



# 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>**

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**Thursday, June 19, 2008**

**10:30 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call to Order

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Present: Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

*The Oakland City Council Rules and Legislation Committee convened at 10:38 AM, with Council President De La Fuente presiding as Chairperson.*

1 **Closed Session**

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**A motion was made by Member Chang, seconded by Member Brunner, to  
\*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Absent; 1 - Vice Mayor Reid

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

*The office of the City Attorney scheduled a Closed Session for Tuesday, July 1, 2008 from 4 PM to 6 PM*

2 **Approval of the Draft Minutes from the Committee meeting of June 5, 2008**

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*There were no minutes to approve as the June 5, 2008 meeting was cancelled*

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

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*There was no action necessary for this item*

[06-19 Rules Pending](#)

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4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of June 24, 2008 (SUPPLEMENTAL)

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**A motion was made by Member Brunner, seconded by Member Chang, to \*Approve with the following amendments. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

06-19 Rules Item 4

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S-4-1 Subject: Event Table Purchases  
From: The Budget Office  
Recommendation: Receive An Annual Informational Report On City-Funded Event Tables Purchased During Fiscal Year 2007-2008  
[07-1480](#)

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**Scheduled to \*Finance & Management Committee on 9/23/2008**

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S-4-2 Subject: Travel Expenditures  
From: The Budget Office  
Recommendation: Action On A Report On City-Funded Travel Expenditures Incurred During Fiscal Year 2007-2008 And Adopt A Resolution Establishing A Moratorium On Travel Setting Forth Policies For The Approval Of Travel Expenditures By City Departments And Agencies  
[07-1481](#)

**Scheduled to \*Finance & Management Committee on 9/23/2008**

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S-4-3 Subject: Accepted And Appropriated Grants And Donations  
From: The Budget Office  
Recommendation: Receive An Informational Report On Fiscal Year 2007-2008 City Administrator Acceptance And Appropriation Of Restricted Grants, Gifts And Donations With A Monetary Value Of Fifty Thousand Dollars (\$50,000) Or Less (Each) On Behalf Of The City Council  
[07-1482](#)

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**Scheduled to \*Finance & Management Committee on 10/14/2008**

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S-4-4      Subject:    Pay-Go Expenditures  
              From:        The Budget Office  
              Recommendation: Receive An Annual Informational Report On Fiscal Year  
                          2007-2008 Council And Mayoral Pay-Go Expenditures And Transfers From July 1,  
                          2007 Through June 30, 2008  
                          07-1483

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**Scheduled to \*Finance & Management Committee on 10/14/2008**

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S-4-5      Subject:    Patricia Laguna - Settlement Agreement  
              From:        Office of the City Attorney  
              Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney  
                          To Compromise And Settle The Case Of Patricia Laguna V. City Of Oakland,  
                          Alameda County Superior Court Case No. RG08380745 In The Amount Of  
                          \$7,500.00 (Public Works Agency)  
                          07-1486

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City Council on 7/1/2008**

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S-4-6      Subject:    Measure Y Oversight Committee - Appointment  
              From:        Councilmember Kernighan  
              Recommendation: Adopt A Resolution Appointing Richard Carter As A Member Of  
                          The Violence Prevention And Public Safety Oversight Committee  
                          07-1470

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 7/1/2008**

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S-4-7      Subject:    Priority Project Funds - District One  
              From:        Councilmember Jane Brunner  
              Recommendation: Adopt A Resolution Authorizing A Grant Of \$6,400 From  
                          Councilmember Brunner's Priority Project Funds To The Friends Of Golden Gate  
                          Library For Expenses Associated With Their Annual "Jazz On Sunday" Series From  
                          July 13th Through August 31st  
                          07-1473

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 7/1/2008**

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S-4-8      Subject:    Illegal Street Vendors  
              From:        Vice Mayor Larry Reid  
              Recommendation: Receive An Informational Report Detailing The Enforcement Of  
                          Oakland Municipal Code Sections Prohibiting Illegal Street Vendors, Including  
                          Statistical Data, And Identifying Gaps In Services  
                          [07-1474](#)

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**Scheduled to \*Public Safety Committee on 9/23/2008**

