



# SUPPLEMENTAL

## 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, February 07, 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 ; Larry Reid, District 7; Vice Mayor 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 January 24, 2008
- 3 Determination of Schedule of Outstanding Committee Items  
(02-07 Rules Item 3)
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of February 12, 2008 - Cancellation Notices (SUPPLEMENTAL)

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\*Rules & Legislation Committee

Thursday, February 07, 2008

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- S-4-1      Subject:    Commissions On Persons With Disabilities Report  
From:        Office of the City Administrator  
Recommendation: Receive The Mayor's Commission On Persons With Disabilities Annual Report For Calendar Year 2007; On The March 11, 2008 Life Enrichment Committee Agenda  
[\(07-1022\)](#)
- S-4-2      Subject:    League Of California Cities - Amicus Brief  
From:        Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To File An Amicus (Friend Of The Court) Brief On Behalf Of The League Of California Cities Regarding Importance Of Rules Prohibiting Class Actions To Seek Refunds Of Certain Taxes And Fees; On The February 19, 2008 City Council Agenda  
[\(07-1016\)](#)
- S-4-3      Subject:    Renaming A Portion Of Rusdale Street To Dr. Herbert Guice Street  
From:        Councilmember Larry Reid  
Recommendation: A Request To Withdraw From The February 26, 2008 Public Works Committee Agenda Adopt A Resolution Commemorating Reverend Dr. Herbert Guice And Renaming Rudsdale Street Between 69th Avenue And 73rd Avenue In His Honor; And Reschedule To The March 11, 2008 Public Works Committee Agenda  
  
Reason: To allow more time for complete Committee consideration of City street re-naming policies  
[\(07-0823\)](#)
- S-4-4      Subject:    Renaming A Portion Of Coliseum Way To Joe Morgan Way  
From:        Councilmembers Larry Reid And Ignacio De La Fuente  
Recommendation: A Request To Withdraw From The February 26, 2008 Public Works Committee Agenda Adopt A Resolution Commemorating Joe Morgan And Renaming South Coliseum Way Between 66th Avenue And Hegenberger Road In His Honor; And Reschedule To The March 11, 2008 Public Works Committee Agenda  
  
Reason: To allow more time for complete Committee consideration of City street re-naming policies  
[\(07-0856\)](#)

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- S-4-5      Subject:    Protection & Advocacy, Inc. - Recognition  
From:        Councilmember Patricia Kernighan  
Recommendation: Adopt A Resolution Commending Protection & Advocacy, Inc. On Its 30th Anniversary Of Providing Services To People With Disabilities And On The Organization's Change Of Name To Disability Rights California; On The March 4, 2008 City Council Agenda  
[\(07-1015\)](#)
- S-4-6      Subject:    Travel Authorization - Councilmember Quan  
From:        Councilmember Jean Quan  
Recommendation: Adopt A Resolution Authorizing Councilmember Jean Quan To Travel To Washington D.C. To Attend The National League Of Cities Congressional City Conference, March 8-12, 2008; On The February 19, 2008 City Council Agenda  
[\(07-1020\)](#)
- S-4-7      Subject:    Whistleblower Protection  
From:        Council President De La Fuente  
Recommendation: Adopt An Ordinance Prohibiting Retaliation Against Employees Who Act As Whistleblowers; On The February 26, 2008 Finance And Management Committee Agenda  
[\(07-1021\)](#)
- S-4-8      Subject:    Tobacco Oriented Activities - Municipal Code Amendment  
From:        Councilmember Larry Reid  
Recommendation: Adopt An Ordinance Amending Chapter 17.09 Definitions And Chapter 17.134 Conditional Use Permit Procedure To Change The Definition Of Tobacco Oriented Activities To Include All Activities Occupying Less Than 10,000 Square Feet That Sell Any Amount Of Tobacco Or Tobacco Related Products And To Require A Major Use Permit To Establish Any New Tobacco Oriented Activity; On The March 18, 2008 City Council Agenda  
[\(07-1028\)](#)
- S-4-9      Subject:    Approved License Program - Sale Of Tobacco  
From:        Councilmember Larry Reid  
Recommendation: Adopt An Ordinance For An Approved License Program For The Establishment Or Expansion Of Activities Devoted To The Sale Of Tobacco And Tobacco Related Paraphernalia; On The March 18, 2008 City Council Agenda  
[\(07-1029\)](#)

# SUPPLEMENTAL

- S-4-10      Subject:    Tobacco Shop Moratorium - Extension  
From:        Councilmember Larry Reid  
Recommendation: Adopt An Extension On A Previously Adopted  
Moratorium, Pursuant To California Government Code Section 65858,  
Extending Until April 1, 2008 On The Establishment Of Any New Activity  
Or Facility Selling Tobacco Or Tobacco Related Products Or Paraphernalia;  
On The March 18, 2008 City Council Agenda  
[\(07-1031\)](#)
- S-4-11      Subject:    Lagan Company - Contract  
From:        Information Technology  
Recommendation: Adopt A Resolution Authorizing The City Administrator  
To Waive The Competitive Request For Proposal Selection Process And To  
Award A Contract With Lagan Company For A Citizen Relationship  
Management (CRM) Services Information Technology System In An  
Amount Not To Exceed \$150,000.00 In Software, Hardware, Installation  
And A Not To Exceed \$30,000 Per Year In Annual Maintenance Charges;  
On The February 26, 2008 Finance And Management Committee Agenda  
[\(07-1023\)](#)
- S-4-12      Subject:    Department Of Information Technology - Status Report  
From:        Information Technology  
Recommendation: Receive A Status Report From The Department Of  
Information Technology On The Programs And Projects; On The February  
26, 2008 Finance And Management Committee Agenda  
[\(07-1024\)](#)
- S-4-13      Subject:    Oakland Business Development Corporation - Agreement  
From:        Community and Economic Development Agency  
Recommendation: A Request To Withdraw From The February 26, 2008  
Community And Economic Development Committee Agenda Adopt A  
Resolution Authorizing The City Administrator To Increase The Amount Of  
The Agreement With Oakland Business Development Corporation (OBDC)  
Small Business Finance In An Amount Not To Exceed \$285,800 Per Fiscal  
Year For The Period 2007-2009, For A Total Contract Amount For Each  
Fiscal Year Of \$558,550 For Commercial Loan Underwriting And  
Servicing; And Reschedule To The March 11, 2008 Community And  
Economic Development Committee Agenda  
[\(07-0944\)](#)

