



# 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, March 03, 2011**

**10:45 AM**

**City Council Chambers - 3rd Floor**

---

### Roll Call / Call to Order

Excused: Vice Mayor Brooks

Present: Member Schaaf, Member Reid and President Pro Tempore De La Fuente

*The Oakland City Council Rules and Legislation Committee convened at 11:10 a.m., with Council President Reid presiding as Chairperson.*

1 **Closed Session**

**A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, to \*Approve as Submitted the scheduling of a closed session on March 15, 2011 at 3:30 p.m. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Brooks

Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente

2 **Approval of the Draft Minutes from the Committee meeting of February 17, 2011**

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

**Votes:** Excused; 1 - Vice Mayor Brooks

Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente

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

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

**Votes:** Excused; 1 - Vice Mayor Brooks

Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente

[rules3311](#)

[View Report.pdf](#)

- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of March 8, 2011 (SUPPLEMENTAL)
- A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, to \*Approve as Submitted. The motion carried by the following vote:**
- Votes:** Excused; 1 - Vice Mayor Brooks  
Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente

[rules3311item4](#)

[View Report.pdf](#)

- S-4-1 Subject: Establishing A Rainy Day Fund  
From: Office Of Budget  
Recommendation: Receive An Informational Report From The Budget Advisory Committee On Establishing A Rainy Day Fund; On The March 8, 2011 Finance And Management Committee Agenda  
[10-0454](#)

**Scheduled to \*Finance & Management Committee on 3/22/2011**

*This item has already been scheduled to the March 8, 2011 Finance and Management Committee Agenda.*

[View Report.pdf](#)

- S-4-2 Subject: Oakland Cannabis And Revenue Committee Report  
From: Office Of The City Administrator  
Recommendation: Receive An Annual Report Of The Measure Z Cannabis Oversight Committee For Calendar Years 2009 And 2010  
[10-0466](#)

**Scheduled to \*Public Safety Committee on 3/22/2011**

*There was one speaker on this item.*

[View Reportt.pdf](#)

S-4-3      Subject:    Problem-Solving Officer Deployment Plan  
From:        Office Of The City Administrator  
Recommendation: Discussion And Possible Action On A Request From The Violence Prevention And Public Safety Committee (VPPSOC) To The Oakland City Council To Consider Committee Recommendations On The Oakland Police Department Problem-Solving Officer Deployment Plan, 2011; on the March 8, 2011 Public Safety Committee Agenda

This item will require an urgency finding.

[10-0467](#)

**No Action Taken**

S-4-4      Subject:    Measure Y - Proof of Residency Requirements  
From:        Councilmember Patricia Kernighan  
Recommendation: Discussion And Action On A Resolution Regarding The City Auditor's Recommendation That Measure Y Clients Be Required To Provide Proof Of Residency In Order To Receive Services; On The April 26, 2011 Public Safety Committee Agenda

[10-0443](#)

**Continued to \*Rules & Legislation Committee on 3/10/2011**

*There was one speaker on this item.*

S-4-5      Subject:    Blight Enforcement  
From:        Councilmember Rebecca Kaplan  
Recommendation: Receive A Staff Report On Blight Enforcement - Foreclosed Properties And The City's Application Of SB1137- Mortgage Relief Bill, Which Allows Municipalities To Impose A \$1,000 Dollar A Day Fine On The Owners Of Blighted Foreclosed Properties. To Be Covered: If Fines (Not Liens) Have Or Have Not Been Applied, When And Why, And A Comparison Of The Possible Outcomes To Include Financial Impact/Benefit, And Discussion Of Plans To Impose Such Fines; And Possible Action To Identify And Take Priority Action Against Repeat Offenders Of The Blight Ordinance Through The Use Of Blight Fines

[10-0456](#)

**Scheduled to \*Community & Economic Development Committee on 4/26/2011**

*There was one speaker on this item.*

[View Report.pdf](#)

[View Report.pdf](#)

- S-4-6      Subject:    Commending Bill Russell  
From:        Councilmember Nadel And Council President Reid  
Recommendation: Adopt A Resolution Commending Basketball Hall Of Famer Bill Russell On Receiving America's Medal Of Freedom In Recognition Of His Contributions To The Civil Rights Movement  
[10-0463](#)  
**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/15/2011**  
[View Report.pdf](#)  
[83258 CMS.pdf](#)
- S-4-7      Subject:    Support Wisconsin Workers  
From:        Councilmember Brunner And Councilmember Schaaf  
Recommendation: Adopt A Resolution Supporting Wisconsin Workers And Calling Upon The Wisconsin Legislature And All State Legislators To Respect Public Employees' Collective Bargaining Rights  
[10-0464](#)  
**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/15/2011**  
[View Report.pdf](#)  
[83270 CMS.pdf](#)
- S-4-8      Subject:    Confirmation Of A March 7, 2011 Special Meeting  
From:        Office Of The Council President  
Recommendation: A Request To Confirm The Scheduling Of A Special Meeting Of The City Council For Monday, March 7, 2011 At 5:00 P.M. To Discuss Potential Ballot Measures To Be Placed Before Oakland Voters  
[10-0474](#)  
**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/7/2011**