S-4-9      Subject:    Oakland Unified School District - Pursuit Policy  
              From:        Vice Mayor Larry Reid  
              Recommendation: A Request To Withdraw From The September 23, 2008 Public  
                          Safety Committee Agenda An Informational Report Presenting The Pursuit Policy  
                          Of The Oakland Unified School District And Whether Their Policy Is Aligned With  
                          The Oakland Police Department's Pursuit Policy; On The September 23,2008 Public  
                          Safety Committee Agenda; With No New Date  
                          [07-1475](#)

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**Scheduled to \*Public Safety Committee on 9/23/2008**



S-4-10      Subject:      City Administrator - Summer Recess Authorization  
From:            Office of the City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Make Grant Awards, Accept Grant Funds And Take Action On Procurement Of Certain Supplies, Construction Labor And Materials Exceeding \$500,000.00 And Professional Services Contracts Exceeding \$300,000.00 During The City Council Annual Recess Of 2008 As Follows:

1.    Resolutions Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute Grant Agreements With Provider - To Be Determined In Amounts To Be Determined, For Head Start Family Child Care Services For Program Year 2008-2009, Contingent Upon Receipt Of Grant Funding, Authorizing The City Administrator To Extend Grant Funding Of Each Grant Agreement For One Additional Year In An Additional Aggregate Amount And Two-Year Total To Be Determined,
  
2.    Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept And Appropriate The Child Care Food Program (CCFP) Grant From The California Department Of Education In An Estimated Amount Of Three Hundred Seventy Five Thousand Dollars (\$375,000.00) To Provide Funding For Nutritious Meals For The City Of Oakland»S Head Start Program For Program Year 2008-2009,
  
3.    Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate The California State Preschool Expansion Grant From The California Department Of Education In An Amount To Be Determined For Program Year 2008-2009, And Authorizing A Grant Agreement With The Unity Council For An Amount To Be Determined To Fund Child Development And Family Literacy Services In Accord With Said Grants,
  
4.    Resolution Authorizing The City Administrator On Behalf Of The City Of Oakland To Accept And Appropriate The Even Start Family Literacy Grant For Program Year 2008-2009 From The State Of California Department Of Education In The Amount Of One Hundred Nine Thousand Six Hundred Twenty Three Dollars (\$109,623.00) For The City Of Oakland San Antonio Even Start Program,
  
5.    Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The Oakland Police Department Locker Room Improvements Project (Project No. To Be Determined) To The Lowest, Responsible And Responsive Bidder/Contractor To Be Selected Upon Bidding Of The Project For An Amount Not To Exceed The Project Budget Of One Million Two Hundred Ninety-Seven Thousand Dollars (\$1,297,000.00), Or If All Bids Are Non-Responsive Or Otherwise Invalid, To Reject All Bids And Negotiate A Contract On The Open Market Within Budget Without Return To Council,
  
6.    Resolution Waiving The Request For Proposal Process And Authorizing The City Administrator To Amend The Contract With Rajappan & Meyer Consulting

Engineers Inc. For The 12th Street Reconstruction Project To Add Design And Engineering Services And To Increase The Contract By Three Hundred Thousand Dollars (\$300,000.00), For A Total Contract Amount Not-To-Exceed Five Million Eight Hundred Thousand Dollars (\$5,800,000.00),

7. Resolution Authorizing The City Administrator Or Her Designee To Award Two (2) Professional Services Agreements For As-Needed Hydrology And Civil Engineering Services To Mactech Engineering And Consulting, Inc., And Philip Williams Associates, Ltd., For An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) Each,

8. Resolution Awarding A Contract To The Lowest Responsible, Responsive Bidder, Andes Construction, Inc., For The Rehabilitation Of Sanitary Sewers In The Area Bounded By MacArthur Boulevard, Montana Avenue, Pleitner Avenue, Nicol Avenue, Berline Avenue, And Curkan Avenue (Project No. C267210) For An Amount Not To Exceed Two Million Five Hundred Eighty-Seven Thousand Dollars (\$2,587,000.00),

9. Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The Derby Avenue To Lancaster Street Segment Of The Oakland Waterfront Trail (Project No. C243610) To The Lowest, Responsive And Responsible Bidder To Be Selected Upon Bidding Of The Project For An Amount Not To Exceed One Million Nine Hundred Thousand (\$1,900,000.00),

10. Resolution Authorizing The City Administrator, Or Her Designee, To Apply For, Accept, And Appropriate Grant Funds From The Roberti-Z'berg-Harris Urban Open Space And Recreation Program Under The Safe Neighborhood Parks, Clean Water, Clean Air, And Coastal Protection Bond Act Of 2000 In The Amount Of Two Hundred Fifty-Thousand Dollars (\$250,000.00) To The Montclair Park Pathway Improvement Project From The Laurel Park Acquisition/Development Project; And

