



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, June 10, 2010

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

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

The Oakland City Council Rules and Legislation Committee convened at 10:47 a.m., with Council President Brunner presiding as Chairperson.

1 Closed Session

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

Votes: Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

2 Approval of the Draft Minutes from the Committee meeting of May 27, 2010

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

Votes: Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

3 Determination of Schedule of Outstanding Committee Items

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

Votes: Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

[0610Rules](#)

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4 Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting of June 15, 2010 (SUPPLEMENTAL)

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

Votes: Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

[610item4](#)

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S-4-1 Subject: Urban Area Security Initiative - San Francisco
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into An Urban Area Security Initiative (UASI) Grant Administration Agreement With The City And County Of San Francisco For Distribution Of Fiscal Year 2009 Urban Area Security Initiative (UASI) Grant Funds In The Amount Up To Five Million And Seven Hundred Thousand Dollars (\$5,700,000) To The City Of Oakland, And: 2) Accept, Appropriate And Administer The Fiscal Year 2009 UASI Grant Allocations, And 3) Approve The Preliminary Spending Plan And Waive City Of Oakland Central Services Overhead (CSO) Fees Of Fifty Three Thousand And Seven Hundred Forty Dollars (\$53,740), 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

[09-1563](#)

Scheduled to *Public Safety Committee on 7/13/2010

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S-4-2 Subject: Port Security Grant Program
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into A Memorandum Of Understanding/Grant Administration Agreement With The Port Of Oakland Under Which The City Will Receive Fiscal Year 2009 American Recovery And Reinvestment Act (ARRA) Port Security Grant Program (PSGP) Funding In The Amount Of Two Million Nine Hundred Twenty One Thousand Seven Hundred Dollars (\$2,921,700) To Jointly Develop, Establish And Operate A Port/City Domain Awareness Center (DAC), And 2) Accept, Appropriate And Administer Said ARRA PSGP Grant Funds; And 3) Approve The Preliminary Spending Plan For The City Of Oakland Associated With Said Grant And Waive City Of Oakland Central Services Overhead Of \$87,000, 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 (AEL) And Services Required By The Grant, Provided City Competitive Solicitation And Purchasing Program/Policies Are Followed

[09-1564](#)

Scheduled to *Public Safety Committee on 7/13/2010

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S-4-3 Subject: 2006 Pre-Disaster Mitigation Grant - FEMA
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Enter Into Cooperative Agreements With Department Of Homeland Security And Federal Emergency Management Agency And To Serve As A Member Of The Collaborative Agencies For The Environmental Impact Report As Required By FEMA For The 2006 Pre-Disaster Mitigation Grant

[09-1566](#)

Scheduled to *Public Safety Committee on 7/13/2010

S-4-4 Subject: Alcohol Control Enforcement Project
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) From The State Of California, Department Of Alcoholic Beverage Control (ABC), Grant Assistance Program (GAP), For A One-Year (2010-2011) Alcohol Control Enforcement Project Within The Police Department

[09-1531](#)

Scheduled to *Public Safety Committee on 6/22/2010

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- S-4-5 Subject: Edward Byrne - Justice Assistance Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On
Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An
Amount Not To Exceed Eight Hundred Thirty-Nine Thousand And Twenty-Eight
Dollars (\$839,028) From The U.S. Department Of Justice, Office Of Justice
Programs, Bureau Of Justice Assistance, Edward Byrne Memorial Justice
Assistance Grant (JAG) Local Program For The Period Of July 1, 2010 Through
June 30, 2012, To Supplement Frontline Policing Services, And Appropriate Said
Funds To The Police Department
[09-1565](#)
Scheduled to *Public Safety Committee on 7/13/2010
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- S-4-6 Subject: Hardy Park Restroom Project
From: Council President Brunner
Recommendation: Adopt A Resolution Authorizing The City Administrator To
Award A Construction Contract To The Lowest, Responsive, And Responsible
Bidder For The Hardy Park Restroom Project (City Project No. C338710) In An
Amount Not-To-Exceed One Hundred Forty Thousand Dollars (\$140,000.00)
Without Further Council Review Or Action
[09-1561](#)
Scheduled to *Public Works Committee on 7/13/2010
[View Report.pdf](#)
- S-4-7 Subject: Public Ethics Commission - Salary Increase
From: Councilmember De La Fuente
Recommendation: Adopt A Resolution Declining To Accept The Public Ethics
Commission - Approved 1.7 % Increase In The Salary For The Office Of
Councilmember
[09-1562](#)
**Scheduled to *Special Concurrent Meeting of the Oakland Redevelopment
Agency/City Council on 6/24/2010**
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[82848 CMS.pdf](#)

