



City of Oakland Meeting Agenda

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, October 01, 2009

10:45 AM

City Council Chambers - 3rd Floor

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

Roll Call / Call to Order

COMMITTEE MEMBERSHIP:

Jean Quan, District 4; Vice Mayor Ignacio De La Fuente, District 5; Larry Reid, District 7; and Chairperson Jane Brunner, District 1

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of September 17, 2009
- 3 Determination of Schedule of Outstanding Committee Items
(10-01 Rules Pending)
- 4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of October 6, 2009 (SUPPLEMENTAL)
(item4pendlist10109)

S-4-1 Subject: H1N1 Flu Virus
From: Oakland Fire Department
Recommendation: Receive An Informational Report On The Status Of The
City's 2009 H1N1 Flu Virus Preparedness Efforts
[\(09-0845\)](#)

S-4-2 Subject: Smoking Fee Implementation
From: Councilmember Larry Reid
Recommendation: A Request To Withdraw From The October 27, 2009
Finance And Management Committee Agenda A Report On A Discussion
And Possible Action On A Report From The City's Attorney's Office And
The City Administrator's Office On The Feasibility Of Implementing A
Smoking Fee, With Analysis And Comparisons Of Models Used By Other
Jurisdictions, Including A Cost Benefit Analysis, Impact On Personnel And
Projected Revenues; With No New Date

Reason: After Preliminary Research And Analysis Staff Has Decided To
Hold Off On The Report In Order To Gather Additional Information About
San Francisco's Program Which Has Not Yet Been Fully Implemented
[\(09-0631\)](#)

S-4-3 Subject: Smoking Tax Collection
From: Councilmember Larry Reid
Recommendation: A Request To Withdraw From The October 27th
Finance And Management Agenda A Discussion And Possible Action On
A Report From The City Attorney's Office On The Reasons That City Of
Oakland Did Not Collect The Smoking Tax And Whether The City
Collected Revenue From The State In Lieu Of Collecting The Tax; With
No New Date

Reason: Staff's Research Indicates That Oakland Is Preempted From
Collecting The Smoking Tax Additionally, Due To Limited Information
That Can Be Obtained From The State Board Of Equalization Regarding
Revenue Collection Staff Would Not Have Sufficient information To Write
A Report
[\(09-0632\)](#)

S-4-4 Subject: Disability Awareness Month
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Declaring October 2009 As
Disability Awareness Month In The City Of Oakland, California
[\(09-0852\)](#)

- S-4-5 Subject: Improvements To Oakland's Gun Control Laws
From: Councilmember Larry Reid
Recommendation: Adopt An Ordinance From The City Attorney's Office And The Oakland Police Department Discussion Recommendations From The Legal Community Against Violence And The Association Of Bay Area Governments To Amend Various Sections Of The Oakland Municipal Code To Enhance And Improve Oakland's Gun Control Laws By Regulating The Sale Of Ammunition, Strengthening Current Regulations On Firearms Dealers, Prohibiting The Possession Of Large Capacity Ammunition Magazines, Strengthening Regulations Regarding The Reporting Of Lost Or Stolen Firearms, Prohibiting The Sale Of And Possession Of .50 Caliber Cartridges, Regulating The Proper Disposal Of Firearms And Requiring Firearms, To Be Stored Safely In The Home; On the November 10, 2009 Public Safety Committee Agenda
[\(09-0857\)](#)
- S-4-6 Subject: Paul Brekke - Retirement
From: Councilmember Jane Brunner
Recommendation: Adopt A Resolution Recognizing And Honoring Paul Brekke-Miesner For His Exceptional Service To the City Of Oakland Upon His Retirement From The City After 4 Years; On The October 20, 2009 City Council Agenda
[\(09-0858\)](#)
- S-4-7 Subject: Travel Authorization - Councilmember Quan
From: Councilmember Quan
Recommendation: Adopt A Resolution Authorizing Councilmember Jean Quan To Travel To New York On October 7-9, 2009 To Attend The Harlem Children's Zone Practitioner's Institute As A Board Member Of Safe Passages; On the October 6, 2009 City Council Agenda
[\(09-0860\)](#)
- S-4-8 Subject: Improving Oakland's Gun Control
From: Councilmember Larry Reid
Recommendation: Receive A Joint Report From The City Attorney's Office, And The Oakland Police Department Discussing Recommendations From The Legal Community Against Violence And The Association Of Bay Area Governments To Amend The Oakland Municipal Code To Enhance And Improve Oakland's Gun Control Laws; On The November 10, 2009 Public Safety Committee Agenda
[\(09-0864\)](#)

S-4-9 Subject: Amending Salary Schedule
From: Department Of Human Resources Management
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending The Salary Schedule of Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Add The Permanent Full Time Equivalent Classifications Of: Director Of Information Technology; Director Of Contracting And Purchasing; Director Of Human Resources Management; Associate Director, Library Services; Chief Of Police, Assistant; Police Services Manager II; And Police Services Manager I; And [\(09-0850\)](#)

2) An Ordinance Amending The Salary Schedule of Ordinance No. 12187 (The Salary Ordinance) To: Add The Permanent Part Time (PPT) And Part Time (PT) Equivalent Classifications Of: Real Estate Agent, PT; Receptionist To The City Auditor, PT; Real Estate Agent, PPT Receptionist To The City Auditor, PPT; Contract Compliance Officer, PPT; And Police Records Specialist, PPT; On The October 27, 2009 Finance And Management Committee Agenda [\(09-0850-1\)](#)

