



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, October 01, 2009

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

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Excused: Member Reid

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

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

1 Closed Session

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The office of the City Attorney scheduled a Closed Session from 4 PM to 6 PM on Tuesday, October 6, 2009

2 Approval of the Draft Minutes from the Committee meeting of September 17, 2009

[Play Video](#)

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

Votes: Excused; 1 - Member Reid

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

3 Determination of Schedule of Outstanding Committee Items

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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: Excused; 1 - Member Reid

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

[10-01 Rules Pending](#)

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4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of October 6, 2009 (SUPPLEMENTAL)

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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: Excused; 1 - Member Reid

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

[item4pendlist10109](#)

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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](#)

Scheduled to *Public Safety Committee on 10/13/2009

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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](#)

***Withdrawn with No New Date**

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](#)

***Withdrawn with No New Date**

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](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 10/6/2009**

The following individual spoke on this item:

- Sanjiv Handa

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[82310 CMS.pdf](#)

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](#)

Scheduled to *Public Safety Committee on 11/10/2009

S-4-6 Subject: Paul Brekke - Retirement
 From: Councilmember Jane Brunner
 Recommendation: Adopt A Resolution Recognizing And Honoring Paul
 Brekke-Miesner For His 4 Years Of Exceptional Service To The City Of Oakland
 And Many Years Of Service To The Community
 [09-0858](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 10/20/2009**

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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
 [09-0860](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 10/6/2009**

The following individual spoke on this item:

- Sanjiv Handa

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[82331 CMS.pdf](#)

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 I; And Police Services Manager
II; And Revenue And Tax Administrator

[09-0850](#)

Scheduled to *Finance & Management Committee on 10/27/2009

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

[09-0850-1](#)

Scheduled to *Finance & Management Committee on 10/27/2009

The following individual spoke on this item:

- Sanjiv Handa

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](#)

Scheduled to *Community & Economic Development Committee on 10/27/2009

The following individual spoke on this item:

- Sanjiv Handa

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

[09-0853](#)

Scheduled to *Community & Economic Development Committee on 10/27/2009

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
[09-0854](#)

**Scheduled to *Community & Economic Development Committee on
10/27/2009**

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]
[09-0855](#)

**Scheduled to *Community & Economic Development Committee on
10/27/2009**

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

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
[09-0859](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 10/20/2009**

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
[09-0861](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 10/20/2009**

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

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](#)

Scheduled to *Finance & Management Committee on 11/10/2009

S-4-17 Subject: Unreturned Paylock Boot Fee
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Amending Ordinance Number 12948
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 Two Hundred And Fify Dollar (\$250) Damaged Boot Fee
[09-0848](#)

Scheduled to *Finance & Management Committee on 10/27/2009

The following individual spoke on this item:

- Sanjiv Handa

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](#)

Scheduled to *Finance & Management Committee on 11/10/2009

The following individual spoke on this item:

- Sanjiv Handa

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
[09-0851](#)

Scheduled to *Finance & Management Committee on 10/27/2009

The following individual spoke on this item:

- Sanjiv Handa

S-4-20 Subject: Swearing In - Anthony W. Batts
From: The Mayor
Recommendation: The Swearing-In Of Anthony W. Batts As Chief Of Police For
The City Of Oakland
[09-0846](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 10/20/2009**

The following individual spoke on this item:

- Sanjiv Handa

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ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: U.S. China Low-Carbon Cities Program
From: President Jane Brunner
Recommendation: Adopt A Resolution To Accept An Invitation To Participate In The United
States China Low-Carbon Cities, Communities, And Regions Program
[09-0865](#)

Scheduled to *Public Works Committee on 10/13/2009

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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)
[Play Video](#)

**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: Excused; 1 - Member Reid

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

The following individual spoke on this item:

- Sanjiv Handa

[item 5100109](#)

[View Report.pdf](#)

- 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

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

Votes: Excused; 1 - Member Reid

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

The following individual spoke on this item:

- Sanjiv Handa

[item6 100109](#)

[View Report.pdf](#)

- 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")

[Play Video](#)

The following individual spoke on this item:

- Sanjiv Handa

- 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](#)

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A motion was made by Member Quan, seconded by Member 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 October 6, 2009. The motion carried by the following vote:

Votes: Excused; 1 - Member Reid

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

The following individual spoke on this item:

- Sanjiv Handa

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[82332 CMS.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

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The following individual spoke under Open Forum:

- Sanjiv Handa

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 12:18 P.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.

City Clerk and Clerk of the Council