



# 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>**

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**Thursday, April 29, 2010**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call to Order

Present: Member Quan, Member Reid, Chair Brunner and President Pro Tempore De La Fuente  
*The Oakland City Council Rules and Legislation Committee convened at 10.45 am, with President Brunner presiding as Chairperson.*

1 **Closed Session**

**A motion was made by President Pro Tempore De La Fuente, seconded by Member Reid, to Closed Session Item. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Quan, Member Reid, Chair Brunner and President Pro Tempore De La Fuente  
*Special Closed Session at 3:00pm on May 4, 2010*

2 **Approval of the Draft Minutes from the Committee meeting of April 15, 2010**

**No Action Taken**

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

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

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

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

**A motion was made by Member Reid, seconded by President Pro Tempore 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 President Pro Tempore De La Fuente

[42910item4](#)

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S-4-1      Subject:     Goat Grazing Services  
              From:        Oakland Fire Department  
              Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Select A Vendor and Award A Contract For The Provision Of Goat Grazing Services In The City Of Oakland For The Period Of May 31, 2010 Through May 30, 2014 In An Amount Not To Exceed One Million Five Hundred Thousand Dollars (\$1,500,000) For The Four Year Period, And 2) Waiving The Advertising And The Fixed, Sealed Bid, Price-Based Bid Process, And 3) Authorizing The City Administrator To Use The Request For Proposal/Qualifications Process To Select The Vendor For The Work

[09-1390](#)

**Scheduled to \*Public Safety Committee on 5/25/2010**

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[82798 CMS.pdf](#)

S-4-2      Subject:     Mid-Year Evaluation - Measure Y  
              From:        Office Of The City Administrator  
              Recommendation: Receive A Mid-Year Evaluation Of Measure Y Violence Prevention Programming: Street Outreach, Re-Entry, Juvenile Justice Center And Community Policing Fiscal Year 2009 - 2010

[09-1391](#)

**Scheduled to \*Public Safety Committee on 5/25/2010**

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S-4-3      Subject:     Business Tax And Sales Tax Incentive Programs  
              From:        Councilmember De La Fuente  
              Recommendation: A Request To Reschedule An Item Already Scheduled To The May 11, 2010 Community And Economic Development Committee Agenda And Schedule To The May 25, 2010 Community And Economic Development Committee Agenda

A Report And Possible Action On A Proposed Amendment To Resolution 82364 C.M.S. Applying Oakland's Business Tax And Sales Tax Incentive Programs To Existing Businesses That Expand By At Least 20 Employees And Meet The Criteria Listed In The Existing Program's Requirements And Considerations Table  
[09-1272](#)

**Scheduled to \*Community & Economic Development Committee on 5/25/2010**

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S-4-4      Subject:     Honoring Khalil Shaheed - Oaktown Jazz  
From:        Councilmember Brooks  
Recommendation: Adopt A Resolution Honoring Khalil Shaheed, Founder Of The Oaktown Jazz Workshops Program In Oakland And Director Of Khalil Shaheed Music, For His Outstanding Musical Prowess, Contributions To Music Education, And Extraordinary Accomplishments In The World Of Jazz Music  
[09-1400](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/4/2010**

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[82696 CMS.pdf](#)

S-4-5      Subject:     Reserved Parking Program  
From:        Council President Brunner  
Recommendation: Adopt A Resolution To Create A Pilot On-Street, Reserved Parking Program For Broadway Auto Row Auto Dealers, Whereby Auto Dealers Located On Broadway May Elect To Pay An Amount Equal To The Average Revenue Of The Meters Immediately In Front Of Their Businesses In Order To Have The Meters Removed And The Spaces Reserved For Exclusive Use By The Dealership And Its Customers  
[09-1402](#)

**Scheduled to \*Community & Economic Development Committee on 6/8/2010**

S-4-6      Subject:     Mayor's Public Safety Plan  
From:        Council President Brunner And Councilmember Reid  
Recommendation: Discussion And Possible Action On The Mayor's Public Safety Plan Including An Explanation Of Initiatives Already Implemented Or In The Process Of Being Implemented, A Timeline Of Future Initiatives With Goals, Objectives, And Action Steps, The Status Of Community And Departmental Collaboration And Feedback, As Well As Identifying Top Priorities Of The Plan  
[09-1422](#)

