## DRAFT



## 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 29, 2009

10:45 AM

**City Council Chambers - 3rd Floor** 

## Roll Call / Call to Order

Play Video

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

The Oakland City Council Rules and Legislation Committee convened at 11:11 AM with Council President Brunner presiding as Chairperson.

#### 1 Closed Session

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A motion was made by Member De La Fuente, seconded by Member Reid, 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

The office of the City Attorney scheduled a Closed Session for Tuesday, November 3, 2009 from 3 PM to 6 PM

2 Approval of the Draft Minutes from the Committee meetings of October 8 and October 15, 2009

Play Video

A motion was made by Member Quan, 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

Play Video

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

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa

10-29 Rules Pending
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Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of November 3, 2009 (SUPPLEMENTAL)

Play Video

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

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

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

#### 10-29 Rules Item 4

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S-4-1 Subject: Obesity And Tobacco Prevention Programs Grant

From: Office of the City Administrator

Recommendation: Discussion and Possible Action On The City's Participation In The Alameda County Public Health Department's Application To The Communities Putting Prevention To Work Initiative From The U.S. Department Of Health And Human Services, Centers For Disease Control And Prevention Under The American Recovery And Reinvestment Act Of 2009 (ARRA, The Federal Government's "Stimulus Package") For Obesity And Tobacco Prevention Programs 09-0950

Scheduled to \*Life Enrichment Committee on 11/10/2009 View Report.pdf

S-4-2 Subject: City Park Facility Management

From: City Council

Recommendation: A Request To Withdraw From The November 10, 2009 Life Enrichment Committee Agenda A Status Report On The Process And Criteria Being Used To Allow Private Companies To Use And/Or Manage City Park Facilities; And Reschedule To The December 1, 2009 Life Enrichment Committee Agenda

Reason: Staff Requires Adequate Time To Prepare A Thorough Report 09-0921

\*Withdrawn and Rescheduled to \*Life Enrichment Committee on 12/1/2009

S-4-3 Subject: School Playground Agreements

From: Council President Brunner

Recommendation: A Request To Re-Title An Item Already Scheduled On The

December 1, 2009 Life Enrichment Committee Agenda

(OLD TITLE) Adopt A Resolution Authorizing The City Administrator To Execute A Joint Facilities Use Agreement With Oakland Unified School District Regarding School Playgrounds

(NEW TITLE) Receive A Status Report On The Availability And Operational Hours Of Oakland Unified School District's Non-Structured Playground School Sites

09-0922

#### Scheduled to \*Life Enrichment Committee on 1/12/2010

The following individual spoke on this item:

- Sanjiv Handa

S-4-4 Subject: Stimulus Grant Update

From: Councilmember Brooks & Council President Brunner

Recommendation: Receive A Report Evaluating The Preliminary Results Of The Stimulus Grant Applications Submitted To The State And Federal Governments By The City Of Oakland; Including A List Of All Applications (Awarded And Not Awarded), Date Of Award, Amount Of Award And Analysis Of Applications Not Awarded Funding

09-0931

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/ City Council on 11/17/2009

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S-4-5 Subject: Liquor Store Prosecutions

From: Councilmember Desley Brooks

Recommendation: Receive An Informational Report From The Oakland Police Department On Success Or Lack Thereof In Securing Prosecutions By The Alameda County District Attorney's Office When Liquor Store Operators Are Alleged To Have Sold Alcohol To A Minor; On The December 1, 2009 Public Safety Committee Agenda

09-0936

Scheduled to \*Public Safety Committee on 12/1/2009

The following individual spoke on this item:

S-4-6 Subject: Domestic Violence Report

From: Councilmember Jean Quan

Recommendation: Receive An Informational Report From The Oakland Police Department Detailing The Number Of Domestic Violence Related Incidents Reported, Caseload Of Investigators, Staffing Of Investigators, The Status Of Domestic Violence Services In Oakland, And The Number Of Domestic Violence Related Homicides Compared To Data From 2008; On The December 1, 2009

