



# 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, March 05, 2009**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call to Order

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

*The Oakland City Council Rules and Legislation Committee convened at 10:57 AM, with Council President Brunner presiding as Chairperson.*

1 Closed Session

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*The office of the City Attorney scheduled a Closed Session for Tuesday, March 17, 2009 for 4 PM to 6 PM*

2 Approval of the Draft Minutes from the Committee meeting of February 19, 2009

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**A motion was made by Member De La Fuente, seconded by Member Reid, to \*Approve the Minutes. 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

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**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

[03-05 Rules Pending](#)

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4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of March 10, 2009 (SUPPLEMENTAL)

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**A motion was made by Member Quan, seconded by Member Reid, 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

*A special meeting of the City Council was scheduled for 2 PM on Tuesday, March 10, 2009*

*Due to the mandatory business shutdown scheduled for Friday, March 13, 2009 the March 12, 2009 Rules and Legislation committee meeting was cancelled*

03-05 Rules Item 4

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S-4-1 Subject: Overtime Expenditure Reduction  
From: Oakland Police Department  
Recommendation: Receive An Informational Report From The Office Of Chief Of Police Detailing The Department's Efforts To Reduce Overtime Expenditures By 25% By Eliminating Backfill Overtime Positions And Using Other Strategies, And Outlining The Implications Of Said Actions  
09-0175

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**Scheduled to \*Public Safety Committee on 3/24/2009**

*The following individual spoke on this item:*

- Sanjiv Handa

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S-4-2 Subject: COPS Grant For New Officers  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Grant Funds From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS), COPS Hiring Recovery Program (CHRP), To Fund The Entry-Level Salary And Fringe Benefit Costs Of Police Officers For A Thirty-Six (36) Month Period, And Appropriate Said Funds To The Police Department  
09-0180

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**Scheduled to \*Public Safety Committee on 4/28/2009**

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S-4-3      Subject:    Dezie Woods-Jones Recognition  
From:        Councilmember Rebecca Kaplan  
Recommendation: Adopt A Resolution Acknowledging The Honorable Dezie  
Woods-Jones For Her Years of Dedicated Service to The City of Oakland  
[09-0171](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/  
City Council on 3/17/2009**

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S-4-4      Subject:    Support Of Assembly Bill 312  
From:        Councilmember Desley Brooks  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 312 (Assembly  
Member Ammiano/Senator Yee) Requiring the Bay Area Rapid Transit (BART)  
District To Create An Office Of Citizen Complaints for the BART Police  
Department  
[09-0172](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 3/17/2009**

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S-4-5      Subject:    Council President Brunner Travel Authorization  
From:        Council President Jane Brunner  
Recommendation: Adopt A Resolution Authorizing Council President Jane Brunner  
To Travel To Yosemite, California, To Attend The 18th Annual Building Livable  
Communities Conference March 13-15, 2009  
[09-0173](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 3/17/2009**

*The following individual spoke on this item:*

- *Sanjiv Handa*

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S-4-6      Subject:     Renaming A Portion Of 105th Avenue  
              From:        Councilmember Larry Reid  
              Recommendation: Adopt A Resolution Renaming That Portion Of 105th Avenue  
                         Commencing East Of International Boulevard And Ending At The Street's Eastern  
                         Terminus As Bishop Walter Hawkins Lane; On The June 9, 2009 Public Works  
                         Committee Agenda  
                         [09-0174](#)

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**Scheduled to \*Public Works Committee on 6/9/2009**

S-4-7      Subject:     Graffiti On Vehicles Municipal Code Amendment  
              From:        Council President Jane Brunner  
              Recommendation: Receive A Report From Council President Brunner Proposing  
                         Changes To The Municipal Code Related To Graffiti, Specifically Regarding Graffiti  
                         On Vehicles; On The May 12, 2009 Public Safety Committee Agenda  
                         [09-0179](#)

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**Scheduled to \*Public Safety Committee on 5/12/2009**

*The following individual spoke on this item:*

*- Sanjiv Handa*

S-4-8      Subject:     Rehabilitation Of 8603 And 8701 Hillside Street  
              From:        Community and Economic Development Agency  
              Recommendation: Adopt An Agency Resolution Authorizing An Owner  
                         Participation Agreement With Pineview Partners, LLC, And Lenin Anne For The  
                         Rehabilitation Of 8603 And 8701 Hillside Street In The Central City East  
                         Redevelopment Project Area, Including Agency Funding In An Amount Not To  
                         Exceed \$275,000; On The April 28, 2009 Community And Economic Development  
                         Committee Agenda  
                         [09-0176](#)