**Scheduled to \*Public Safety Committee on 5/25/2010**

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S-4-7      Subject:      Amendments To The Sunshine Ordinance  
From:          Council President Brunner  
Recommendation: Amendments To The Sunshine Ordinance From: Offices Of  
The City Clerk, City Administrator, City Attorney, City Auditor, & Public Ethics  
Commission Recommendation: Adopt An Ordinance Amending Chapter 2.20 Of  
The Oakland Municipal Code (AKA "The Oakland Sunshine Ordinance") And  
Ordinance No. 11370 For The Purpose Of 1) Incorporating Amended Provisions  
Of The "City-Wide Records Management Ordinance" Into The Sunshine  
Ordinance And 2) Revising The Current Definition Of "Meeting" To Achieve  
Consistency With Amendments To The Ralph M. Brown Act  
[09-1423](#)

**Scheduled to \*Finance & Management Committee on 5/11/2010**

S-4-8      Subject:      Denouncing Senate Bill 1070  
From:          Councilmembers Brunner, Quan and De La Fuente  
Recommendation: Adopt A Resolution Denouncing Senate Bill 1070, A Law That  
Seeks To Implement Arizona's Own Scheme Of Immigration Regulation That Will  
Inevitably Lead To Racial Profiling Of People Of Color And Limited English  
Proficient Persons, And Calling For A Boycott Of The State Of Arizona And  
Arizona-Based Businesses  
[09-1424](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 5/4/2010**  
*requires an urgency finding*

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[82727 CMS.pdf](#)

S-4-9      Subject:      Affordable Housing Week  
From:          Council President Brunner  
Recommendation: Adopt A Resolution Proclaiming The Week Of May 7 To May  
16, 2010, Affordable Housing Week In The City Of Oakland  
[09-1425](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 5/4/2010**

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S-4-10      Subject:     Senate Bill 1275  
                 From:         Councilmember Kaplan  
                 Recommendation: Adopt A Resolution Supporting Senate Bill 1275, Requiring A  
                 Loan Servicer To Provide An Application For A Loan Modification To A  
                 Homeowner, And Determine Eligibility For A Modification Or Other Alternative  
                 To Foreclosure For Those Who Complete The Application, Prior To Filing Of A  
                 Notice Of Default.

[09-1426](#)

**Scheduled to \*Rules & Legislation Committee on 5/13/2010**

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S-4-11      Subject:     Assembly Bill 2492  
                 From:         Councilmember Kaplan  
                 Recommendation: Adopt A Resolution Supporting Assembly Bill 2492, An Act To  
                 Amend Sections 62, 64, And 65.1 Of, And To Add Sections 64.1 And 64.5 To, The  
                 Revenue And Taxation Code, Relating To Taxation Which Would Change The  
                 Requirements For Reassessment Of The Value Of Commercial Properties.

[09-1427](#)

**Scheduled to \*Rules & Legislation Committee on 5/13/2010**

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S-4-12      Subject:     Eastside Arts Alliance  
                 From:         Councilmember Kaplan  
                 Recommendation: Adopt A Resolution Recognizing Eastside Arts Alliance And  
                 The 10th Anniversary Of The Malcolm X Jazz Festival

[09-1428](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 5/18/2010**

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S-4-13      Subject:     Senior Service America, Inc  
                 From:         Department Of Human Services  
                 Recommendation: Adopt A Resolution Authorizing The City Administrator To  
                 Apply For And Accept Grant Funds In The Estimated Amount Of \$1,353,460  
                 From Senior Services America, Inc., For The City Of Oakland Senior Aides  
                 Program For Fiscal Year 2010-2011

[09-1397](#)

**Scheduled to \*Life Enrichment Committee on 6/8/2010**

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S-4-14      Subject:    National And Community Services (CNCS)  
From:        Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant Funds From The Corporation For National And Community Services (CNCS) In The Amount Of \$329,801 For The Senior Companion Program (SCP) And Foster Grandparent Program (FGP) For The Fiscal Year 2010 - 2011  
[09-1398](#)