S-4-10 Subject: Rockridge Business Improvement District Assessment
From: Community And Economic Development Agency
Recommendation: A Request To Re-Schedule Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2010/2011 For The Rockridge Business Improvement District, Approving The Annual Report Of The Rockridge Business Improvement District Advisory Board, And Scheduling A Public Hearing For November 17, 2009; On The October 27, 2009 Community And Economic Development Agenda

REASON: Concerns have been raised by some local businesses, which should be heard at Committee [\(09-0837\)](#)

S-4-11 Subject: Owner Participation Agreement - 8603 And 8701 Hillside Street
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing An Owner Participation Agreement With Pineview Partners, LLC, And Lenin Anne For The Rehabilitation Of 8603 And 8701 Hillside Street In The Central City East Redevelopment Project Area, Including Agency Funding In An Amount Not To Exceed \$275,000; On The October 27, 2009 Community and Economic Development Community Agenda [\(09-0853\)](#)

- S-4-12 Subject: 16th Street Station (RAILS)
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A Loan To
The Restoration Association For Improving The Landmark 16th Street
Station (RAILS) In An Amount Not To Exceed \$42,000 To Secure The
Historic 16th Street Train Station In West Oakland; On The October 27,
2009 Community And Economic Committee Agenda
[\(09-0854\)](#)
- S-4-13 Subject: The Jobs/Housing Impact Fee
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance Amending Oakland Municipal
Code Chapter 15.68, The Jobs/Housing Impact Fee And Affordable
Housing Trust Fund, To Correct The Definition Of
"Warehouse/Distribution]; On the October 27, 2009 Community And
Economic Development Committee Agenda
[\(09-0855\)](#)
- S-4-14 Subject: Barbara Holmes - Retirement
From: Public Works Agency
Recommendation: Adopt A Resolution Honoring Barbara Holmes For
Nearly 30 Years Of Service To The City Of Oakland And Congratulating
Her On Her Recent Retirement; On The October 20, 2009 City Council
Agenda
[\(09-0859\)](#)
- S-4-15 Subject: Rhonda Stuart - Retirement
From: Public Works Agency
Recommendation: Adopt A Resolution Honoring Rhonda Stuart For Over
27 Years Of Service To The City Of Oakland And Congratulating Her On
Her Recent Retirement; On The October 20, 2009 City Council Agenda
[\(09-0861\)](#)
- S-4-16 Subject: Long-Term Pension And Medical Costs
From: Finance And Management Agency
Recommendation: Receive An Informational Report On Long-Term
Pension And Medical Costs Currently Paid For Eligible City Of Oakland
Employees And Annuitants And Potential Savings Alternatives; On The
November 10, 2009 Finance And Management Committee Agenda
[\(09-0847\)](#)

S-4-17 Subject: Unreturned Paylock Boot Fee
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Add Twenty-Five Dollar (\$25) Daily Fee For Unreturned Paylock Boot; A Five Hundred Dollar (\$500) Boot Replacement Fee; And A Three-Hundred Dollar (\$300) Damaged Boot Fee; On The October 27, 2009 Finance And Management Committee Agenda

[\(09-0848\)](#)

S-4-18 Subject: Renewal Fee For Residential Permit Parking
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Increase The Renewal Fee For Residential Permit Parking From Fifteen Dollars (\$15) To Thirty-Five Dollars (\$35); And To Add An Administration Fee Of Fifteen Dollars (\$15) For New Residential Permit Parking Applications; On The November 10, 2009 Finance And Management Committee Agenda

[\(09-0849\)](#)

S-4-19 Subject: Revenue And Tax Administrator
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Recommending To The Civil Service Board That The Classification Of Revenue And Tax Administrator Be Exempted From The Operation Of The Civil Service; On The October 27, 2009 Finance And Management Committee Agenda

[\(09-0851\)](#)

S-4-20 Subject: Swearing In - Anthony W. Bates
From: Mayor's Office
Recommendation: Adopt A Resolution Swearing-In Anthony W. Batts As Chief Of Police For The City Of Oakland; On The October 20, 2009 City Council Agenda

[\(09-0846\)](#)

5 A review of the Council Committees' actions from September 29, 2009 and determination of scheduling to the ORA/City Council meeting of October 6, 2009 or future dates (MATRIX)

[\(item 5100109\)](#)

6 A review of the Agendas for the Council Committees for the meetings of October 13, 2009 and the Rules and Legislation Committee for the meeting of October 15, 2009

[\(item6 100109\)](#)

7 Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")

8 Subject: Support Of Assembly Bill 17

From: Oakland Police Department
Recommendation: Adopt A Resolution In Support Of Assembly Bill #17, Which Provides For Increasing Existing Penalties Against Persons Convicted Of Soliciting A Minor To Engage In An Act Of Prostitution For Money Or Other Consideration, Or For Agreeing To Give A Minor Money Or Other Consideration In Return For The Minor Committing An Act Of Prostitution
(09-0790)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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.

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(TDD)

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM

* 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.

LATONDA SIMMONS
Agency Secretary/City Clerk
and Clerk of the Council

ORA - Oakland Redevelopment Agency
S - Supplemental Item