



# 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, October 25, 2007**

**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 October 11, 2007
- 3 Determination of Schedule of Outstanding Committee Items  
(10-25 Rules Pending)
- 4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of October 30, 2007 (SUPPLEMENTAL)

- S-4-1      Subject:    Joyce Hicks - Recognition  
From:        Office of the City Attorney  
Recommendation: Adopt A Resolution Commending Joyce M. Hicks For 30 Years Of Outstanding And Dedicated Service And Congratulating Her On Her Retirement  
[\(07-0747\)](#)
- S-4-2      Subject:    Municipal Code Amendment - Utility Users Tax  
From:        Office of the City Attorney  
Recommendation: Adopt An Ordinance Amending Chapter 4.28 Of The Oakland Municipal Code, Entitled Utility Users Tax, To Clarify The Provisions Of The Telephone Utility Users Tax And Remove Obsolete Provisions  
[\(07-0755\)](#)
- S-4-3      Subject:    Living Wage - Private Security Officers  
From:        Councilmember Jean Quan  
Recommendation: Adopt A Resolution Supporting Private Security Officers In Their Efforts To Win Improved Training, A Living Wage And Full Family Health Benefits On Par With Janitors And Other Workers In Oakland's Commercial Real Estate Sector  
[\(07-0729\)](#)
- S-4-4      Subject:    Priority Project Funds - District Seven  
From:        Councilmember Reid  
Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of \$2,500.00 From Councilmember Larry E. Reid's Priority Project Funds To The Lend A Hand Foundation For Operating Expenses  
[\(07-0744\)](#)
- S-4-5      Subject:    Priority Project Funds - District Seven  
From:        Councilmember Larry Reid  
Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of \$5,000.00 From Councilmember Larry E. Reid's Priority Project Funds To Alameda County Superior Court's Drug Court For Operating Expenses For Day-Of-Court Testing Of Oakland Residents  
[\(07-0745\)](#)
- S-4-6      Subject:    Priority Project Funds - District Seven  
From:        Councilmember Larry Reid  
Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of \$13,745.29 From Councilmember Larry E. Reid's Priority Project Funds To The Marriott Oakland City Center For Expenses For The Small Business Symposium For Public Workshops On The Start Up Of A Small Business, How To Operate The Business And Business Growth  
[\(07-0758\)](#)

- S-4-7            Subject:    Travel Authorization - Councilmembers Jean Quan And Larry Reid  
From:            Councilmembers Jean Quan and Larry Reid  
Recommendation: Adopt A Resolution Authorizing Councilmembers Jean Quan And Larry Reid To Travel To New Orleans, Louisiana To Attend The National League Of California Cities Congress Of Cities & Exposition, November 13-17, 2007  
[\(07-0764\)](#)
- S-4-8            Subject:    Agreement Renewal - Project Re-Connect And Oakland Unified  
From:            Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Renew Agreements Between The City Of Oakland And Project Re-Connect For An Amount Not To Exceed \$85,000 And The Oakland Unified School District Office Of Alternative Education For An Amount Not To Exceed \$190,000 To Provide Gang Prevention And Intervention Services In Accordance With The Violence Prevention And Public Safety Act Of 2004 For The Period Of January 1, 2008 To December 31, 2008; On The December 11, 2007 Public Safety Committee Agenda  
[\(07-0756\)](#)
- S-4-9            Subject:    Community Development Block Grant Reprogramming  
From:            Department of Human Services  
Recommendation: Adopt A Resolution Authorizing Reprogramming Of Community Development Block Grant (CDBG) Funds In The Amount Of \$36,000 From Unexpended Program Balances And Authorizing The City Administrator To Enter Into A Grant Agreement With The Elmhurst Food Pantry In The Amount Of \$36,000 For Operations And Minor Rehabilitation Needed For The Installation Of Refrigeration Equipment  
[\(07-0757\)](#)
- S-4-10           Subject:    Measure B-ACTIA Fund - Restore Tunnel Road Washout  
From:            Community and Economic Development Agency  
Recommendation: Adopt A Resolution 1) Appropriating \$650,000.00 From Measure B-ACTIA Fund (2211) Fund Balance 2) Reallocating \$300,000.00 Already Budgeted Within The Measure B-ACTIA Fund (2211) And 3) Waiving Advertising And Authorizing The City Administrator To Award A Construction Contract Through A Modified Competitive Bid Process For The Emergency Construction Of Permanent Improvements To Restore A Washout On Tunnel Road (Project No. C99581) In A Not-To-Exceed Amount Of \$700,000.00 Without Return To Council  
[\(07-0748\)](#)