**Scheduled to \*Life Enrichment Committee on 6/8/2010**

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S-4-15      Subject:    Multipurpose Senior Services Program- FY 2010-2011  
From:        Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds In The Amount Of \$1,581,165 From The California Department Of Aging For The Multipurpose Senior Services Program (MSSP) For Fiscal Year 2010-2011; And Authorizing The City Administrator To Enter Into Contract Number MS-1011-01 With The California Department Of Aging For The Multipurpose Senior Services Program For Fiscal Year 2010-2011; And Authorizing The City Administrator To Accept, Appropriate And Allocate Any Additional Funding Received Without Returning To Council  
[09-1399](#)

**Scheduled to \*Life Enrichment Committee on 6/8/2010**

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S-4-16      Subject:    Measure B Funds  
From:        Department Of Human Services  
Recommendation: Adopt 1) Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Funds In The Amount Of \$751,487 From Alameda County Transportation Improvement Authority (Actia) Measure B Funds And Continue To Receive Funds From Two Measure B Gap Grants For Fiscal Year 2010-2011 To Provide Paratransit Services; 2) Authorizing The City Administrator Increased Authority To Bind The City To Contracts That May Exceed \$100,000 With Transportation Providers Selected As A Result Of A Competitive Qualification Process; And 3) Authorizing The City Administrator To Execute Amendments To The Contracts For Any Additional Amounts Received Under The Measure B Grant Without Returning To City Council; On The June 8, 2010 Life Enrichment Committee Agenda  
[09-1418](#)

**\*Withdrawn with No New Date**

S-4-17      Subject:      Scotlan Memorial Convention Center  
From:            Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Enter Into A Sublease With The City Of Oakland For The George P. Scotlan Memorial Convention Center For A Term Of Up To 12 Years For A Total Lease Payment Of \$2,000,000 In Fiscal Year 2009 - 2010 And \$2,000,000 In Fiscal Year 2010 - 2011;  
[09-1388](#)

**Scheduled to \*Community & Economic Development Committee on 5/25/2010**

*As A Public Hearing On June 1 and June 15, 2010*

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[2010-0070 CMS.pdf](#)

2) A City Ordinance Authorizing The City Administrator To Enter Into A Sublease With The Redevelopment Agency Of The City Of Oakland For The George P. Scotlan Memorial Convention Center For A Term Of Up To 12 Years For A Total Lease Payment Of \$2,000,000 In Fiscal Year 2009 - 2010 And \$2,000,000 In Fiscal Year 2010 - 2011; And  
[09-1388-1](#)

**Scheduled to \*Community & Economic Development Committee on 5/25/2010**

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S-4-18      Subject:      HUD Economic Development Initiative  
From:            Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City To Apply For, Accept, And Appropriate Grant Funds In An Amount Not To Exceed \$328,300 From The U.S. Department Of Housing And Urban Development Economic Development Initiative - Special Projects Grant Program For The Unity Council's Fruitvale Transit Village Phase 2 Residential Project At The Blocks Bounded By 35th And 37th Avenues, East 12th Street And The BART Tracks  
[09-1389](#)

**Scheduled to \*Community & Economic Development Committee on 5/11/2010**

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[82764 CMS.pdf](#)

S-4-19      Subject:      Lion Creek Crossings Phase IV  
From:            Community And Economic Development Agency  
Recommendation: Adopt A Resolution Granting The Oakland Housing Authority  
A Revocable And Conditional Permit To Allow Entry Stairs And An  
Undersidewalk Electrical Transformer And Vault For The Lion Creek Crossings  
Phase Iv Affordable Housing Project At 814 69th Avenue To Encroach Into The  
Public Right-Of-Way Along 69th Avenue And 70th Avenue  
[09-1393](#)

**Scheduled to \*Public Works Committee on 5/11/2010**

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S-4-20      Subject:      State Transportation Development Act  
From:            Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To  
Apply For, Accept, And Appropriate Up To Four Hundred And Fifteen Thousand  
Dollars (\$415,000.00) In Fiscal Year 2010-2011 State Transportation Development  
Act Article 3 Funds As Follows: (1) Ardley Avenue/16th Avenue Bikeway  
(MacArthur Boulevard To Embarcadero), Ninety Thousand Dollars (\$90,000.00);  
(2) Bicycle Detection At Actuated Traffic Signals, One Hundred Thousand Dollars  
(\$100,000.00); (3) Castlemont Stairs Rehabilitation (MacArthur Boulevard To  
Thermal Street), One Hundred Thousand Dollars (\$100,000.00); (4) CityRacks  
VIII Bicycle Parking Project, Seventy-Five Thousand Dollars (\$75,000.00); And  
(5) School Safety Improvements At Various Locations, Fifty Thousand Dollars  
(\$50,000.00)  
[09-1394](#)

