



# City of Oakland Meeting Agenda

## \*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, March 25, 2010**

**10:45 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:** 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 March 18, 2010
- 3 Determination of Schedule of Outstanding Committee Items
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting April 20, 2010  
[\(RULES032510item4\)](#)  
[\(4-28-05 Rules Matrix\)](#)

- S-4-1      Subject:    Homeland Security Grant Program  
From:        Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Fifty Thousand Dollars (\$50,000) For Federal Fiscal Year 2009 Community Emergency Response Team (CERT) Grant From State Of California Homeland Security Grant Program To The City Of Oakland, Office Of Emergency Services (OES), Communities Of Oakland Respond To Emergencies (CORE) Program; On The May 11, 2010 Public Safety Committee Agenda  
[\(09-1315\)](#)
- S-4-2      Subject:    The Mass Care And Shelter Plan - NIMS/SEMS  
From:        Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing Adoption Of The Mass Care And Shelter Plan Functional Needs Annex To Be Added To The City Of Oakland's NIMS/SEMS Emergency Plan, To Prepare For And Provide Emergency Services To People With Disabilities As Part Of The Settlement Agreement In The Case Of California Foundation For Independent Living Centers, Et Al. V. City Of Oakland Et Al., U.S. District Court Action No. C 07-04608 EDL; On The May 11, 2010 City Council Agenda  
[\(09-1321\)](#)
- S-4-3      Subject:    OPD Overtime Costs - Reimbursement Funds  
From:        Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee To Accept And Appropriate Reimbursement Funds In An Amount Not-To-Exceed Fifty-Five Thousand Dollars (\$55,000) In Federal Funds From The Department Of Justice, United States Drug Enforcement Administration (USDEA) To The Oakland Police Department (OPD) In Overtime Costs For (1) Lieutenant, (1) Sergeant, And (8) Police Officers, And Rental Vehicle Expenses For The Period Of March 18, 2010, Through December 31, 2010 For Work Associated With The USDEA San Francisco Metro Task Force (DEA Task Force) For A Narcotics Investigation; On The April 27, 2010 Public Safety Committee Agenda  
[\(09-1319\)](#)
- S-4-4      Subject:    Environmental Monitoring Costs At Spunkmeyer Field  
From:        Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Settlement Agreement In The Amount Of \$37,000, With The Port Of Oakland To Cover A Portion Of The Environmental Monitoring Costs At Spunkmeyer Field; On The April 20, 2010 City Council Agenda  
[\(09-1326\)](#)

- S-4-5      Subject      California Democracy Act  
From:      Council President Brunner  
Recommendation: Adopt A Resolution In Support Of The California  
Democracy Act; On The April 15, 2010 Rules And Legislation Committee  
Agenda  
[\(09-1310\)](#)
- S-4-6      Subject:      17th Annual Bike to Work Day  
From:      Council President Brunner  
Recommendation: Adopt A Resolution Proclaiming Thursday, May 13,  
2010, As The City Of Oakland's 17th Annual Bike To Work Day, And May  
2010 As City Of Oakland Bike Month; On The May 4, 2010 City Council  
Agenda  
[\(09-1311\)](#)
- S-4-7      Subject:      United Methodist Church's 114th Anniversary Celebration  
From:      Council President Brunner  
Recommendation: Adopt A Resolution Commemorating Shattuck Avenue  
United Methodist Church's 114th Anniversary Celebration During The  
Month Of April, 2010; On The April 20, 2010 City Council Agenda  
[\(09-1312\)](#)
- S-4-8      Subject:      Youth Advisory Commission - District 6 Appointment  
From:      Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Appointing Olivia Lucas As The  
District 6 Representative To The Youth Advisory Commission; On The  
April 20, 2010 City Council Agenda  
[\(09-1322\)](#)
- S-4-9      Subject:      Senate Bill 1304  
From:      Vice Mayor Jean Quan  
Recommendation: Adopt A Resolution Supporting Senate Bill 1304: The  
Michelle Maykin Memorial Donation Protection Act; On The April 15,  
2010 Rules And Legislation Committee Agenda  
[\(09-1323\)](#)
- S-4-10     Subject:      Budget Advisory Committee Appointment  
From:      Vice Mayor Jean Quan  
Recommendation: Adopt A Resolution Authorizing Appointing Michael  
Kilian As A Member Of The Budget Advisory Committee; On The April  
20, 2010 City Council Agenda  
[\(09-1324\)](#)