11. Resolution Authorizing The City Administrator, Or Her Designee To Appropriate Two Hundred Fifty-Thousand Dollars (\$250,000.00) From The Joint Power Finance Authority (JPFA) Capital Project Series 2005 Fund (No. 5200) From The Montclair Park Project To The Laurel Park Acquisition/Development Project; And

12. Resolution Awarding A Construction Contract For The Montclair Park Pathway Improvements Project (Project No. To Be Determined) To The Lowest, Responsible And Responsive Bidder, Bay Construction Company, In The Amount Of Two Hundred Forty One Thousand Five Hundred Dollars (\$241,500.00)  
[07-1476](#)

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**Scheduled to \*Finance & Management Committee on 7/8/2008**

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S-4-11      Subject:    Charles Thomas Walker - Recognition  
From:        Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution In Recognition And Acknowledement Of The Retirement Of Mr. Charles Thomas Walker After 20 Years Of Dedicated Service To The City Of Oakland  
[07-1488](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/1/2008**

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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 KIPP: Bridge College Preparatory School In The Amount Of \$2,400 For Their Scholarship Fund  
[07-1489](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/1/2008**

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S-4-13      Subject:    Permanent Access To Housing Grant Agreements  
From:        Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Grant Agreements Not To Exceed Total Allocation Of \$673,362, With Agencies Selected Under The City Of Oakland's 2008-2009 Permanent Access To Housing (PATH) Strategy To Provide Housing And Services To The Homeless; To Allocate \$133,000 In Match Funds To East Oakland Community Project For The 2008-2009 Families In Transition Program; To Release A Second Request For Proposals Under The 2008-2009 Path Strategy To Fill Service Gaps, Total Allocation Not To Exceed \$128,574; To Allocate Up To \$52,750 In Match Funds To East Oakland Community Project For The 2008-2009 Matilda Cleveland Transitional Housing Program (MCTHP); To Allocate Funds To Cover 2008/2009 Lease Cost At The MCTHP Facility In The Amount Of \$36,000; And To Allocate \$10,000 To The City's 2008/2009 Hunger Program; On The July 15, 2008 City Council Agenda  
[07-1479](#)

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**Scheduled to \*Life Enrichment Committee on 7/8/2008**

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S-4-14      Subject:    Central City East Redevelopment Project - Implementation Plan  
From:        Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Adopting The 2008-2013 Implementation Plan For the  
Central City East Redevelopment Project; And  
[07-1173](#)

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**Scheduled to \*Community & Economic Development Committee on  
7/8/2008**

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[2008-0070 CMS.pdf](#)

S-4-15      Subject:    Oakland Retail Enhancement Strategy - Implementation  
From:        Community and Economic Development Agency  
Recommendation: Action On A Report Implementing Recommendations Of The  
Oakland Retail Enhancement Strategy  
[07-1175](#)

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**\*Withdrawn and Rescheduled to \*Community & Economic Development  
Committee on 7/22/2008**

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S-4-16      Subject:    Aaron Metals Scrap Metal Recycling Facility - Public Hearing  
From:        Community And Economic Development Agency  
Recommendation: A Request To Withdraw From The September 16, 2008 City  
Council Agenda A Public Hearing Regarding A Resolution Denying The Appeals  
And Upholding The Planning Commission Approval And Conditions Of Approval  
For The Expansion Of Aaron Metals Scrap Metal Recycling Facility At 750 105th  
Avenue; And Reschedule To The October 21, 2008 City Council Agenda As A  
Public Hearing

REASON:    Appellants Have Requested Additional Time To Work To Negotiate A  
Mutual Settlement  
[07-1300](#)

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**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council on 9/16/2008**

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S-4-17      Subject:      Oakland Waterfront Trail  
From:            Community And Economic Development  
Recommendation: A Request To Withdraw From The July 8, 2008 Public Works Committee A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The Derby Avenue To Lancaster Street Segment Of The Oakland Waterfront Trail To The Lowest Responsible Bidder/Contractor To Be Named Upon Successful Bidding Of The Project For An Amount Not To Exceed One Million Nine Hundred Thousand Dollars (\$1,900,000.00); With No New Date

