

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, February 26, 2009

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

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

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

1 **Closed Session**

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The office of the City Attorney scheduled a Closed Session for Tuesday, March 3, 2009 from 3:30 PM to 6:00 PM

2 **Approval of the Draft Minutes from the Committee meeting of February 12, 2009**

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There was no action necessary for this item

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

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A motion was made by Member Reid, seconded by Member De La Fuente, 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

[02-26 Rules Pending](#)

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4 **Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of March 3, 2009 (SUPPLEMENTAL)**

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A motion was made by Member De La Fuente, seconded by Member Reid, 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

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[06-26 Rules Item 4](#)

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S-4-1 Subject: Education Partnership Meeting
 From: City Council

Recommendation: Request To Cancel Life Enrichment Committee On March 10, 2009 And Schedule A Special Education Partnership Committee In Its Place With The Following Items On The Agenda:

1) An informational Report from the Alameda County Public Health Department on their recently released report: Life and Death from Unnatural Causes: Health and Social Inequity in Alameda County.

2) A Report From The Oakland Unified School District On The Student Drop Out Rate; Current Approaches To Address The Problem; And Recommended Strategies Going Forward.

3) A Report And Recommendations From Peralta Community College District On The District's Role In Partnership With The City And The Oakland Unified School District In Preparing Oakland Residents For Meaningful Engagement In The Workforce

REASON: Per The Chairperson's Request
[09-0113](#)

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Accepted

S-4-2 Subject: Civilianization Of Internal Affairs
 From: Councilmember Larry Reid

Recommendation: Receive A Report From The Oakland Police Department Detailing The Civilianization Of Internal Affairs, Including The Fiscal Impact, Affect On The Negotiated Settlement Agreement, Timeline For Implementation, And Areas Of Consensus And Disagreement With The Mayor's Civilianization Task Force; On The April 28, 2009 Public Safety Committee Agenda

[09-0144](#)

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Scheduled to *Public Safety Committee on 4/28/2009

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S-4-3 Subject: Mayor's Civilianization Task Force Report
From: Councilmember Larry Reid
Recommendation: Receive A Report From The Mayor's Civilianization Task Force Detailing The Civilianization Of Internal Affairs, Including The Fiscal Impact, Affect On The Negotiated Settlement Agreement, Timeline For Implementation, And Areas Of Consensus And Disagreement With The Oakland Police Department; On The April 28, 2009 Public Safety Committee Agenda
[09-0145](#)

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Scheduled to *Public Safety Committee on 4/28/2009

The following individual spoke on this item:

- Sanjiv Handa

S-4-4 Subject: Project Teams Recognition
From: Council President Jane Brunner
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Recognizing Michael McDonald Of McDonald Construction And Development And The Entire Project Team Including Mike Dwyer, Fernando Sorto, Plumbob, LLC; Medium Plenty; Wonderland Gardens; Chris French Metal, Inc; And Concreteworks For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Platinum Rating Through The US Green Building Council's Leadership In Energy And Environmental Design For Homes Pilot Program And A Greenpoint Rating Through Build It Green For The Margarido House;

[09-0146](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/17/2009

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2) A Resolution Recognizing Mills College And The Entire Project Team Including: EHDD Architecture; Karen Fiene Architects; Peter H. Dodge, FAIA; James R. Griffin Construction, Inc; Rumsey Engineers, Silverman And Light; Archie Held Studio, And Dorothy Lenehan Architectural Glass For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Platinum Rating Through The US Green Building Council's Leadership In Energy And Environmental Design New Construction Program For The Betty Irene Moore Natural Sciences Building;

[09-0146-1](#)

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3) A Resolution Recognizing Earthjustice And The Entire Project Team Including: Design Avenues; West & East Bay Construction; Metropolitan Architecture; Constructive Technologies Group, Inc; And C & B Consulting Engineers For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Silver Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Commercial Interiors Program For The Earthjustice National Headquarters And Oakland Regional Office;

[09-0146-2](#)

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City Council on 3/17/2009**

4) A Resolution Recognizing Steve And Janett Edrington, Of Go Green, LLC For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Greenpoint Rating Through Build It Green For 3926 Kansas Street And 3701 38th Avenue;

[09-0146-3](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 3/17/2009**

5) A Resolution Recognizing Oakland Housing Authority And The Entire Project Team Including: David Baker + Partners; Equity Community Builders; Cahill Contractors; Goldfarb And Lipman; CSG Advisors And Fugro West For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design For Neighborhood Development Pilot Program For The Tassafaronga Village;

[09-0146-4](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 3/17/2009**

6) A Resolution Recognizing The University Of California Office Of The President For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Silver Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Existing Building Program For 1111 Franklin Street;

[09-0146-5](#)

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7) A Resolution Recognizing RPR Architects And The Entire Oakland Based Project Team Including Uptown Arts Building; Ingraham Dejesse Associates; W. E. Lyons Construction Co.; Sullivan Masonry And Restoration; Wooden Window; Paramount Aluminum And The Glass Man For The Restoration And Renovation Of The Uptown Arts Building At 1629 Telegraph Ave, Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Commercial Interiors Program For The RPR Architects Office;

