



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, October 21, 2010

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Present: Member Quan, Member Reid, Chair Brunner and Member De La Fuente

The Oakland City Council Rules and Le Committee convened at __, with Councilmember ___ presiding as Chairperson.

1 Closed Session

No Action Taken

Closed Session cancelled

2 Approval of the Draft Minutes from the Committee meeting of October 7, 2010

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

Votes: Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

3 Determination of Schedule of Outstanding Committee Items

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

Votes: Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

[rules102110](#)

[View Report.pdf](#)

4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meeting(s) of October 26, 2010 (SUPPLEMENTAL)

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

Votes: Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

S-4-1 Subject: 2010 Sobriety Checkpoint Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In The Amount Of Fifty-Four Thousand Eight Hundred Twenty-Nine Dollars And Fifty-Four Cents (\$54,829.54) From The Regents Of The University Of California, Berkeley, School Of Public Health, Traffic Safety Center, Serving As The Fiscal Agent For The State Of California, Office Of Traffic Safety, For The 2010 Sobriety Checkpoint Program To Be Conducted By The Police Department For The Project Term Of October 1, 2010 Through September 30, 2011, And Waive Central Services Overhead Charges Associated With This Award
[10-0129](#)

Scheduled to *Special Public Safety Committee on 11/16/2010

[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[83083 CMS.pdf](#)

S-4-2 Subject: Food Stamp And EBT Fraud Investigative Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Project Funds In An Amount Not To Exceed Forty Thousand Dollars (\$40,000) From The U.S. Department Of Agriculture, Office Of The Inspector General, For The Fiscal Year 2011 Enactment Of The Food Stamp And Electronic Benefit Transfer Fraud Investigative Program Within The Police Department
[10-0145](#)

Scheduled to *Special Public Safety Committee on 11/16/2010

[View Report.pdf](#)
[83084 CMS.pdf](#)

S-4-3 Subject: 2011 State and Federal Legislative Agenda
From: Council President Brunner
Recommendation: Action On A Report Requesting Approval Of The Proposed 2011 State and Federal Legislative Agenda For The City Of Oakland
[10-0126](#)

Scheduled to *Rules & Legislation Committee on 11/18/2010

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

- S-4-4 Subject: Oakland Municipal Academy
From: Councilmember Kernighan
Recommendation: Adopt A Resolution Recognizing The First Graduating Class
Of The City Of Oakland's Oakland Municipal Academy
[10-0128](#)
**Scheduled to *Special Concurrent Meeting of the Oakland Redevelopment
Agency/City Council on 11/9/2010**
[View Report.pdf](#)
[83035 CMS.pdf](#)
- S-4-5 Subject: Expanded Low Emission Vehicle Standards
From: Councilmembers Nadel And Quan
Recommendation: Adopt A Resolution Urging The State Of California And The
California Air Resources Board To Adopt Expanded Low Emission Vehicle
Standards To Reduce Criteria Air Pollutants And Greenhouse Gases And To
Strengthen The State's Zero Emission Vehicle And Clean Fuels Outlet
Infrastructure Programs To Protect The Health Of California's Economy,
Environment And Its People
[10-0146](#)
Scheduled to *Rules & Legislation Committee on 11/4/2010
[View Report.pdf](#)
[View Report.pdf](#)
[83099 CMS.pdf](#)
- S-4-6 Subject: Permit Fees - Medical Cannabis Dispensaries
From: Councilmembers Kaplan and Reid
Recommendation: Adopt An Ordinance Amending The Master Fee Schedule
(Ordinance Number 9336, As Amended) To Establish A Medical Cannabis Permit
Application Fee, \$5,000 And Increase The Annual Regulatory Fee For Permitted
Medical Cannabis Dispensaries From \$30,000 To \$60,000
[10-0147](#)
Scheduled to *Special Finance & Management Committee on 11/16/2010
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
- S-4-7 Subject: Small Business Exemption - Amending OMC
From: Councilmembers Kaplan and Reid
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code
Chapter - 5.04.620 "Small Business Exemption" To Increase The Annual Gross
Receipts Exemption Amount From Two Thousand Five Hundred Dollars (\$2,500)
To Eleven Thousand Dollars (\$11,000); On The January 11, 2010 Finance and
Management Committee Agenda
[10-0148](#)
Scheduled to *Finance & Management Committee on 1/11/2011

S-4-8 Subject: Oakland Head Start Advisory Panel
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On
Behalf Of The City of Oakland, To Review and Approve The Request Of The
Oakland Head Start Advisory Panel To Change Their Name To Oakland Head
Start Advisory Board; And Add A Voting Member To The Membership And Add
A Non-Voting Policy Council Member Liaison To Report To The Advisory Panel;
And Make Revisions To Their By-laws, And Subsequent Documents Pertaining To
The Advisory Panel, To Reflect Said Changes

[10-0123](#)

Scheduled to *Special Life Enrichment Committee on 11/16/2010

[View Report.pdf](#)

[83079 CMS.pdf](#)