Reason: Bids Were Opened On June 9, 2008 But Staff Needs Additional Time To Determine If The Lowest Bidder Is Responsive  
[07-1390](#)

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**Withdrawn and Rescheduled to \*Public Works Committee on 7/22/2008**

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- [81502 CMS.pdf](#)

S-4-18      Subject:      Municipal Boathouse: Park & Street Improvements  
From:            Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee To: 1) Award A Construction Contract To The Lowest, Responsive, Responsible Bidder, McGuire And Hester For The Park And Street Improvements For The Municipal Boathouse And Lakeside Drive Project In The Amount Of Three Million Eight Hundred Twenty-Five Thousand Four Hundred Dollars (\$3,825,400.00) In Accordance With The Specifications For The Project And Contractor's Bid; 2) Appropriate \$1,318,818.00 Of Measure DD Series B Funds In The Lake Merritt Path Improvement Project (C242311); 3) Appropriate \$2,280,933.00 Of Measure DD Series B Funds In The Lake Merritt Path Improvement Project (C242310) And; 4) Appropriate \$278,032.00 Of Measure DD Series B Funds In The Systemwide Project (C242110)

[07-1392](#)

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**Scheduled to \*Public Works Committee on 7/8/2008**

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- [81491 CMS.pdf](#)

S-4-19      Subject:      Emergency Vehicle Replacement  
From:          Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To  
Appropriate The Emergency Services Retention Act Of 1997 Fund (Measure M  
Fund #2412) Balance Of One Million One Hundred Thousand Dollars (\$1,100,000)  
To Purchase Three Engines, Which Is Eighty Percent (80%) Of The Price Of The  
Engines, Which Are Essential Equipment To Provide Medical Related Emergency  
Services  
[07-1477](#)

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**Scheduled to \*Finance & Management Committee on 7/8/2008**

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S-4-20      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](#)

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**Continued to \*Rules & Legislation Committee on 6/26/2008**

S-4-21      Subject:      Spousal Retirement Benefits Ballot Measure  
From:          Finance and Management Agency  
Recommendation: Adopt A Resolution Submitting, On The Oakland City Council's  
Own Motion, A Proposed Charter Amendment, Entitled, "Measure Allowing All  
Widows And Widowers Of Members Of The City Of Oakland Police And Fire  
Retirment Systems Who Remarry To Receive Spousal Retirement Benefits" 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  
[07-1487](#)

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**Scheduled to \*Rules & Legislation Committee on 7/10/2008**

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S-4-22      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  
[07-1485](#)

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**Continued to \*Rules & Legislation Committee on 6/26/2008**

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S-4-23      Subject:      Recreation And Parks Month  
From:            Office of Parks and Recreation  
Recommendation: Adopt A Resolution Proclaiming July 2008 As Recreation And Parks Month In The City Of Oakland  
[07-1478](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/1/2008**

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**ADDITIONAL ITEMS SUBMITTED ON THE DAIS**

Subject:      Travel Authorization For Councilmember Brunner  
From:            Councilmember Jane Brunner  
Recommendation: Adopt A Resolution Authorizing Councilmember Jane Brunner To Travel To Los Angeles, California To Attend And Observe Los Angeles Police Department's Compstat Meeting On June 25, 2008, At Which The Police Department's Management Discusses Crimes And Crime Trends  
[07-1490](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/1/2008**

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Subject:      Reconsideration Of An Action  
From:            Council President De La Fuente  
Recommendation: A Request For A Motion To Reconsider The Action Taken On Item 10.37-CC By The City Council On June 17, 2008; And Place On The July 1, 2008 City Council Agenda As A Non-Consent Item  
[07-1491](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/1/2008**

Subject: Federal Lobbyist Report  
 From: Council President De La Fuente  
 Recommendation: Receive An Informational Report From The City's Federal Lobbyist And The City's Director Of Federal Affairs Detailing Their Individual And Joint Lobbying Efforts On Behalf Of The City Of Oakland  
[07-1492](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/1/2008**  
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5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of July 1, 2008 and the Rules and Legislation Committee for July 3, 2008  
 (CANCELLATION NOTICE)

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**A motion was made by Member Chang, seconded by Member Brunner, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Chang, Vice Mayor Reid, Member Brunner and Chair De La Fuente

[06-19 Rules Item 5](#)

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6 Action On The City Council's State Legislative Proposals And Agenda

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**No Action Taken**

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

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:37 AM.*

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.

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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.

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*City Clerk and Clerk of the Council*