[09-0146-6](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 3/17/2009**

8) A Resolution Recognizing Pulte Homes And The Entire Project Team Including Kava Massih Architects; Miller Company; And Civil Engineering Associates For Their Commitment To Sustainability And Green Building And Congratulating Them Attaining A Greenpoint Rating Through Build It Green For Zephyr Gate;

[09-0146-7](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 3/17/2009**

9) A Resolution Recognizing Brandywine Realty Trust And The Entire Project Team Including: Wright Heerema Architects; Charles Pankow Builders, LTD.; And Simon & Associates For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Core And Shell Program For Center 21 At 2100 Franklin Street;

[09-0146-8](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 3/17/2009**

10) A Resolution Recognizing Forest City Enterprises, MacFarlane Partners And The Entire Project Team Including: McLarand Vasquez Emsiek & Partners; James E. Roberts-Obayashi Corporation; LFR, Inc.; And CTG Energetics For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Silver Rating Through The US Green Building Council's Leadership In Energy And Environmental Design New Construction For The Uptown; And

[09-0146-9](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
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11) A Resolution Recognizing StopWaste.Org And The Entire Project Team Including: Placeworks LLC; Komorous-Towey Architects; KEMA Green; BBI Construction; Four Dimensions; Rumsey Engineers, Inc.; OLM Consulting Engineers; IDEAS; And Taylor Engineering For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Platinum Rating Through The US Green Building Council's Leadership In Energy And Environmental Design New Construction Program For 1537 Webster Street;

[09-0146-10](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/17/2009

S-4-5 Subject: Feather River Camp Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Celebrating The 85th Anniversary Of Oakland's Feather River Camp

[09-0153](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/17/2009

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S-4-6 Subject: Infrastructure Projects Status Report
From: City Council
Recommendation: Receive A Status Report On The Capacity Of City Staff To Administer Infrastructure Projects Which May Be Funded Through The Federal Stimulus Plan

[09-0154](#)

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Scheduled to *Public Works Committee on 3/24/2009

The following individual spoke on this item:

- Sanjiv Handa

S-4-7 Subject: Public Works Agency Priorities
From: City Council
Recommendation: Action On A Report From The Public Works Agency Director To Support And Facilitate Public Works Committee Discussion On Priorities For The 2009-2011 Budget Cycle

[09-0155](#)

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Scheduled to *Public Works Committee on 3/24/2009

The following individual spoke on this item:

- Sanjiv Handa

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S-4-8 Subject: Oakland Retail Enhancement Strategy - Implementation Activities
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The March 24, 2009 Community
And Economic Development Committee Agenda A Progress Report And Possible
Action On Implementation Activities To Date Associated With The Oakland Retail
Enhancement Strategy; And Reschedule To The April 28, 2009 Community And
Economic Development Committee Agenda

Reason: Given the scope and number of new activities directed by City Council, staff
needs more time to achieve solid progress.

[09-0054](#)

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**Scheduled to *Community & Economic Development Committee on
3/24/2009**

*The following individual spoke on this item:
- Sanjiv Handa*

S-4-9 Subject: T.Y. Lin International - Contract Amendment No. 3
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Waiving The Request For Proposal/Request
For Qualification Competitive Selection Process Requirements And Authorizing
Amendment No. 3 To The Professional Services Contract With T.Y. Lin
International/Earthtech, Joint Venture For The Replacement Of Embarcadero Bridge
Over Lake Merritt Channel (Project No. G121810) Increasing The Scope Of Work
And The Contract Amount By Six Hundred Eighty Thousand Dollars (\$680,000.00)
For A Total Contract Amount Not To Exceed One Million Nine Hundred Eighty
Thousand Two Hundred Forty-Four Dollars (\$1,980,244.00)

[09-0088](#)

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Scheduled to *Public Works Committee on 3/10/2009

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S-4-10 Subject: Revocable And Conditional Permit - 1700 50th Avenue
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A Revocable And Conditional
Permit To Allow A Replacement Building For Fire Station No. 18 At 1700 50th
Avenue To Encroach Into The Public Right-Of-Way

[09-0147](#)

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Scheduled to *Public Works Committee on 3/24/2009

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S-4-11 Subject: 2009 American Recovery And Reinvestment Act Grant
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Local Support To Apply For American Recovery And Reinvestment Act Of 2009 (ARRA) Funding In The Amount Of Five Million Seven Hundred And Seventy-Two Thousand Dollars (\$5,772,000.00) For The Purpose Of Street Rehabilitation, Curb Ramp Installation, And Sidewalk Repair; And
[09-0148](#)

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Scheduled to *Public Works Committee on 3/24/2009

2) A Resolution Authorizing The Administrator Or Designee To Accept And Appropriate Five Million Seven Hundred And Seventy-Two Thousand Dollars (\$5,772,000.00) American Recovery And Reinvestment Act Of 2009 (ARRA) Grant Funds To Resurface Roadways, Install Curb Ramps, And Repair Sidewalk Damage City-Wide
[09-0148-1](#)