**Scheduled to \*Public Works Committee on 5/11/2010**

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S-4-21      Subject:      Proposition 84 - Safe Drinking Water  
From:            Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To  
Apply For, Accept, And Appropriate Proposition 84: Safe Drinking Water, Water  
Quality And Supply, Flood Control, River And Coastal Protection Bond Act -  
Nature Education Facilities Program Grant Funds In An Amount Up To Fourteen  
Million Dollars (\$14,000,000.00), Seven Million Dollars (\$7,000,000.00) Each,  
For The Lake Merritt Rotary Nature Center Expansion And The Dunsmuir  
Hellman Estate Park Nature Education Center Improvement Projects  
[09-1414](#)

**Scheduled to \*Public Works Committee on 5/25/2010**

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S-4-22      Subject:      EBMUD- Sewer Lateral Regional Ordinance  
From:            Community And Economic Development Agency  
Recommendation: Adopt An Ordinance Adopting The East Bay Municipal Utility District's Private Sewer Lateral Regional Ordinance Establishing Requirements For Property Owners To Inspect And Certify Private Sewer Laterals At The Time Of Property Transfer, Major Remodel And Change In Water Service  
[09-1415](#)

**Scheduled to \*Public Works Committee on 5/25/2010**

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S-4-23      Subject:      The California Housing Finance Agency-Help Loan Program  
From:            Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:  
  
1) An Agency Resolution Authorizing A Contribution Of Up To \$230,000 In Low And Moderate Income Housing Funds To The City Under The Cooperation Agreement To Fund The Repayment Of A Loan From The California Housing Finance Agency Housing Enabled By Local Partnership Program  
[09-1416](#)

**Scheduled to \*Community & Economic Development Committee on 5/25/2010**

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[2010-0069 CMS.pdf](#)

S-4-24      Subject:      Central City East Neighborhood Project Initiative Program  
From:            Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:  
  
1) An Agency Resolution Authorizing Funding For Various Improvement Projects In An Amount Not To Exceed \$160,000 Under The Central City East Neighborhood Project Initiative Program, Authorizing A Contribution Of Agency Funds To The City Under The Cooperation Agreement In An Amount Not To Exceed \$160,000 For City Public Improvements Under The Program, And Authorizing The Agency Administrator To Enter Into Agreements With Project Sponsors And Make Necessary Expenditures To Implement Projects Funded Under The Program Without Returning To The Agency; And  
[09-1417](#)

**Scheduled to \*Community & Economic Development Committee on 5/25/2010**

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[2010-0081 CMS.pdf](#)

S-4-25      Subject:    Amendments To Planning Code  
From:        Community And Economic Development Agency  
Recommendation: Adopt An Ordinance, Recommended By The Planning Commission, To (A) Amend Section 17.136.075 Of The Oakland Planning Code And Make Other Related Amendments To The Planning Code And Building And Construction Code (Chapter 15.36 Of The Oakland Municipal Code) Relating To Required Findings For The Demolition Of Historic Structures; And (B) Adopt Administrative Submittal Requirement For Applications To Demolish Historic Structures  
[09-1419](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/8/2010**

*as a Public Hearing on the June 15, 2010 City Council agenda*

- [View Report.pdf](#)
- [View Report.pdf](#)
- [View Supplemental Report.pdf](#)
- [13028 CMS.pdf](#)

S-4-26      Subject:    Telecommunication Land Use Program  
From:        Community And Economic Development Agency  
Recommendation: Receive An Informational Report On The City Of Oakland Telecommunication Land Use Program As Of May 2010  
[09-1420](#)

**Scheduled to \*Finance & Management Committee on 5/25/2010**

- [View Report.pdf](#)