- S-4-11      Subject:    Limit On Contributions - Amendments  
From:        Councilmember De La Fuente  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Sections 3.12.050, 3.12.060, And 3.12.200 )To (1) Set The Limit On Contributions To Candidates Who Adopt The Expenditure Ceilings From \$700 For Both The Primary And General Elections To \$1,000.00 For The Ranked-Choice Election, (2) Set The Limit On Contribution By "Broad Based Committees" To Candidates Who Adopt The Expenditure Ceilings From \$1,300 For Both The Primary And General Elections To \$1,600 For The Ranked-Choice Election, And (3) Set New Voluntary Expenditure Ceilings For Ranked Choice Voting Elections To 40 Percent More Than Current Levels For Each The Primary And General Elections For Candidates For All City Elected Offices; On The April 20, 2010 City Council Agenda  
[\(09-1325\)](#)
- S-4-12      Subject:    Medical Cannabis - Business Permits  
From:        Councilmember Kaplan And Reid  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Section 5.80 To Increase The Number Of Permitted Dispensaries And Inculde Permitting A Limited Number Of Medical Cannabis Grows As A Business Permit Through The City Administrators Office; On The May 11, 2010 Public Safety Committee Agenda  
[\(09-1328\)](#)
- S-4-13      Subject:    Early Retirement Incentive Program  
From:        Department Of Human Resources Management  
Recommendation: A Request to Re-Title An Item Already Scheduled On the April 13, 2010 Finance and Management Committee Agenda  
  
NEW TITLE: Receive A Quarterly Informational Report On (1) The Current Number Of Authorized Vacancies Citywide, Including (2) Status Update On The Employees Who Retired Under The CalPERS Two Years Additional Service Credit Retirement Incentive Program And (3) Projected Savings From The Program  
  
OLD TITLE: Quarterly Vacancy Report Including An Update Regarding The Early Retirement Incentive Program  
[\(09-1258\)](#)

S-4-14      Subject:    Major Conditional Use Permit - 6400 Shattuck Avenue  
From:        Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing To Consider A Major Conditional Use Permit And Variance At 6400 Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity And Adopting One Of The Following Two Alternative Resolutions:

1) A Resolution Denying The Appeal (A09-220), Thereby Upholding The Planning Commission Decision To Approve A Major Conditional Use Permit And Variance At 6400 Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity; Or Alternatively,

[\(09-1133\)](#)

2) A Resolution Upholding And Approving The Appeal (Case No. A09-220), Thereby Reversing The Planning Commission Decision And Denying The Major Conditional Use Permit And Variance At 6400 Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity; On The May 4, 2010 City Council Agenda

[\(09-1133-1\)](#)

S-4-15      Subject:    Coliseum Redevelopment Project Area  
From:        Community And Economic Development Agency  
Recommendation: A Request To Re-Title, Withdraw And Reschedule An Item On The April 13, 2010 Community And Economic Development Committee Agenda

NEW TITLE: A Report And 1) An Agency Resolution Allocating Funding In An Amount Not To Exceed \$180,000 Under The Coliseum Neighborhood Project Initiative Program (NPI) For Various Improvement Projects, And Authorizing A Contribution Of \$74,000 In Such Funds To The City Under The Cooperation Agreement For Two City-Sponsored Park Projects; And 2) A City Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$74,000 For Two City-Sponsored Park Projects Under The Coliseum Neighborhood Project Initiative Program (NPI)

OLD TITLE: City And Agency Resolutions Allocating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed One Hundred And Eighty Thousand Dollars (\$180,000) From Fiscal Year 2009-2010 For Certain Public Improvements Within The Coliseum Redevelopment Project Area Under The Neighborhood Project Initiative Program; On The April 27, 2010 Community And Economic Development Committee Agenda

Reason: More detailed research and further authorization from Public Works Agency, and Department of Contracting and Purchasing are necessary prior to recommending these NPI Projects.