S-4-9      Subject:     Authorizing Sale Of 319 Chester Street  
From:        Community And Economic Development Agency  
Recommendation: Adopt An Ordinance Authorizing The Sale Of A City-Owned Parcel At 319 Chester Street To The Alliance For West Oakland Development For A Purchase Price Of \$94,000, Authorizing Seller Financing For The Purchase Price, Authorizing A \$400,000 Construction Loan, And Authorizing A Disposition And Development Agreement With The Developer To Develop The Parcel With A Single-Family Home  
[10-0096](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/15/2011**

[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)

S-4-10      Subject:     Former Army Base Cost Sharing Agreement  
From:        Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Cost Sharing Agreement Between The Redevelopment Agency And The Port Of Oakland For The Development Of Infrastructure Including Public Utilities And Public Streets On The Former Oakland Army Base  
[10-0412](#)

**Scheduled to \*Community & Economic Development Committee on 3/22/2011**

[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[2011-0034 CMS.pdf](#)

S-4-11      Subject:     Waterfront Trail Project Report  
From:        Public Works Agency  
Recommendation: Receive An Informational Report On The Award Of The Negotiated Contract To Vortex Marine Construction, Inc., For The Fruitvale Avenue To High Street, Waterfront Trail Project (C395010), As Requested By The City Council  
[10-0468](#)

**Scheduled to \*Public Works Committee on 3/22/2011**

[View Report.pdf](#)

S-4-12      Subject:      Bay Construction Company Contract Award  
From:            Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Contract To Bay Construction Company, The Lowest, Responsible, Responsive Bidder, For The Construction Of The Morcom Rose Garden Improvement Project (No. C377710) In Accord With Project Plans And Specifications And Contractor's Bid Therefore In The Amount Of One Million Ninety Four Thousand Eight Hundred Twenty Dollars (\$1,094,820.00)  
[10-0469](#)

**Scheduled to \*Public Works Committee on 3/22/2011**

[View Report.pdf](#)  
[83287 CMS.pdf](#)

S-4-13      Subject:      Assessment Of Liens - Business Taxes  
From:            Finance And Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes  
[10-0450](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/15/2011**

[View Report.pdf](#)  
[83277 CMS.pdf](#)

S-4-14      Subject:      Delinquent Mandatory Garbage Fees  
From:            Finance And Management Agency  
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For July/August/September 2010, Monthly Accounts And October/November/December 2010 Quarterly Accounts; On The March 15, 2011 City Council Agenda As A Public Hearing  
[10-0451](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/22/2011**

*There was one speaker on this item.*

[View Report.pdf](#)  
[83278 CMS.pdf](#)

S-4-15      Subject:      Assessment Of Liens - Delinquent Taxes  
From:            Finance And Management Agency  
Recommendation: Conduct A Public Hearing On The Assessment Of Liens For Delinquent Real Property Transfer Taxes; On The March 15, 2011 City Council Agenda As A Public Hearing  
[10-0452](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/22/2011**

[View Report.pdf](#)

- S-4-16      Subject:    Measure C Report  
From:        Finance And Management Agency  
Recommendation: Receive An Informational Report Presenting The Measure C -  
Oakland Hotel Tax Audit And Program Status Report  
[10-0465](#)  
**Scheduled to \*Finance & Management Committee on 3/22/2011**  
[View Report.pdf](#)
- S-4-17      Subject:    Annual Benefit Increases - Police And Fire Retirement  
From:        President Pro Tempore De La Fuente  
Recommendation: Adopt A Resolution Submitting, On The City Council's Own  
Motion, To The Electors At The June 7, 2011 Special Election (Or On The Date  
Thereafter That The Special Election Is Set), Amending Charter Section 2607 To  
Specify Annual Benefit Increases For Members Of The Police And Fire Retirement  
System; Consolidating The Election With The Statewide Special Election; And  
Directing The City Clerk To Fix The Date For Submission Of Arguments And  
Provide For Notice And Publication In Accordance With The Statewide Special  
Election  
[10-0461](#)  
**Scheduled to \*Special Concurrent Meeting of the Oakland Redevelopment  
Agency/City Council on 3/7/2011**  
[View Report.pdf](#)  
[View Report.pdf](#)
- S-4-18      Subject:    Termination Of Swap Agreement  
From:        President Pro Tempore De La Fuente  
Recommendation: Adopt A Resolution Of The City Council Of The City Of  
Oakland Authorizing The Available Option(s) And Terms For Funding The Police  
And Fire Retirement System Unfunded Accrued Actuarial Liability, And  
Approving The Termination Of The Swap Agreement Related To The Oakland  
Joint Powers Financing Authority, Lease Revenue Bonds, 1998 Series A1/A2  
[10-0462](#)  
**Scheduled to Special Concurrent Meeting of the Redevelopment Agency  
and Public Safety Committee on 3/7/2011**  
*There was one speaker on this item.*