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\*Rules & Legislation Committee

Thursday, February 07, 2008

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S-4-14      Subject:      81st Avenue Library - Construction Contract  
From:          Community and Economic Development Agency  
Recommendation: A Request To Withdraw From The February 26, 2008  
Public Works Committee Agenda Adopt A Resolution Authorizing The City  
Administrator, Or Her Designee, To Award A Construction Contract To  
BBI Construction For The 81st Avenue Library Project In Accord With  
Specification No. C274410 In The Amount Of Eight Million Ninety  
Thousand Nine Hundred Ninety-Three Dollars (\$8,090,993) And To  
Accept And Appropriate Four Hundred Ninety-Seven Thousand Sixty-Five  
Dollars (\$497,065) From The Oakland Unified School District For The 81st  
Avenue Library Project; With No New Scheduling Date

Reason:      An electrical subcontractor, whose bid was used in four of the  
five bids received, cannot honor its bid. The 5th bidder's price exceeds the  
budget.

[\(07-0975\)](#)

S-4-15      Subject:      Housing Program Grants  
From:          Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The Submittal Of  
Applications To The Department Of Housing And Community  
Development For Funding Under The Transit-Oriented Development  
(TOD) Housing Program And Infill Housing Program For Eligible Projects  
Within The City Of Oakland And Authorizing Acceptance And  
Appropriation Of Grant Funds From These Programs And The Execution  
Of Standard Agreements Or Any Related Documents Necessary If Selected  
For Funding; On The February 26, 2008 Community And Economic  
Development Committee Agenda

[\(07-0998\)](#)

S-4-16      Subject:      Sidewalk Repair Report  
From:          Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Transfer  
\$300,000.00 Of Available Fiscal Year 2007-2008 Sidewalk Repair Funds in  
Project C269160 To A Project To Be Determined To Enforce The Repair  
of Private Sidewalk Damage; And

[\(07-1025\)](#)

2) A Resolution Authorizing Award Of A Construction Contract To AJW Construction  
For On-Call Citywide Sidewalk Repair Fiscal Year 2007-2008 Contract B - Council  
Districts 4, 5, 6, And 7 (Project C269160) In The Amount of Eight Hundred Forty-Nine  
Thousand Nine Hundred Seventy-Five Dollars (\$849,975.00); On The March 11, 2008  
Public Works Committee Agenda

[\(07-1025-1\)](#)

# SUPPLEMENTAL

\*Rules & Legislation Committee

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S-4-17      Subject:    Transportation Planning Grants - 2008-2009  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution To Apply For, Accept And  
Appropriate Grant Funding From The California Department Of  
Transportation (CALTRANS) Transportation Planning Grants 2008-2009,  
In The Amount Of \$175,000 For Peralta Street Corridor West Oakland; In  
The Amount Of \$175,000 For 81st Avenue Corridor East Oakland; And In  
The Amount Of \$245,000 For An International Boulevard Transit Oriented  
Development Plan; On The March 11, 2008 Community And Economic  
Development Committee Agenda  
[\(07-1026\)](#)

S-4-18      Subject:    Landscaping And Lighting Assessment District - Levy  
From:        Public Works Agency  
Recommendation: Adopt A Resolution 1) Initiation Of And Intention To  
Levy The Landscaping And Lighting Assessment District Pursuant To  
Articles XIII C And D Of The California Constitution; 2) Accepting The  
Fiscal Year 2008-09 Preliminary Engineer's Report For The City Of  
Oakland Landscaping And Lighting Assessment District; 3) Setting The  
Date For A Public Hearing; 4) Authorizing The Preparation And Mailing Of  
Notices And Ballots Seeking Property-Owner Approval Of A Proposed  
Rate Increase; And 5) Authorizing And Executing A Contract With  
Francisco And Associates For An Amount Not To Exceed \$85,000 To  
Perform Engineering Services And Prop 218 Election Services; And 6)  
Authorizing The Expenditure Up To \$100,000 For Postage; On The  
February 26, 2008 Finance And Management Committee Agenda  
[\(07-1030\)](#)

[\(02-07 Rules Item 4\)](#)

5            A review of the Agendas for the Concurrent Meeting of ORA/City Council for the  
meeting of February 19, 2008 and the Rules and Legislation Committee for the meeting  
of February 21, 2008

[\(02-07 Rules Item 5\)](#)

S-6            Subject:    Limited Public Financing  
From:        Public Ethics Commission  
Recommendation: Action On Required Transmission Of Adopted Regulations  
Administering And Interpreting Chapter 3.13 Of The Oakland Municipal Code (AKA  
"The Limited Public Financing Act")  
[\(07-0938\)](#)

**This item was continued from the January 31, 2008 Rules and Legislation  
Committee meeting**

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

**Adjournment**

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**\*Rules & Legislation Committee**

**Thursday, February 07, 2008**

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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  
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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