S-4-8 Subject: First Amendment To The Joint Exercise Of Powers Agreement
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A First Amendment
To Joint Exercise Of Powers Agreement Between The Redevelopment Agency
And The State Of California To Facilitate The Possible Sale Of The Elihu M.
Harris Oakland State Building
[09-1522](#)

**Scheduled to *Community & Economic Development Committee on
7/13/2010**
[View Report.pdf](#)

S-4-9 Subject: Affordable Housing Development Activities
From: Community And Economic Development Agency
Recommendation: A Request To Retitle An Item Already Scheduled To The June
22, 2010 Community And Economic Development Committee Agenda
New Title: Adopt Three Resolutions Regarding Redevelopment Agency
Affordable Housing Development Activities: A Resolution Authorizing An
Affordable Housing Development Loan In An Amount Not To Exceed \$4,000,000
To EAH, Inc. For The Cathedral Gardens Project Located At 668 21st Street; A
Resolution Authorizing An Affordable Housing Development Loan In An Amount
Not To Exceed \$5,597,000 To Related Companies Of California And Acts
Community Development Corporation Jointly For The 94th And International
Apartments Project; And A Resolution Amending Resolution No. 2010-0033
C.M.S. To Change The Source Of Funds For An Affordable Housing Development
Loan To Amcal Multi-Housing, Inc. For The Macarthur Apartments

Old Title: Adopt Three Resolutions Regarding Redevelopment Agency Affordable
Housing Development Activities: A Resolution Authorizing An Affordable
Housing Development Loan In An Amount Not To Exceed \$4,000,000 To Eah,
Inc. For The Cathedral Gardens Project Located At 668 21st Street; A Resolution
Authorizing An Affordable Housing Development Loan Contingent On The
Availability Of Funds In An Amount Not To Exceed \$5,597,000 To Related
Companies Of California And Acts Community Development Corporation Jointly
For The 94th And International Apartments Project; And A Resolution Amending
Resolution Number 2010-0033 C.M.S. To Change The Source Of Funds For An
Affordable Housing Development Loan To Amcal Multi-Housing, Inc. For The
Macarthur Apartments

Reason: An Alternative Funding Source For The 94th And International Project
Has Been Identified; Previous Title Language Making Action Contingent On
Availability Of Funds Is No Longer Required.
[09-1536](#)

**Scheduled to *Community & Economic Development Committee on
6/22/2010**
[View Report.pdf](#)
[2010-0078 CMS.pdf](#)

S-4-10 Subject: Self-Serve Laundromat
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing To Consider An Appeal Of The Approval Of A Major Conditional Use Permit At 1500 E. 12th Street To Establish A Self-Serve Laundromat (Consumer Service Commercial) And Adopting One Of The Following Two Alternative Resolutions:

1) 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); Or Alternatively,

2) A Resolution Upholding The Appeal (A10-125), Thereby Reversing 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](#)

No Action Taken

Staff directed to bring this item back to the next Rules meeting

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S-4-11 Subject: Oakland Ice Center
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Approving A New Five-Year Agreement With San Jose Arena Management To Manage And Operate The Oakland Ice Center For A Percentage Of Net Revenue Pursuant To Specific Criteria

[09-1554](#)

Scheduled to *Finance & Management Committee on 7/13/2010

Resolution #2 scheduled to the CEDA

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S-4-12 Subject: Redevelopment Survey Area
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Designating The Lowell Street/Golden Gate/Gaskill Neighborhoods, Adjacent To The Broadway/Macarthur/ San Pablo Redevelopment Project Area, As A Redevelopment Survey Area

[09-1555](#)

Scheduled to *Community & Economic Development Committee on 7/13/2010

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S-4-13 Subject: Mixed-Use Development
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing An Exclusive
Negotiating Agreement With Sunfield Development, LLC Or A Related Entity To
Develop Portions Of The Block Bounded By San Pablo Avenue, Telegraph
Avenue, 18th Street, And 19th Street
[09-1556](#)

**Scheduled to *Community & Economic Development Committee on
7/13/2010**

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S-4-14 Subject: Neighborhood-Serving Retail Center
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing An Exclusive Negotiating Agreement With
Sunfield Development, LLC, For Disposition Of Eleven Agency-Owned Parcels
Bounded By Foothill Boulevard, Seminary Avenue And Bancroft Avenue, And
Development Of A Neighborhood-Serving Retail Center; And

[09-1557](#)

