



# 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>

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Thursday, June 26, 2008

10:30 AM

City Council Chambers - 3rd Floor

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### ***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:**

**Jane Brunner, District 1; Vice Mayor Larry Reid, District 7; Henry Chang, At-Large; and Chairperson Ignacio De La Fuente, District 5**

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of June 12, 2008
- 3 Determination of Schedule of Outstanding Committee Items  
[\(6-26-08 Rule PendLst\)](#)
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting of July 1, 2008 (SUPPLEMENTAL)  
[\(06-26 Rules Item 4\)](#)

- S-4-1      Subject:     Petroleum Storage Act Program Grant  
From:        Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate An Aboveground Petroleum Storage Act Program Grant From The State Of California California Environmental Protection Agency In The Amount Of Sixty-Five Thousand Two Hundred And Sixty-Nine Dollars And Seventy-Nine Cents (\$65,269.79) To The Oakland Fire Department; On The July 22, 2008 Public Safety Committee Agenda  
[\(07-1510\)](#)
- S-4-2      Subject:     Mass Care Shelter Sites - OUSD Agreement  
From:        Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into An Agreement With The Oakland Unified School District Regarding The Use Of Oakland Unified School District School Sites During Emergencies For Temporary Mass Care Shelter Sites; On The July 22, 2008 Public Safety Committee Agenda  
[\(07-1511\)](#)
- S-4-3      Subject:     POST Certified Emergency Vehicle Training  
From:        Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute An Agreement With The California Commission On Peace Officer Standards And Training (POST) For The Period Of July 1, 2008 Through June 30, 2009 For The Purpose Of Permitting The Police Department To Present The POST Certified Emergency Vehicle Operations Course (EVOC) To 150 Police Officer Trainees, And To Receive Up To Sixty-Six Thousand Seven Hundred Fifty Dollars (\$66,750) In Reimbursement Funds; On The July 22, 2008 Public Safety Committee Agenda  
[\(07-1500\)](#)
- S-4-4      Subject:     Excess Litter Fee Program  
From:        Office of the City Administrator  
Recommendation: Receive A Status Report On Excess Litter Fee Program; On The July 22, 2008 Community And Economic Development Committee Agenda  
[\(07-1509\)](#)

- S-4-5      Subject:    Resource Development Associates - Contract  
From:        Office of the City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Contract Between The City Of Oakland And Resource Development Associates In An Amount Not To Exceed Three Hundred And Fifty Thousand Dollars (\$350,000) For Outcome And Process Evaluation Services Of The Measure Y Violence Prevention Programming, Fiscal Year 2008-2009, July 1, 2008 - June 30, 2009; On The July 8, 2008 Public Safety Committee Agenda  
[\(07-1512\)](#)
- S-4-6      Subject:    Emad Mirsaeidi - Recognition  
From:        Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution Acknowledging The Retirement of Emad Mirsaeidi After Twenty-Three Years of Dedicated Service To The City of Oakland; On The July 15, 2008 City Council Agenda  
[\(07-1496\)](#)
- S-4-7      Subject:    Police Services - 3 On 3 Basketball Competition  
From:        Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Authorizing Use Of Pay Go In The Amount Of Ten Thousand Dollars (\$10,000.00) For Police Services At The So You Think You Can Hoop 3 On 3 Basketball Competition At The Oracle Arena July 19th And 20th, 2008; On The July 1, 2008 City Council Agenda  
[\(07-1497\)](#)
- S-4-8      Subject:    Wil Hardee - Recognition  
From:        Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution Honoring Wil Hardee For His Outstanding Public Service and Congratulating Him On His Retirement; On The July 15, 2008 City Council Agenda  
[\(07-1498\)](#)
- S-4-9      Subject:    Developer Agreements and Disposition And Development Agreement  
From:        Councilmember Jane Brunner  
Recommendation: Receive An Informational Report On The Status Of All Developer Agreements (DA) And Disposition And Development Agreements (DDA) In The Last Ten Years, A List Of The Requirements Of Each Agreement, A Discussion Of Whether Or Not The Developer Has Met All Of The Requirements, And Staff's Plan To Enforce The Requirements If They Have Not Been Met; On The September 23, 2008 Community And Economic Development Committee  
[\(07-1499\)](#)