S-4-27      Subject:      Demolition Of 18 Buildings  
From:            Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Dispensing With Advertising And Authorizing An Alternative Competitive Bidding Process For The Contract For Demolition Of 18 Buildings Located At 4000-4009 Barcelona Street And 9020-9036 Santa Cruz Street At The Former Oak Knoll Naval Hospital Complex, According To Plans And Specifications For The Oak Knoll Demolition Project, And Authorizing The City Administrator To Award The Contract To The Lowest Responsive, Responsible Bidder Without Returning To The City Council In An Amount Not-To-Exceed The Engineer's Estimate Of \$180,000 For Said Demolition Work; And 2) Authorizing The City Administrator To Accept And Appropriate A Contribution Of Oak Knoll Redevelopment Funds Under The Cooperation Agreement In An Amount Not-To-Exceed \$235,830 For All Costs Associated With The Demolition Of 18 Buildings Located At 4000-4009 Barcelona Street And 9020-9036 Santa Cruz Street At The Former Oak Knoll Naval Hospital Complex; And  
[09-1392](#)

**Scheduled to \*Community & Economic Development Committee on 5/11/2010**

[View Report.pdf](#)  
[82765 CMS.pdf](#)

S-4-28      Subject:      Insurance Claim Recoveries  
From:            Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The Appropriation And Expenditure Of Insurance Claim Recoveries For The Repair Or Replacement Of Damaged City Assets  
[09-1401](#)

**Scheduled to \*Finance & Management Committee on 5/11/2010**

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S-4-29      Subject:      Tax And Revenue Anticipation Notes  
From:            Finance And Management Agency  
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2010-2011 In An Amount Not To Exceed \$200,000,000 And The Issuance And Sale Of 2010-2011 Tax And Revenue Anticipation Notes, Therefore And Approving Certain Related Matters  
[09-1413](#)

**Scheduled to \*Finance & Management Committee on 5/11/2010**

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[13017 CMS.pdf](#)

S-4-30      Subject:      Sewer Service Charge  
 From:            Finance And Management Agency  
 Recommendation: Amendment #2 To Sewer Service Charge Billing And  
 Collection Agreement; On The June 8, 2010 Finance And Management Committee  
 Agenda  
[09-1421](#)  
**Scheduled to \*Finance & Management Committee on 6/8/2010**  
[View Report.pdf](#)  
[82795 CMS.pdf](#)

S-4-31      Subject:      Bradley C. Walters Room - Oakland Library  
 From:            Oakland Public Library  
 Recommendation: Adopt A Resolution To Name The West Auditorium Of The  
 Oakland Main Library As The "The Bradley C. Walters Community Room "  
[09-1395](#)  
**Scheduled to \*Life Enrichment Committee on 6/8/2010**  
[View Report.pdf](#)  
[82829 CMS.pdf](#)

S-4-32      Subject:      Community Input Status Report - Piedmont Avenue Library  
 From:            Oakland Public Library  
 Recommendation: Receive The Piedmont Avenue Library Community Input  
 Status Report  
[09-1396](#)  
**\*Withdrawn with No New Date**

5            A review of the Council Committees' actions from April 27, 2010 and determination of  
 scheduling to the ORA/City Council meeting of May 4, 2010

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
 City Council on 5/4/2010**  
*as a Consent Calendar item*

[42910item5](#)  
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6            A review of the Agendas for the Council Committees for the meeting(s) of May 11, 2010.  
**A motion was made by President Pro Tempore 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 President Pro  
 Tempore De La Fuente

[42910item6](#)

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7 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 Presiden  
[09-0488-8](#)

**A motion was made by Member Quan, seconded by Member Reid, that this matter be Accepted. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Quan, Member Reid, Chair Brunner and President Pro Tempore De La Fuente  
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S-8 Subject: Assembly Bill 2567  
From: Councilmember Kaplan  
Recommendation: Adopt A Resolution To Support Assembly Bill 2567, Authorizing Local Public Agencies To Install And Operate Automated Parking Enforcement Systems As Part Of Public Agency Street Sweepers  
[09-1296](#)

**A motion was made by Member Reid, 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 4, 2010. The motion carried by the following vote:**

**Votes:** Abstained; 1 - Chair Brunner  
Aye; 3 - Member Quan, Member Reid and President Pro Tempore De La Fuente  
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**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 12:12p.m.*

NOTE: Americans With Disabilities Act  
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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*