Public Safety Committee Agenda

09-0937

## Scheduled to \*Public Safety Committee on 12/1/2009

S-4-7 Subject: Sewage Overflow Valves Installation

From: Councilmember Jean Quan

Recommendation: Adopt An Ordinance Amending Chapter 13.08 Of The Oakland Municipal Code To Require The Installation Of Sewage Overflow Valves When A Sewer Lateral Is Replaced Or Repaired; On The December 15, 2009 Public Works

Committee Agenda

09-0946

#### Scheduled to \*Public Works Committee on 12/15/2009

S-4-8 Subject: Oakland's Hiring Practices Audit Report

From: Councilmember Ignacio De La Fuente

Recommendation: Action On A Report From The Office Of The City Auditor On The Results Of The Performance Audit Of Oakland's Hiring Practices, On The November 10, 2009 Finance And Management Committee Agenda 09-0948

## Scheduled to \*Rules & Legislation Committee on 11/12/2009

The following individual spoke on this item:

- Sanjiv Handa

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**Meeting Minutes** 

October 29, 2009

S-4-9 Subject: Major Banks Loan Modification Activity

From: Council President Jane Brunner

Recommendation: Receive An Informational Report Analyzing The Loan Modification Activity (To Help Avoid Foreclosures) Of Major Banks Including Chase Manhattan, Wells Fargo And Bank Of America, Including Percentages Of Loans Modified In Oakland And Nationwide; On The December 1, 2009

Community And Economic Development Committee Agenda

09-0949

## Scheduled to \*Community & Economic Development Committee on 1/12/2010

The following individual spoke on this item:

- Sanjiv Handa

S-4-10 Subject: Oakland Fund For Children And Youth 2010-2013 Strategic Plan

From: Department of Human Services

Recommendation: Adopt A Resolution To Adopt The Oakland Fund For Children

And Youth Strategic Plan (2010-2013)

09-0933

#### Scheduled to \*Life Enrichment Committee on 11/10/2009

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S-4-11 Subject: Oakland Fund For Children And Youth 2008-2009 Evaluation

From: Department of Human Services

Recommendation: Adopt A Resolution Adopting The Oakland Fund For Children And Youth Final Evaluation Report For Fiscal Year 2008-2009; On The December 1, 2009 Life Enrichment Committee Agenda

09-0934

### Scheduled to \*Life Enrichment Committee on 12/1/2009

The following individual spoke on this item:

S-4-12 Subject: Oakland Waterfront-Uptown Shuttle

From: Community and Economic Development Agency

Recommendation: A Request To Re-Title And Withdraw From The November 10, 2009 Community And Economic Development Committee (OLD TITLE) An Agency Resolution To Apply For, Accept And Appropriate \$997,000 From The Bay Area Air Quality Management District Clean Air Transportation Fund Program For The Implementation Of The Oakland Waterfront-Uptown Shuttle, And Authorize The Appropriation Of \$80,000 In Fiscal Year 2009/2010 and \$80,000 In Fiscal Year 2010/2011 For A Total Of \$160,000 In Redevelopment Funds From The Central District Redevelopment Area For The Shuttle Project

(NEW TITLE) Adopt The Following Pieces Of Legislation:

1) A City Resolution (A) Accepting And Appropriating A \$997,000 Grant From The Bay Area Air Quality Management District Clean Air Transportation Fund Program For The Oakland Broadway Shuttle; (B) Accepting And Appropriating \$80,000 In Fiscal Year 2009/2010 And \$80,000 In Fiscal Year 2010/2011 In Matching Funds From The Redevelopment Agency Under The Cooperation Agreement For The Oakland Broadway Shuttle; (C) Accepting And Appropriating Additional Contributions For The Oakland Broadway Shuttle; And (D) Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute An Agreement With AC Transit To Operate The Oakland Broadway Shuttle For Two Years; And 09-0870