[\(09-1219\)](#)

S-4-16      Subject:      Macarthur Bart Bicycle Access Improvement Project - Phase II  
From:          Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Authorizing The City Administrator To Accept And Appropriate Up To Two Hundred Forty-Two Thousand Five Hundred Dollars (\$242,500.00) In Regional Measure 2 Safe Routes To Transit Funds For The Macarthur Bart Bicycle Access Improvement Project - Phase II; And

[\(09-1316\)](#)

2) Resolution Authorizing The Installation Of Class II Bicycle Lanes On West Macarthur Boulevard By Reducing Travel Lanes From Six (6) Through Lanes To Four (4) Through Lanes Between Telegraph Avenue And Broadway; On The April 13, 2010 Public Works Committee Agenda

[\(09-1316-1\)](#)

S-4-17      Subject:      17th Street Gateway Project  
From:          Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Agreement With Dan Corson In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) For Public Art Design Services And Not To Exceed Five Hundred Thousand Dollars (\$500,000) For Public Art Fabrication And Installation Services For The BART 17th Street Gateway Project; On The April 13, 2010 Life Enrichment Committee Agenda

[\(09-1317\)](#)

S-4-18      Subject:          2010 Public Art Projects Plan  
From:          Community And Economic Development Agency  
Recommendation: Adopt A Resolution Adopting 2010 Public Art Projects Plan; On The April 13, 2010 Life Enrichment Committee Agenda

[\(09-1318\)](#)

S-4-19      Subject:      2009-2011 Biennial Budget  
From:          Public Works Agency  
Recommendation: Adopt A Resolution Amending the City of Oakland's Fiscal Year 2009-2011 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 82102 C.M.S., To Eliminate or Transfer Authorized Positions In The Parking Enforcement Program, Street and Sidewalk Maintenance Program and Right of Way Management Program From The Local Highway Users Tax Act (State Gas Tax) Due To A Projected Decrease In Revenues Totaling \$389,000 Effective July 1, 2010; On The April 1, 2010 Special City Council Agenda

[\(09-1313\)](#)

S-4-20      Subject:    Northern California Regional Intelligence  
From:        Oakland Fire Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) Enter Into A Professional Services Agreement With The County Of San Mateo For Personnel Services That The City Of Oakland Will Provide In Connection With The Northern California Regional Intelligence Center (NCRIC) And The Fiscal Year 2009 And Fiscal Year 2010 Urban Areas Security Initiative Grant (UASI) Allocations; And

2) Accept, Appropriate And Administer The UASI Grant Allocation Of \$220,922 For The Federal Fiscal Year 2009 For Reimbursement Of Salaries And Benefits Paid To The Oakland Police Department For Staff That Is Assigned As A Liaison Officer Per The NCRIC Agreement; And

3)Accept, Appropriate And Administer UASI Grant Allocations Of \$220,922 For The Federal Fiscal Year 2010 For Reimbursement Of Salaries And Benefits Paid To Oakland Police Department For Staff That Is Assigned As A Liaison Officer Per The NCRIC Agreement.; On The May 11, 2010 Public Safety Committee Agenda

[\(09-1314\)](#)

S-4-21      Subject:    Contract Extension With Macias Gini & O'Connell-Audit Services  
From:        Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Five-Year Contract Extension With Macias Gini & O'Connell, LLP To Provide Audit Services For Fiscal Year Ending June 30, 2010 Through Fiscal Year Ending June 30, 2014 In An Amount Not To Exceed \$3,626,953; On The April 13, 2010 Finance And Management Committee Agenda

[\(09-1320\)](#)

[\(RULESPNG032510\)](#)

5            A review of the Council Committees' actions from March 23, 2010 and determination of scheduling to the ORA/City Council meeting of April 20, 2010 (MATRIX)  
[\(RULES032510item5\)](#)

6            A review of the Agendas for the Council meeting of April 6, 2010 and the Rules and Legislation Committee meeting of April 8, 2010  
[\(rules032510\)](#)

7            Subject:    Seismic Safety Improvement - AB 1755  
From:        Vice Mayor Jean Quan  
Recommendation: A Request To Support Assembly Bill 1755: Contractual Assessments: Seismic Safety Improvement, Authored By Assembly Member Sandre Swanson

(09-1274)

**OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)**

**Adjournment**

NOTE: Americans With Disabilities Act  
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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