**Scheduled to *Community & Economic Development Committee on
7/13/2010**

[SUNFIELD DEV LLC.pdf](#)

[ITEM 12.pdf](#)

S-4-15 Subject: Jefferson Oaks Apartments Project
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Approving The Relocation Plans For The Oaks Hotel And
Jefferson Hotel For The Jefferson Oaks Apartments Affordable Housing Project
[09-1558](#)

**Scheduled to *Community & Economic Development Committee on
7/13/2010**

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S-4-16 Subject: Alta Bates Appeal
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal (AI 0-139), Thereby Upholding The Planning Commission Decision To Adopt California Environmental Quality Act Findings And Approve A Planned Unit Development (Including A Preliminary Development Plan For The Master Plan And A Final Development Plan For Phase 1); Design Review For Phase 1; A Conditional Use Permit For Demolition Of Existing Rooming Units; And A Minor Variance For Off-Street Parking For The Alta Bates Summit Medic Center, Summit Campus Seismic Upgrade And Master Plan Project (Planning Case File Nos. ER 09-0001, PUD 09-104, DR 09-105)
[09-1559](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/6/2010

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[View Report.pdf](#)
[View Report.pdf](#)
[82878 CMS.pdf](#)

S-4-17 Subject: Used Oil Filter Recycling
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing Submittal Of Used Oil Payment Program Applications And To Act As Lead Jurisdiction For Other Alameda County Jurisdictions, To The California Department Of Resources Recycling And Recovery And Appropriation Of Those Payments For Used Motor Oil And Used Oil Filter Recycling Beginning With Fiscal Year 2010/2011 And Effective Until Rescinded By The City Council
[09-1552](#)

Scheduled to *Public Works Committee on 7/13/2010

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S-4-18 Subject: Bridge Seismic Retrofit
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving Oakland's RFP/RFQ Requirements And Authorizing The City Administrator To Amend The Professional Services Contract With URS Corporation For Bridge Seismic Retrofit Projects To Add Design And Other Necessary Project Services And Increase The Contract Amount By Eight Hundred Seventy Thousand Six Hundred Dollars (\$870,600.00), For A Total Contract Amount Not To Exceed One Million One Hundred Thousand Dollars (\$1,100,000.00) Including Contingencies
[09-1560](#)

Scheduled to *Public Works Committee on 7/13/2010

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- 5 A review of the Council Committees' actions from June 8, 2010 and determination of scheduling to the ORA/City Council meeting of June 15, 2010 (MATRIX)
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: Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

[610item5](#)

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- 6 A review of the Agendas for the Council Committee meeting (s) of June 22, 2010 and the Rules and Legislation Committee of June 24, 2010
A motion was made by Member De La Fuente, seconded by Member Quan, to *Approve as Submitted. The motion carried by the following vote:
Votes: Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

[610item6](#)

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- 7 Subject: The Limited Public Financing Act - Amendments
From: Public Ethics Commission
Recommendation: Adopt An Ordinance Amending Chapter 3.13 Of The Oakland Municipal Code (Aka "The Limited Public Financing Act Of The City Of Oakland") To 1) Limit Eligibility To Candidates For District City Council; 2) Provide That Public Financing Be Limited To The Reimbursement Of Specified Campaign Expenditures; 3) Limit Candidates From Making Contributions Or Loans From Personal Funds To Ten Percent Of The Voluntary Expenditure Ceiling; 4) Require Candidates To Raise In Local Contributions An Amount Equal To Three Percent Of The Voluntary Expenditure Ceiling; 5) Permit Candidates To Appeal To The Public Ethics Commission Any Request For Reimbursement; And 6) Require Candidates To Repay The Election Campaign Fund From Any Surplus Campaign Funds In An Amount Not To Exceed The Percentage That Public Financing Represents Of Total Contributions Received
[09-1500](#)

Continued to *Rules & Legislation Committee on 6/24/2010

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S-8 Subject: Subsidized Employment Programs
 From: Councilmember Nadel
 Recommendation: Adopt A Resolution Urging The United States Congress To Grant An Extension Of The American Recovery And Reinvestment Act's Temporary Assistance For Needy Families Emergency Fund (Federal Government's Stimulus Package) That Allows States And Counties To Create Subsidized Employment Programs To Stimulate Local Economies
[09-1545](#)

***Approve the Recommendation of Staff, and Forward to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/15/2010**

This item was Rule 28 to the June 15, 2010 City Council Agenda and requires an urgency finding
[82837 CMS.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 11:16 a.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.

City Clerk and Clerk of the Council