- S-4-10      Subject:    New Planter Boxes At Lakeview Elementary School  
From:        Councilmember Kernighan  
Recommendation: Adopt A Resolution Authorizing A Grant Of Up To \$3200 From Councilmember Kernighan's Paygo Funds To The Friends Of Oakland Parks & Recreation For Installation Of 12 Benches And Lumber For Construction Of New Planter Boxes At Lakeview Elementary School; On The July 15, 2008 City Council Agenda  
[\(07-1517\)](#)
- S-4-11      Subject:    Barbara Rodgers - Recognition  
From:        Council President De La Fuente  
Recommendation: Adopt A Resolution Honoring Barbara Rodgers On Her Retirement From CBS 5 (KPIX-TV) After Almost 30 Years Of Broadcast Service; On The July 1, 2008 City Council Agenda  
[\(07-1519\)](#)
- S-4-12      Subject:    Priority Project Funds - District Five  
From:        Council President De La Fuente  
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La Fuente's Priority Project Funds To The Sankofa Holistic Healing Institute In The Amount Of \$1,500 For Their Summer Ceramics Class; On The July 1, 2008 City Council Agenda  
[\(07-1520\)](#)
- S-4-13      Subject:    Attitudinal Healing Connection, Inc - Amended Agreement  
From:        Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute An Amendment To The Agreement Between The City Of Oakland And Attitudinal Healing Connection, Inc. For An Amount Not To Exceed \$50,000 To Provide Restorative Justice Training And Coordination At Eight Middle Schools In Accordance With Measure Y For The Period Of July 1, 2008 To June 30, 2009; On The July 8, 2008 Public Safety Committee Agenda  
[\(07-1513\)](#)
- S-4-14      Subject:    Sports4kids - Agreement  
From:        Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute An Agreement Between The City Of Oakland And Sports4kids To Provide Violence Prevention Services For A Total Amount Not To Exceed \$94,245 The Period Of July 1, 2008 To June 30, 2009; On The July 15, 2008 City Council Agenda  
[\(07-1516\)](#)

S-4-15      Subject:     Union Pacific Foundation Presentation  
From:        Department of Human Services  
Recommendation: Receive The Presentation Of A \$15,000 Check From Union Pacific Foundation To Augment The Community Cleanup Corps (CCC) Pilot Program Contract With Goodwill Industries, Inc.; On The July 15, 2008 City Council Agenda

NOTE: This Presentation Corresponds To A Report And Resolution To Amend The Agreement With Goodwill Industries, Inc., To Add \$15,000, For A Total Contract Amount Of \$65,000

[\(07-1521\)](#)

S-4-16      Subject:     Traffic Signal - Mountain Boulevard At La Salle Avenue  
From:        Community and Economic Development Agency  
Recommendation: A Request To Withdraw From The July 8, 2008 Community and Economic Development Committee Agenda Receive A Follow Up Report Concerning The Proposed Traffic Signal At The Intersection of Mountain Boulevard At LaSalle Avenue In The Montclair District; And To Reschedule To The July 22, 2008 Community And Economic Development Committee Agenda

[\(07-1448\)](#)

S-4-17      Subject:     Clear Channel Outdoor - Billboard Agreement  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Billboard Relocation Agreement With Clear Channel Outdoor, Inc. ("CCO") Allowing CCO To Remove And Waive Its Rights To Compensation, Including All Real Property And Personal Property Interests, For A Number Of Billboards At Various Locations In Exchange For: (A) Construction Of A New Billboard On East Bay Municipal Utility District (EBMUD) Land East Of The Bay Bridge Toll Plaza; And (B) Reconstruction Of An Existing Billboard On EBMUD Land East Of The Bay Bridge Toll Plaza; On The July 8, 2008 Community And Economic Development Agenda

[\(07-1501\)](#)

S-4-18      Subject:     Encroachment Permit - 1199 Pine Street  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Granting PCL Associates LLC A Revocable And Conditional Permit To Allow Portions Of Residential Units In A New Building At 1199 Pine Street To Encroach Over The Public Sidewalk; On The July 22, 2008 Public Works Committee Agenda

[\(07-1503\)](#)

S-4-19      Subject:      Lake Merritt And 12th Street Separation Structure Funding  
From:          Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator  
To Apply For, Accept, And Appropriate \$15,110,000.00 Of Highway  
Bridge Program (HBP) Funding Including Up To \$13,376,883.00 In  
Federal Highway Administration (FHWA) Funds And Up To \$1,733,177.00  
In State Proposition 1B Local Match Funds To Replace The 12th Street  
Eastern And Western Grade Separation Structures At Lake Merritt; On The  
July 22, 2008 Public Works Committee Agenda

[\(07-1504\)](#)

S-4-20      Subject:      Oak Center Redevelopment Plan - Parcel 6  
From:          Community and Economic Development Committee Agenda  
Recommendation: Adopt An Agency Resolution Authorizing A Variance  
To The Oak Center Redevelopment Plan For Parcel 6 Of The Proposed  
Development On 1158 14th Street And 1401 Adeline Street By Bobbie And  
Arrece Jameson To Reduce Setback Requirements; On The July 22, 2008  
Community And Economic Development Committee Agenda