- S-4-19      Subject:      Vacant Building Registry Report  
From:            Council Member Jane Brunner  
Recommendation: Receive A Monthly Tracking Report On The Implementation Of The Vacant Building Registry  
[10-0449](#)  
**Scheduled to \*Community & Economic Development Committee on 3/22/2011**  
*There were two speakers on this item.*  
[View Report.pdf](#)
- S-4-20      Subject:      Parcel Tax Ordinance  
From:            Office Of The Mayor  
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The June 7, 2011 Statewide Special Election (Or Such Later Date The Election Is Set), A Proposed Ordinance Creating A Fiscal-Year Temporary Fiscal Emergency; Parcel Tax To Increase General Fund Revenue; Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The Special Election; And Consolidating The Election With The Statewide Special Election  
[10-0470](#)  
**Scheduled to \*Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 3/7/2011**  
*There was one speaker on this item.*  
[View Report.pdf](#)  
[View Report.pdf](#)  
[83257 CMS.pdf](#)
- S-4-21      Subject:      Telephone Access Line Tax  
From:            Office Of The Mayor  
Recommendation: Adopt A Resolution Submitting, On The Council's Own Motion, To The Electors At The June 7, 2011 Statewide Special Election (Or Such Later Date The Election Is Set), A Proposed Ordinance Establishing A Temporary Fiscal Emergency Measure Imposing For Five Years A Telephone Access Line Tax At A Rate Of \$ • Per Month Per "Access Line", And O Per Month Per "Trunk Line"; Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The June 7, 2011, Statewide Special Election (Or Such Later Date The Election Is Set); And Consolidating The Election With The Statewide Special Election  
[10-0471](#)  
**Scheduled to \*Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 3/7/2011**  
*There was one speaker on this item.*  
[View Report.pdf](#)  
[View Report.pdf](#)



S-4-22      Subject:      Real Property Transfer Tax  
From:            Office Of The Mayor  
Recommendation: Adopt A Resolution Submitting To The Voters At The June 7, 2011 Statewide Special Election (Or Such Later Date The Election Is Set) A Proposed Ordinance Amending The Real Property Transfer Tax, Chapter 4.20 Of The Oakland Municipal Code, Increasing The Tax Rate On Transfers Of Real Estate Over \$ 1 | M B M (Or Such Higher Or Lower Amount As City Council May Choose) To Two Percent; Requesting The Services Of The Registrar Of Voters; Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The Special Election; And Consolidating The Election With The Statewide Special Election  
[10-0472](#)

**Scheduled to Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 3/7/2011**

*There was one speaker on this item.*

[View Report.pdf](#)

[View Report.pdf](#)

S-4-23      Subject:      Amending The Oakland Campaign Reform Act  
From:            Oakland Public Ethics Commission  
Recommendation: Adopt An Ordinance Amending Chapter 3.12 Of The Oakland Municipal Code (AKA "The City Of Oakland Campaign Reform Act ["OCRA"])  
To Establish: 1) The Manner By Which A Candidate Who Declines To Accept Voluntary Expenditure Ceilings Or A Committee That Makes Independent Expenditures Shall Provide Notice To The City That Specified Contribution Or Expenditure Thresholds Have Been Equaled Or Exceeded; 2) The Manner By Which A Candidate Shall Seek Relief From His Or Her Voluntary Expenditure Ceiling Previously Accepted Pursuant To Section 3.12.190; And 3) The Authority Of The Oakland Public Ethics Commission To Subject To Enforcement Proceedings Any Person Or Committee That Fails To File Timely And Accurate Notice Of Equaling Or Exceeding Specified Contribution Or Expenditure Thresholds  
[10-0453](#)

**No Action Taken**

5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting(s) of March 15, 2011 and the Rules and Legislation Committee meeting of March 17, 2011.

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

**Votes:** Excused; 1 - Vice Mayor Brooks  
Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente  
*There were 3 speakers on this item.*

[rules3311item5](#)

[View Report.pdf](#)

6 Subject: City Of Oakland Lobbyist Registration Act - Amendments  
From: Public Ethics Commission  
Recommendation: Adopt An Ordinance Establishing Regulation Of Lobbyists In Oakland Municipal Code Chapter 3.20  
[10-0342](#)

**A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, that this matter be Continued to the \*Rules & Legislation Committee, due back on April 7, 2011. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Brooks  
Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente  
*This item was continued to the April 7, 2011 Rules and Legislation Committee Agenda.*

*There were 12 speakers on this item.*

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Report.pdf](#)

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

*There was one speaker during Open Forum.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 12:47p.m.*

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) 238-3226  
Fax: (510) 238-6699  
Recorded Agenda: (510) 238-2386  
Telecommunications Display Device: (510) 839-6451  
[TTD](#)

**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.

---

*City Clerk and Clerk of the Council*