S-4-9 Subject: Head Start/Early Head Start Governing Procedures
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On
Behalf Of The City of Oakland, To Review and Approve Oakland Head Start/Early
Head Start Governing Procedures Developed In Accordance With Recent Head
Start Legislation

[10-0124](#)

Scheduled to *Special Life Enrichment Committee on 11/16/2010

[View Report.pdf](#)

[83080 CMS.pdf](#)

S-4-10 Subject: Oracle Payroll Software System
From: Department Of Information Technology
Recommendation: Adopt A Resolution Waiving The Request For Qualifications
Or Proposal Requirements Of The Oakland Municipal Code, And Awarding A
Five-Year Term Contract To Vertex Inc., Berwyn, PA., To Provide Taxation Data
for The Oracle Payroll Software System For A Payment Of Approximately Eleven
Thousand Dollars (\$11,000.00) Annually, With An Option To Increase The
Contract By 5% Each Year Of The Contract, For A Grand Total Not-To-Exceed
Sixty-Four Thousand Dollars (\$64,000.00)

[10-0125](#)

Scheduled to *Special Finance & Management Committee on 11/16/2010

[View Report.pdf](#)

[83074 CMS.pdf](#)

S-4-11 Subject: MacArthur Transit Village Stage One
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Approving The MacArthur Transit Village (A) Stage One (1) Final Development Plan Permit, Which Would Allow For Development Of A New BART Parking Garage And Site Infrastructure, As Part Of The MacArthur Transit Village Planned Unit Development (PUD060058), Pursuant To City Council Resolution No. 81422 C.M.S. Condition Of Approval No. 27, And (B) Vesting Tentative Tract Map 8047, As Recommended By The Planning Commission
[10-0108](#)

***Withdrawn and Rescheduled to *Community & Economic Development Committee on 12/14/2010**
[View Report.pdf](#)

S-4-12 Subject: Exclusive Negotiating Agreement Deposit - Sunfield Development
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Amending Resolution No. 2010-0093 C.M.S. To Reduce The Exclusive Negotiating Agreement Deposit Requirements With Sunfield Development, LLC From \$50,000 To \$25,000 For The Foothill And Seminary Development Opportunity Site
[10-0140](#)

Scheduled to *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 11/9/2010
[View Report.pdf](#)
[2010-0112 CMS.pdf](#)

S-4-13 Subject: Arcadia Park Subdivision Public Facilities Easement
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Conditionally Accepting A Dedication From The Arcadia Park Owners Association Of A Public Facilities Easement To Construct A Privately Maintained Park In The Arcadia Park Subdivision Located At 921 98th Avenue
[10-0142](#)

Scheduled to *Special Public Works Committee on 11/16/2010
[View Report.pdf](#)
[83071 CMS.pdf](#)

S-4-14 Subject: Redevelopment Agency's Fiscal Year 2009-2010 Report
From: Community and Economic Development Agency
Recommendation: Receive An Informational Report Presenting The
Redevelopment Agency's Fiscal Years 2009-2010 Annual Reports On Blight,
Housing Activity, Loans, Property, And Time Limits In Accordance With The
Reporting Requirements Of The California Community Redevelopment Law
[10-0143](#)

**Scheduled to *Community & Economic Development Committee on
12/14/2010**

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

S-4-15 Subject: Five Professional Service Agreement
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Professional Service Agreement In An
Amount Not To Exceed \$219,000 With Seifel Consulting Inc. For The Preparation
Of Reports And Studies For The Proposed Amendment To The Central District
Redevelopment Plan Extending Time Limits And Increasing The Tax Increment
Cap;
[10-0144](#)

**Scheduled to *Special Community & Economic Development Committee
on 11/16/2010**

[View Report.pdf](#)

[2010-0123 CMS.pdf](#)

2) An Agency Resolution Authorizing A Professional Service Agreement In An Amount Not
To Exceed \$260,000 With Environmental Science Associates For The Preparation Of An
Environmental Impact Report For The Proposed Redevelopment Plan Amendment To The
Central District Redevelopment Plan Extending Time Limits And Increasing The Tax
Increment Cap;
[10-0144-1](#)

**Scheduled to *Special Community & Economic Development Committee
on 11/16/2010**

[2010-0124 CMS.pdf](#)

3) An Agency Resolution Authorizing A Professional Service Agreement In An Amount Not
To Exceed \$230,000 With Seifel Consulting Inc. For The Preparation Of Reports And Studies
For The Proposed Amendment To The Broadway/MacArthur/San Pablo Redevelopment Plan
Expanding The Project Area To Incorporate The Lowell Street/Golden Gate/Gaskill Area And
Extending The Eminent Domain Time Limit;
[10-0144-2](#)

**Scheduled to *Special Community & Economic Development Committee
on 11/16/2010**

[2010-0125 CMS.pdf](#)

4) An Agency Resolution Authorizing A Professional Service Agreement In An Amount Not To Exceed \$287,000 With Environmental Science Associates For The Preparation Of An Environmental Impact Report For The Proposed Redevelopment Plan Amendment To The Broadway/MacArthur/San Pablo Redevelopment Project Area Plan Expanding The Project Area To Incorporate The Lowell Street/Golden Gate/Gaskill Area And Extending The Eminent Domain Time Limit; And