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Scheduled to *Public Works Committee on 3/24/2009

The following individual spoke on this item:

- Sanjiv Handa

S-4-12 Subject: West Oakland Transit Village Project Funding
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Submittal Of Applications To The California Department Of Housing And Community Development For Funding Under The Transit Oriented Development (TOD) Program For The West Oakland Transit Village Project And Authorizing Acceptance And Appropriation Of Grant Funds From This Program And The Execution Of Standard Agreements And Any Related Documents Necessary, If Selected For Such Funding; And
[09-0149](#)

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Scheduled to *Community & Economic Development Committee on 3/24/2009

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2) An Agency Resolution Authorizing The Submittal Of Applications To The California Department Of Housing And Community Development For Funding Under The Infill Housing Program For The West Oakland Transit Village Project And Authorizing Acceptance And Appropriation Of Grant Funds From This Program And The Execution Of Standard Agreements And Any Related Documents Necessary, If Selected For Such Funding

[09-0149-1](#)

Scheduled to *Community & Economic Development Committee on 3/24/2009

S-4-13 Subject: Consolidated Annual Performance And Evaluation Report
From: Community and Economic Development Agency
Recommendation: 1) Receive A Report Regarding (1) Review Of Oakland's Consolidated Annual Performance And Evaluation Report (CAPER) For Community Development Block Grant, Home, Housing Opportunities For People With Aids And Emergency Shelter Grant Programs Performance For The Year 2007-2008; And

[09-0150](#)

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Scheduled to *Community & Economic Development Committee on 3/24/2009

(2) Adopt A Resolution Allocating An Estimated Award Of \$8,326,488 Of Community Development Block Grant Funds For Fiscal Year 2009-2010 Between The Categories Of Housing, Homeless Services, Economic Development, Neighborhood Programs And Administration And Allocating An Estimated \$670,480 In Program Income To The Rehabilitation Revolving Loan Program

[09-0150-1](#)

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Scheduled to *Community & Economic Development Committee on 3/24/2009

and as a Public Hearing on the April 7, 2009 City Council agenda

S-4-14 Subject: Ice Resurfacing Machine Purchase
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Agency Administrator To Purchase An Ice Resurfacing Machine For The Oakland Ice Center In An Amount Not To Exceed \$90,000;

[09-0151](#)

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Scheduled to *Community & Economic Development Committee on 3/24/2009

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S-4-15 Subject: Franklin 88 Garage Management Agreement
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A Two-Year Agreement With Pacific Park Management, Inc. For Management Of The Franklin 88 Parking Garage At 9th And Franklin Streets In Downtown Oakland
[09-0152](#)

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Scheduled to *Finance & Management Committee on 3/24/2009

The following individual spoke on this item:

- Sanjiv Handa

S-4-16 Subject: Spousal Retirement Benefits - Ballot Measure
From: Police and Fire Retirement Board
Recommendation: Adopt A Resolution, Submitting On The Oakland City Council's Own Motion, To Be Submitted To The Electors At The Next Municipal Special Election, A Proposed Charter Amendment, Entitled, "Measure Allowing All Widows And Widowers Who Remarry To Receive Spousal Retirement Benefits At An Estimated Lifetime Cost of \$1.7 Million," And Directing The City Clerk To Fix The Date For Submission Of Arguments And To Provide For Notice And Publication In Accordance With The Law And Authorizing Certain Other Election Activities (TITLE CHANGE)
[09-0089](#)

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S-4-17 Subject: Outside Service Contracts
From: Finance and Management Agency
Recommendation: Receive A Follow-Up Informational Report On Outside Services Contracts Including Discussion Of Combining Various Types Of Contracts And As-Needed Contracts; And Responses To Questions Submitted By International Federation Of Professional & Technical Engineers, Local 21 At The February 10, 2009 Finance & Management Committee Meeting; On The April 28, 2009 Finance And Management Committee Agenda
[09-0130](#)

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Scheduled to *Finance & Management Committee on 4/28/2009

The following individuals spoke on this item:

- Sanjiv Handa

- Ann Draper

ADDITIONAL ITEMS SUBMITTED ON THE DAIS

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Subject: Residential Permit Parking Program Modifications
From: Council President Jane Brunner
Recommendation: Receive A Report From Council President Brunner Proposing Modifications
To The Residential Permit Parking Program
[09-0156](#)

Scheduled to *Finance & Management Committee on 3/24/2009

- 5 A review of the Council Committees' actions from February 24, 2009 and determination of scheduling to the ORA/City Council meeting of March 3, 2009 or future dates (MATRIX)

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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

The following individual spoke on this item:

- Sanjiv Handa

[02-06 Rules Item 5](#)

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- 6 A review of the Agendas for the Council Committees for the meeting(s) of March 10, 2009 and the Rules and Legislation Committee for the meeting of March 12, 2009

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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

The following individual spoke on this item:

- Sanjiv Handa

[02-06 Rules Item 6](#)

[View Report.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individuals spoke on this item:

- Sanjiv Handa

- Ann Draper

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:45 AM

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NOTE:

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[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