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**Scheduled to \*Community & Economic Development Committee on  
4/28/2009**

S-4-9      Subject:      Solar Financing Program Options  
From:          Public Works Agency  
Recommendation: Adopt A Resolution From The Public Works Agency On Solar Financing Program Options; On The May 12, 2009 Public Works Committee  
Agenda  
[09-0177](#)

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**Scheduled to \*Public Works Committee on 5/12/2009**

S-4-10      Subject:      Delinquent Transient Occupancy Taxes - Public Hearing  
From:          Finance and Management Agency  
Recommendation: A Request To Withdraw From The March 17, 2009 City Council  
Agenda A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes; With No New Date

Reason: The Only Delinquent Account Was Paid In Full On 2/10/2009.  
[09-0080](#)

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**\*Withdrawn with No New Date**

S-4-11      Subject:      Spousal Retirement Benefits - Ballot Measure  
From:          Police and Fire Retirement Board  
Recommendation: Adopt A Resolution, Submitting On The Oakland City Council's Own Motion, To Be Submitted To The Electors At The Next Municipal Special Election, A Proposed Charter Amendment, Entitled, "Measure Allowing All Widows And Widowers Who Remarry To Receive Spousal Retirement Benefits At An Estimated Lifetime Cost of \$1.7 Million," And 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 (TITLE CHANGE); On The March 17, 2009 City Council Agenda  
[09-0089](#)

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**Scheduled to \*Finance & Management Committee on 3/10/2009**

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S-4-12      Subject:    Employer Pick Up Resolution Amendment  
From:        Finance and Management Agency  
Recommendation: Adopt A Resolution Amending Resolution No. 81776 C.M.S.  
Entitled Employer Pick Up Resolution Pre-Tax Payroll Deduction Plan For Service  
Credit Purchases (Contribution Code 14) To Include Certain Terminology That The  
California Employees' Retirement System (CalPers) Requires  
[09-0178](#)

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**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 3/17/2009**

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**ADDITIONAL ITEMS SUBMITTED ON THE DAIS**

Subject:    Travel Authorization - Councilmember Jean Quan  
From:        Councilmember Jean Quan  
Recommendation: Adopt A Resolution Authorizing Council Member Jean Quan To Travel To  
Washington, DC On March 14-18, 2009 To Attend The National League Of Cities,  
Congressional City Conference  
[09-0182](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 3/17/2009**

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Subject:    Budget Advisory Committee Appointment  
From:        Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Appointing Mario Juarez As The District 6  
Representative To The Budget Advisory Committee  
[09-0183](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 3/17/2009**

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Subject:    Measure Y Oversight Committee Appointment  
From:        Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Appointing Maureen P. Dorsey As The District 6  
Representative To The Measure Y Violence Prevention And Safety Oversight Committee  
[09-0184](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 3/17/2009**

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Subject: Wildfire Prevention Advisory Board Appointment  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Re-Appointing Lilah Green And James Williams, Sr. As The District 6 Representatives To The Wildfire Prevention Assessment District (WPAD) Advisory Board  
[09-0185](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/17/2009**

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Subject: Calling Of Special Election  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution (1) Calling A Special Municipal Election On [Date] For The Purpose Of Submitting To The Electors Of The City Of Oakland Various Proposed Measures, Including But Not Limited To, A Charter Amendment And Ordinances, (2) Authorizing The City Administrator To Enter Into A Contract With A Consultant To Provide Assistance In Preparing For And Conducting The Special Municipal Election If Necessary, (3) Waiving The Request For Proposal Process For Such Consulting Contract; And (4) Authorizing And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With Applicable Legal Requirements  
[09-0186](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/17/2009**

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Subject: American Recovery And Reinvestment Act Grants Progress  
From: Council President Jane Brunner  
Recommendation: Receive A Status Report On The City's Progress In Preparing Projects For Funding And Identifying And Applying For Grants From The American Recovery And Reinvestment Act Of 2009  
[09-0187](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/31/2009**

