAFT

S-4-13 Subject: International Services, Inc. - Security Services Contract
From: Public Works Agency
Recommendation: (New Title) Resolution Awarding Security Services Contracts For City Facilities For A Term Of Two Years, With A One Year Extension Option, With International Services Inc, In An Amount Not-To-Exceed Six Hundred Sixty One Thousand Two Hundred and Fifty Dollars (\$661,250.00) Each Year Of The Contract And To W.S.B. And Associates Inc, In An Amount Not-To-Exceed Five Hundred Eighty Thousand Dollars (\$580,000.00) Each Year Of The Contract, And Authorizing The City Administrator To Increase Each Contract Up To An Additional Ten Percent (10%) To Cover Increased Labor Costs During The Term Of The Contracts And To Extend The Contracts On A Month-To-Month Basis Upon Expiration Of The Contracts Until A New Request For Proposal Process Is Conducted; On The October 28, 2008 Finance And Management Committee Agenda

(Old Title) Adopt A Resolution Authorizing The City Administrator To Execute Security Services Contracts For A Term Period Of Two Years With A One Year Extension Option With International Services, Inc. For An Amount Not To Exceed Five Hundred Five Thousand Dollars (\$505,000.00) Annually And With W.S.B. And Associates Inc. For An Amount Not To Exceed Five Hundred Eighty Thousand Dollars (\$580,000.00) Annually, For A Total Amount Not To Exceed One Million, Eighty Five Thousand Dollars (\$1,085,000.00) Annually
[07-1715](#)

[Play Video](#)

***Withdrawn with No New Date**

S-4-14 Subject: Renaming Brookfield Park
From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Renaming Brookfield Park At 9175 Edes Avenue The Bill Patterson Park
[07-1758](#)

[Play Video](#)

Scheduled to *Life Enrichment Committee on 11/12/2008

DRAFT

S-4-15 Subject: Dogs On Leashes - Mosswood Park
From: Office of Parks and Recreation
Recommendation: Adopt An Ordinance Amending Chapter 6.04 - "Animal Control Regulations Generally" Of The Oakland Municipal Code At Section 6.04.080 (A)(1) To Include Allowing Dogs On A Six Foot Leash On Designated Paths Through Mosswood Park
[07-1759](#)

[Play Video](#)

Scheduled to *Life Enrichment Committee on 11/12/2008

ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Pay-Go Policy
From: Council President De La Fuente
Recommendation: Adopt A Resolution Reaffirming The Policy And Rules For Pay-Go Account Expenditures And Grants Restricting The Use Of Paygo To Capital Improvements, Furniture, And Equipment
[07-1762](#)

Scheduled to *Finance & Management Committee on 11/12/2008

- 5 A review of the Council Committees' actions from October 14, 2008 and determination of scheduling to the ORA/City Council meeting of October 21, 2008 or future dates (MATRIX)

[Play Video](#)

A motion was made by Vice Mayor Reid, seconded by Member Chang, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

[10-16 Rules Item 5](#)

[View Report.pdf](#)

- 6 A review of the Agendas for the Council Committees for the meeting(s) of October 28, 2008 and the Rules and Legislation Committee for the meeting of October 30, 2008

[Play Video](#)

A motion was made by Vice Mayor Reid, seconded by Member Chang, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

[10-16 Rules Item 6](#)

[View Report.pdf](#)

DRAFT

7 Subject: 2008 Legislative Agenda Report
From: City Council
Recommendation: Receive An Informational Report On The City Of Oakland's 2008 State
Legislative Agenda
[07-1718](#)

***Received and Forwarded to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council - CANCELLED on 10/21/2008**

Votes:

[View Report.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

*There being no further business, and upon the motion duly made, the Oakland
City Council Rules and Legislation Committee adjourned the meeting at 11:25
AM*

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) 238-6406
Fax: (510) 238-6699
Recorded Agenda: (510) 238-2386
Telecommunications Display Device: (510) 839-6451
[TDD](#)

* 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