[\(07-1505\)](#)

S-4-21      Subject:      16th Street Train Station  
From:          Community and Economic Development Agency  
Recommendation: Action On A Report On The Status Of The  
Rehabilitation And Reuse Of The Historic 16th Street Train Station In West  
Oakland; And Adopt The Following Pieces of Legislation:

1) A Resolution Approving The Formation Of The Train Station Entity To  
Serve As The Owner / Operator Of The 16th Street Train Station; And

[\(07-1506\)](#)

2) An Agency Resolution Authorizing A Predevelopment Loan With Deferred Repayment  
To The Train Station Entity In An Amount Not To Exceed \$300,000; On The July 22,  
2008 Community And Economic Development Committee Agenda

[\(07-1506-1\)](#)

S-4-22      Subject:      Ventures, LLC Loan - 1396 5th Street  
From:          Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing A Secured  
Loan In An Amount Not To Exceed \$3,120,000 For Twelve Months To  
1396 Ventures, LLC For The Purchase Of 1396 Fifth Street ; On The July  
22, 2008 Community And Economic Development Committee Agenda

[\(07-1507\)](#)

S-4-23      Subject:      Rent Adjustment Program Annual Report  
From:          Community and Economic Development Agency  
Recommendation: Receive An Annual Report Of The Rent Adjustment  
Program For Fiscal Year 2007-2008; On The September 23, 2008  
Community And Economic Development Committee Agenda

(07-1508)

S-4-24      Subject:    Extension Of Recycling Facility Moratorium  
From:        Community and Economic Development Agency  
Recommendation: Extension Through December 16, 2008 Of Ordinance  
No. 12873 C.M.S., An Interim Ordinance, Adopted As An Urgency  
Measure Pursuant To California Government Code Section 65858,  
Establishing A Temporary Moratorium On The Establishment Or Expansion  
Of An Activity Or Facility That Involves Primary Recycling And  
Intermediate Processing Facilities, To Take Effect Immediately Upon  
Adoption; As A Public Hearing On The July 15, 2008 City Council Agenda  
(7 VOTES REQUIRED FOR PASSAGE)

(07-1518)

S-4-25      Subject:    RMT Landscape Contractors, Inc. - Contract  
From:        Public Works Agency  
Recommendation: Adopt A Resolution Waiving Advertising And  
Competitive Bidding And Authorizing A Negotiated One Year Contract  
With RMT Landscape Contractors, Inc. With The Option for Two  
One-Year Extensions To Maintain Landscaping On The Mandela Parkway  
In Accord With The City's Specifications In A Not-To-Exceed Amount Of  
\$117,000.00 Each Year for a Total Amount Not-to-Exceed \$350,000.00  
Over Three Years; On The July 8, 2008 Finance And Management  
Committee Agenda

(07-1514)

S-4-26      Subject:    Assembly Bill 2640 (Huffman)  
From:        Public Works Agency  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2640  
(Huffman) Related To Solid Waste: Compostable Organics Management;  
On The July 10, 2008 Rules And Legislation Committee Agenda

(07-1515)

S-4-27      Subject:    Police And Fire Retirement System Ballot Measure  
From:        Finance and Management Agency  
Recommendation: Adopt A Resolution Submitting On The City Council's  
Own Motion, A Proposed Charter Amendment, Entitled, "Measure  
Extending The City Of Oakland's Deadline To Fund Retirement Benefits  
For All Members Of The Police And Fire Retirement System And Their  
Beneficiaries Beyond July 1, 2026 " To Be Submitted To The Electors At  
The Election Of November 4, 2008; 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; On The July 15, 2008 City Council Agenda

(07-1484)

S-4-28      Subject:      Police Services Ballot Measure  
From:          Office of the Mayor  
Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion, To The Electors At The November 4, 2008 Statewide General Election, A Proposed Ordinance Creating A Special Parcel Tax for Increased Police Personnel; Consolidating The Election With The Statewide General Election; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 4, 2008, Statewide General Election; On The July 8, 2008 Public Safety Committee Agenda  
[\(07-1485\)](#)

- 5            A review of the Council Committees' actions from June 24, 1008 and determination of scheduling to the ORA/City Council meeting of July 1, 2008 or future dates (MATRIX) [\(06-26 Rules Item 5\)](#)
- 6            A review of the Agendas for the Council Committees for the meeting(s) of July 8, 2008 and the Rules and Legislation Committee for the meeting of July 10, 2008 [\(06-26 Rules Item 6\)](#)

**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.

Office of the City Clerk - Agenda Management Unit  
Phone: (510) 238-6406  
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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.



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

ORA - Oakland Redevelopment Agency  
S - Supplemental Item