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Subject: Municipal Code Amendment - Special Elections  
From: Office of the City Attorney  
Recommendation: Adopt An Ordinance Adding Section 3.08.040 To Chapter 3.08 Of The Oakland Municipal Code, Entitled "Elections", To Authorize The City Council To Call A Special Election On [Date] (TITLE CHANGE)  
[09-0189](#)

**Scheduled to Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 3/10/2009**

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5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of March 17, 2009 and the Rules and Legislation Committee for the meeting of March 19, 2009

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**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

*A City Council meeting will be held on Tuesday, March 31, 2009 at 6 PM.*

*In lieu of the March 31, 2009 Council meeting, Special Committee meetings will be held on Tuesday, April 7, 2009*

*The following individual spoke on this item:*

*- Sanjiv Handa*

[03-05 Rules Item 5](#)

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6 Subject: Boards And Commissions Report  
From: Council President Jane Brunner  
Recommendation: Receive A Status Report And List Of Vacancies On All City Of Oakland Boards And Commissions, Along With The Date Vacated

[09-0062](#)

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**A motion was made by Member Quan, seconded by Member De La Fuente, that this matter be Continued to the \*Rules & Legislation Committee, due back on March 19, 2009. The motion carried by the following vote:**

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

*The following individual spoke on this item:*

*- Sanjiv Handa*

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7           Subject:     Senate Bill 7  
              From:       Public Works Agency  
              Recommendation: Adopt A Resolution To Support, If Amended, Senate Bill 7 Legislation  
              Expanding Electric Utilities' Obligations To Purchase Electricity From Customers Who Generate  
              More Electricity In A Twelve-Month Period Than They Consume  
              [09-0094](#)  
              [Play Video](#)

**A motion was made by Member Quan, seconded by Member De La Fuente, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on March 17, 2009. The motion carried by the following vote:**

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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8           Subject:     Assembly Bill 64  
              From:       Public Works Agency  
              Recommendation: Adopt A Resolution To Support, If Amended, Assembly Bill 64 Legislation  
              Regarding Modifying Statewide Renewables Portfolio Standards, Creating A Standard Tariff For  
              Certain Renewable Energy Generation Projects And Creating A Renewable Infrastructure  
              Authority  
              [09-0095](#)  
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**A motion was made by Member Quan, seconded by Member De La Fuente, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on March 17, 2009. The motion carried by the following vote:**

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

*The Committee approved recommendation and directed staff to contact Assemblymember Krekorian regarding amending the language of the Senate Bill to limit the use of renewable energy credits solely to increasing renewable electricity purchases that are superior to the renewable portfolio standard program levels mandated by existing law*

*The following individual spoke on this item:*

- Sanjiv Handa  
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[81862 CMS.pdf](#)

9            Subject:    Assembly Bills 68 And 87  
               From:        Public Works Agency  
               Recommendation: Adopt A Resolution In Support Of Assembly Bill 68 (Brownley) And  
               Assembly Bill 87 (Davis) - Solid Waste: Single Use Carryout Bags, Which Would Require On  
               Or After July 1, 2010, A Store Providing Plastic Carryout Bags To Customers To Charge Not  
               Less Than \$0.25 Per Bag  
               [09-0096](#)  
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**A motion was made by Member Quan, seconded by Member De La Fuente, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on March 17, 2009. The motion carried by the following vote:**

**Votes:** Abstained; 1 - Member Reid  
 Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente

*The following individual spoke on this item:*

- Sanjiv Handa
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- [81863 CMS.pdf](#)

10           Subject:    Assembly Bill 16  
               From:        Oakland Police Department  
               Recommendation: Adopt A Resolution In Support Of Assembly Bill #16, Which Makes It A  
               Felony For Any Person To Solicit Another Person Who Is Under 18 Years Of Age To Engage In  
               An Act Of Prostitution In Return For Money Or Other Consideration Or To Agree To Give  
               Another Person Who Is Under 18 Years Of Age Money Or Other Consideration In Return For  
               The Other Person Committing An Act Of Prostitution  
               [09-0133](#)  
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**A motion was made by Member Quan, seconded by Member De La Fuente, that this matter be \*Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on March 17, 2009. The motion carried by the following vote:**

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

*The Committee did not approve the staff recommendations, but directed staff to speak with Assemblymember Swanson regarding amending the legislation to remove the "third strike" provision*

*The following individual spoke on this item:*

- Sanjiv Handa
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**OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)**

*The following individual spoke u nder Open Forum:*

- Sanjiv Handa

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 12:02 PM*

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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*