[10-0144-3](#)

Scheduled to *Special Community & Economic Development Committee on 11/16/2010

[2010-0126 CMS.pdf](#)

5) An Agency Resolution Authorizing A Professional Service Agreement In An Amount Not To Exceed \$30,000 With Wood Rodgers For The Preparation Of A Legal Description For The Proposed Amendment To The Broadway/MacArthur/San Pablo Redevelopment Plan Expanding The Project Area To Incorporate The Lowell Street/Golden Gate/Gaskill Area

[10-0144-4](#)

Scheduled to *Special Community & Economic Development Committee on 11/16/2010

[2010-0127 CMS.pdf](#)

S-4-16

Subject: 25th Street Mini Park Improvement

From: Public Works Agency

Recommendation: Adopt A Resolution Awarding A Contract To Beliveau Engineering Contractors, Inc., The Lowest, Responsible, Responsive Bidder, For The Construction Of The 25th Street Mini Park Improvement Project (No. C377610) In Accord With Project Plans And Specifications And Contractor's Bid Therefore In The Amount Of Four Hundred Seventy Thousand Dollars (\$470,000.00)

[10-0138](#)

Scheduled to *Special Public Works Committee on 11/16/2010

[View Report.pdf](#)

[83098 CMS.pdf](#)

S-4-17

Subject: Waterfront Trail Project

From: Public Works Agency

Recommendation: Adopt A Resolution: 1) Rejecting All Bids Submitted For The Fruitvale Avenue To High Street, Waterfront Trail Project (C395010), 2) Waiving Further Competitive Bidding Requirements, And 3) Authorizing the City Administrator To Negotiate And Purchase The Necessary Construction Services And Materials In Accord With Plans And Specifications For The Project On The Open Market In An Amount Not To Exceed One Million Six Hundred Thousand Dollars (\$1,600,000.00) Without Return To The City Council

[10-0139](#)

Scheduled to *Special Public Works Committee on 11/16/2010

[View Report.pdf](#)

[83073 CMS.pdf](#)

S-4-18 Subject: Pay By Phone Pilot Program
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Contract Between The City Of Oakland And Parkmobile Use To Provide A Pay By Phone Pilot Program For A 12-Month Period
[10-0121](#)
Scheduled to *Special Finance & Management Committee on 11/16/2010

S-4-19 Subject: Schedule Of Parking Fines - Amending OMC
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (O.M.C.) Section 10.48.025 "Imposition Of County And State Surcharges" To Increase By \$3.00 The Pass-Through Surcharge To All O.M.C. Parking Violation Fines Including All California Vehicle Code (C.V.C.) Violation Citations To Offset And Remit To State/Alameda County Those Surcharges Imposed By California Government Code Sections 76000, 76100 And 70372(B) And C.V.C. Section 40255
[10-0130](#)
Scheduled to *Special Finance & Management Committee on 11/16/2010
[View Report.pdf](#)
[View Supplemental Report.pdf](#)

S-4-20 Subject: Writing Off Unresolvable Accounts And Housing Loans
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Make Adjustments To The City's Accounts Receivables By Writing Off Uncollectible Accounts With Balances Over \$1,000 For A Total Amount Of \$1,417,858.10 Within Specific Parameters, To Accurately Reflect The Net Realizable Value Of Accounts Receivable Assets In The City's Financial Statements
[10-0137](#)
Scheduled to *Special Finance & Management Committee on 11/16/2010
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[83107 CMS.pdf](#)

S-4-21 Subject: Employment Training And Job Placement Services
From: Office Of The Mayor
Recommendation: Adopt A Resolution (1) Appropriating \$285,000 From A Workforce Investment Act Grant For The Oakland Green Jobs Initiative To Train And Place Oakland Residents In Green Jobs For Fiscal Year 2010-2011, (2) Authorizing Contracts With Men Of Valor In The Amount Of \$35,000, CivicCorps In The Amount Of \$49,600, Growth Sector In The Amount Of \$40,000, Urban University In The Amount Of \$89,400, And Cypress Mandela Training Center In The Amount Of \$25,000 To Collaboratively Provide Employment Training And Job Placement Services, (3) Authorizing A Contract For Up To \$20,000 To Evaluate Program Performance Without Returning To Council, And (4) Allocating \$26,000 For City Administration
[10-0149](#)

Scheduled to *Special Community & Economic Development Committee on 11/16/2010
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[83076 CMS.pdf](#)

[102110rulesitem4](#)
[View Report.pdf](#)

- 5 A review of the Agendas for the Council Concurrent Meeting of ORA/City Council for the meeting(s) of November 2, 2010 and Rules and Legislation for November 4, 2010.
 A motion was made by Member Reid, seconded by Member De La Fuente, to *Approve as Submitted. The motion carried by the following vote:
 Votes: Aye; 4 - Member Quan, Member Reid, Chair Brunner and Member De La Fuente

[102110rulesitem5](#)
[View Report.pdf](#)

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 11:15 a.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](#)

*

City Clerk and Clerk of the Council