- S-4-11      Subject:      Oakland Commerce Corporation - Professional Services Agreement  
From:          Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The Agency Administrator To Negotiate And Execute A Professional Services Agreement For Fiscal Year 2007-2009 In An Amount Not To Exceed \$640,000 (\$320,000 For Fiscal Year 2007-2008 And \$320,000 For 2008-2009) For A Professional Services Contract With The Oakland Commerce Corporation For Ongoing Business Retention, Expansion And Support Services To Businesses; On The November 27, 2007 Community And Economic Development Committee Agenda  
[\(07-0749\)](#)
- S-4-12      Subject:      Master Fee Schedule Amendment - Above-Ground Encroachments  
From:          Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Amending The Master Fee Schedule To Establish A New Permit Fee For Above-Ground Encroachments In The Public Right-Of-Way; On The Public Works Committee Pending List No Specific Date  
[\(07-0750\)](#)
- S-4-13      Subject:      Revocable And Conditional Permit - 2719 Foothill Boulevard  
From:          Community and Economic Development Agency  
Recommendation: Adopt A Resolution Granting 2719 Foothill LP A Revocable And Conditional Permit To Allow A Vault And An Electrical Transformer For A New Building At 2719 Foothill Boulevard To Encroach Under The Public Sidewalk  
[\(07-0751\)](#)
- S-4-14      Subject:      Reorganization Update  
From:          Community and Economic Development Agency  
Recommendation: An Update On The Reorganization Of The Public Works Agency And The Community And Economic Development Agency  
[\(07-0752\)](#)
- S-4-15      Subject:      6590 Swainland Road - Appeal  
From:          Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution To Uphold The Appeal And Reverse The Planning Commission Decision To Deny The Zoning Administrator's Approval To Subdivide An Existing Parcel At 6590 Swainland Road Containing One Single Family Dwelling Into Two Separate Parcels, Tentative Parcel Map TPM 9315/ A07-099 (A07-269); On The December 4, 2007 City Council Agenda  
[\(07-0753\)](#)

S-4-16      Subject:      Purchase Of Real Property - 710 73rd Avenue  
From:          Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase  
Of Real Property Located At 710 - 73rd Avenue In The Coliseum  
Redevelopment Project Area For Redevelopment Purposes For A Purchase  
Price Of \$515,000, Plus Environmental Insurance And Customary Real  
Estate Closing Costs Not To Exceed \$56,500  
[\(07-0762\)](#)

S-4-17      Subject:      Caltran Activities  
From:          Public Works Agency  
Recommendation: Receive A Progress Report On Caltrans Activities In  
The City Of Oakland  
[\(07-0763\)](#)

S-4-18      Subject:      Measure Y Oversight Committee - Semi-Annual Report  
From:          Office of the City Administrator  
Recommendation: Receive A Semi-Annual Measure Y Oversight  
Committee Report On Community And Neighborhood Policing Efforts  
And Violence Prevention Service Programs; On The Public Safety  
Committee Pending List No Specific Date  
[\(07-0754\)](#)

S-4-19      Subject:      Municipal Code Amendment - Cabarets  
From:          Office Of The City Administrator  
Recommendation: Adopt The Following Pieces Of Legislation:  
  
1) An Ordinance Amending Oakland Municipal Code Chapter 5.12,  
"Cabarets" To (1) Allow Discretion In Permitting Cabarets Within 300 Feet  
Of Places Of Public Worship, Public Schools, And Public Libraries (2)  
Allow Cabarets To Remain Open Past 2 A.M. Upon Issuance Of A Special  
Events Permit And 3) Require Background Checks For Cabaret Permit  
Applicants; And  
[\(07-0759\)](#)

[\(10-25 Rules Item 4\)](#)

5            A review of the Council Committees' actions from October 23, 2007 and determination  
of scheduling to the ORA/City Council meeting of November 6, 2007 or future dates  
(MATRIX)

[\(10-25 Rules Item 5\)](#)

6            A review of the Agendas for the Concurrent Meeting of ORA/City Council for the  
meeting of November 6, 2007 and the Rules and Legislation Committee for the meeting  
of November 8, 2007

[\(10-25 Rules Item 6\)](#)

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

**Adjournment**

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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(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