\*Rescheduled to \*Community & Economic Development Committee on 12/15/2009

2) An Agency Resolution Contributing \$80,000 In Fiscal Year 2009/2010 And \$80,000 In Fiscal Year 2010/2011 For A Total Of \$160,000 In Central District Redevelopment Funds To The City Of Oakland Under The Cooperation Agreement For The Implementation Of The Oakland Broadway Shuttle; And Reschedule To The December 15, 2009 Community And Economic Development Committee Agenda

Reason: Staff Needs Additional Time To Coordinate Agreements With The Bay Area Air Quality Management District And AC Transit Regarding Implementation Of The Shuttle 09-0870-1

\*Rescheduled to \*Community & Economic Development Committee on 12/15/2009

S-4-13 Subject: Comprehensive Marketing Campaign Implementation From: Community and Economic Development Agency Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Contributing \$50,000 In Redevelopment Agency Funds To The City Of Oakland Under The Cooperative Agreement To Support The Implementation Of A Comprehensive Economic Development Marketing Program For Redevelopment Project Areas, Including A Marketing Strategy And Brand Identity To Promote Oakland As A Prime Location For Business, Development And Investment And The Production Of New Marketing Materials Needed To Implement The Program, And Authorizing Professional Services Contracts Without Returning To The Agency As Needed For The Design And Production Of Quarterly Redevelopment Newsletters In An Amount Not To Exceed \$50,000 For Fiscal Year 2009/2010; And 09-0903

Scheduled to \*Community & Economic Development Committee on 12/1/2009

2) A City Resolution Accepting And Appropriating Redevelopment Agency Funds In An Amount Not To Exceed \$50,000 Under The Cooperative Agreement To Implement A Comprehensive Marketing Campaign For Redevelopment Project Areas Including A Marketing Strategy And Brand Identity To Promote Oakland As A Prime Location For Business, Development And Investment And The Production Of New Marketing Materials Needed To Implement The Program; On The December 1, 2009 Community And Economic Development Committee Agenda 09-0903-1

Scheduled to \*Community & Economic Development Committee on 12/1/2009

The following individual spoke on this item:

**Meeting Minutes** 

October 29, 2009

S-4-14 Subject: Bay Area World Trade Center - Business Plan

From: Community and Economic Development Agency

Recommendation: A Request To Withdraw From The November 10, 2009
Community And Economic Development Committee Agenda An Agency
Resolution Waiving The Competitive Request For Proposals/Qualifications
Process And Authorizing The Agency Administrator To Negotiate And Execute A
Professional Services Agreement With Olivia Global Communications In An
Amount Not To Exceed Twenty Four Thousand Nine Hundred Fifty Dollars
(\$24,950) To Develop A Comprehensive, Strategic Business Plan To Develop The
Bay Area World Trade Center; With No New Date

Reason: The Agency Needs To More Completely Develop Its International Trade Strategy Before Proceeding With This Action. 09-0909

## \*Withdrawn with No New Date

The following individual spoke on this item:

- Sanjiv Handa

S-4-15 Subject: Gazzali's Supermarket - Grant

From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The November 10, 2009
Community And Economic Development Committee Agenda An Agency
Resolution Authorizing A \$65,000 Grant To Gazzali's Supermarket From Central
City East Redevelopment Project Area Funds To Pay Off An Economic
Development Administration Working Capital Loan And Maintain The
Supermarket's Operation; And Reschedule To The December 15, 2009 Community
And Economic Development Committee Agenda

Reason: The Commercial Lending Unit Is Negotiating The Terms Of The Loan & Grant. 09-0911

\*Rescheduled to \*Community & Economic Development Committee on 12/15/2009

S-4-16 Subject: Oakland General Plan - Interim Controls

From: Community and Economic Development Agency

Recommendation: Adopt An Ordinance Extending The Interim Controls For The Implementation Of The Oakland General Plan (Oakland Planning Code Chapter 17.01 And The General Plan Conformity Guidelines) To June 30, 2011 09-0935

## Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/ City Council on 11/17/2009

The following individual spoke on this item:

- Sanjiv Handa View Report.pdf

S-4-17 Subject: Oakland Enterprise Zone Expansion

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Approving The Expansion Of The Oakland Enterprise Zone Into Remaining Commercial And Industrial Areas Citywide And Designating Qualified Targeted Employment Area (TEA) Within Oakland's Enterprise Zone; On The December 1, 2009 Community And Economic Development Committee Agenda

09-0941

# Scheduled to \*Community & Economic Development Committee on 12/1/2009

S-4-18 Subject: As-Needed Environmental Consulting Agreements

From: Community and Economic Development Agency

Recommendation: Adopt Resolutions Authorizing Professional Services
Agreements With Ases, Inc., Oaks Environmental, Essel Technology Services,
Professional Services Incorporated (PSI) And SCA Environmental Consulting
Services On An As-Needed Basis To Provide Environmental Consulting Services
Including Lead-Based Paint Risk Assessments, Paint Inspections And Clearance
Testing For Residential Rehabilitation Projects Funded Through The Residential
Lending And Rehabilitation Program In An Aggregate Amount Not To Exceed
\$200,000 For The Period Of December 14, 2009 Through June 30 2011; On The
December 15, 2009 Community And Economic Development Committee Agenda
09-0942

Scheduled to \*Community & Economic Development Committee on 12/1/2009

S-4-19 Subject: Chamber Of Commerce Grant

> From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing A Grant Not To Exceed \$182,000 To Oakland Metropolitan Chamber Of Commerce Foundation To Pay Toward The Cost Of Installing The First Component Of The Sculptural Monument Titled Remember Them: Champions For Humanity By Mario Chiodo In Fox Square Park, Located At 19th Street And Rashida Muhammad Street; On The December 1, 2009 Community And Economic Development Committee Agenda

09-0943

## Scheduled to \*Community & Economic Development Committee on 12/1/2009

The following individual spoke on this item:

- Sanjiv Handa

S-4-20 Subject: Oakland Merchant Leadership Forum Contract

> From: Communty and Economic Development Agency Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing A Professional Services Contract With The Oakland Merchant Leadership Forum (OMLF) In An Amount Not To Exceed \$70,000 For Merchant Organizing, Commercial District Support Services And Program Development To Construct The Eat, Shop, Explore Oakland Grown Website For Fiscal Year 2009-2010, And Accepting A Contribution Of \$33,000 From The Redevelopment Agency Under The Cooperation Agreement For This Purpose; And 09-0944

## Scheduled to \*Community & Economic Development Committee on 12/1/2009

2) An Agency Resolution Authorizing A Contribution Of \$33,000 In Redevelopment Funds To The City Of Oakland Under The Cooperation Agreement For A Professional Services Agreement With The Oakland Merchant Leadership Forum (OMLF) For Merchant Organizing And Commercial District Support Services For Fiscal Year 2009-2010 In Several Redevelopment Project Areas; On The December 1, 2009 Community And Economic Development Committee Agenda 09-0944-1

## Scheduled to \*Community & Economic Development Committee on 12/1/2009

The following individual spoke on this item:

S-4-21 Subject: Fox Theater Renovation Project Loan

From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Regarding The Fox Theater, Authorizing The Agency Administrator To Amend The Disposition And Development Agreement To Provide For A Bridge Loan Between The Agency And Fox Oakland Theater Inc (FOT), A Non-Profit Entity, In An Amount Not To Exceed \$2,000,000 To Fund The Completion Of The Fox Theater Renovation Project; On The December 1, 2009 Community And Economic Development Committee Agenda; And As A Public Hearing On The December 8, 2009 City Council Agenda

09-0945

## Scheduled to \*Community & Economic Development Committee on 12/1/2009

The following individual spoke on this item:

- Sanjiv Handa

S-4-22 Subject: 2008-2009 Redevelopment Agency's Annual Fiscal Reports

From: Community and Economic Development Agency
Recommendation: Receive An Informational Report Presenting The
Redevelopment Agency's Fiscal Year 2008-2009 Annual Reports On Blight,
Housing Activity, Loans, Property, And Time Limits In Accordance With The
Reporting Requirements Of The Community Redevelopment Law Of The State Of
California, Health And Safety Code Sections 33080 And 33080.1; On The
December 1, 2009 Finance And Management Committee Agenda
09-0947

## Scheduled to \*Community & Economic Development Committee on 12/1/2009

S-4-23 Subject: Street Resurfacing Grant

From: Community and Economic Development Agency Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The Filing Of An Application For Federal American Recovery And Reinvestment Act Of 2009 (ARRA, The Federal Government's "Stimulus Package") Funding And Stating The Assurance To Complete The Project; And 09-0951

Scheduled to \*Public Works Committee on 11/10/2009

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2) A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate American Recovery And Reinvestment Act Of 2009 (ARRA, The Federal Government's "Stimulus Package") Funds Of Approximately Nine Hundred And Ninety-One Thousand Seven Hundred And Twenty-Five Dollars (\$991,725) For The Purpose Of Street Resurfacing 09-0951-1

#### Scheduled to \*Public Works Committee on 11/10/2009

S-4-24 Subject: State Energy Program Grant

From: Public Works Agency

Recommendation: Action On A Report And Recommendation On The California Energy Commission, State Energy Program Stimulus Funding Under The American Recovery And Reinvestment Act (Federal Governments "Stimulus Package") 09-0952

## Scheduled to \*Public Works Committee on 11/10/2009

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S-4-25 Subject: Tax Auditing Services Contract

From: Finance and Management Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Professional Services Contract With Hinderliter, De Llamas And Associates For Tax Auditing Services For An Initial Three-Year Period Plus Two Optional Annual Extensions For A Fixed Annual Fee Of \$32,500 Plus Additional Audit Fees Based On A Percentage Of Revenue Recovery; On The December 15, 2009 Finance And Management Committee Agenda 09-0938

#### Scheduled to \*Finance & Management Committee on 12/15/2009

The following individual spoke on this item:

S-4-26 Subject: Tool Lending Library

From: Oakland Public Library

Recommendation: A Request To Move An Item Already Scheduled To The

December 15, 2009 Life Enrichment Committee Agenda

Receive An Informational Report Regarding The Oakland Public Library's Tool Lending Library And The Potential For Revenue Enhancement Through The Enactment Of A Fee For Use; To The December 15, 2009 Finance And Management Committee Agenda 09-0932

#### Scheduled to \*Life Enrichment Committee on 12/15/2009

The following individual spoke on this item:

- Sanjiv Handa

S-4-27 Subject: Bay Area Library And Information System Grant

From: Oakland Public Library

Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds In The Amount Of \$91,791 From The Bay Area Library And Information System (BALIS) For The Continued Enhancement Of Oakland Public Library's Technology Initiatives Through The Purchase Of Self-Check Units For Deployment Throughout The Library System; On The December 15, 2009 Life Enrichment Committee Agenda 09-0939

Scheduled to \*Life Enrichment Committee on 12/15/2009

S-4-28 Subject: 81st Avenue Library Computer Lab - Name Change

From: Oakland Public Library

Recommendation: Adopt A Resolution To Name The Computer Lab Of The 81st Avenue Library The Koret Computer Lab; On The December 15, 2009 Life Enrichment Committee Agenda

09-0940

Scheduled to \*Life Enrichment Committee on 12/15/2009

#### ADDITIONAL ITEMS SUBMITTED ON THE DAIS



## \*Rules & Legislation Committee

**Meeting Minutes** 

October 29, 2009

Subject: Registration Of Forclosed And Vacant Residental Buildings

From: Councilmembers Reid, Quan, and Kaplan

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordiance Amending The Oakland Municpal Code To Establish A New Chapter 8.54 Requiring The Registration Of Foreclosed And Vacant Residential Building; And 09-0953

## Scheduled to \*Community & Economic Development Committee on 12/15/2009

2) An Ordiannce Amending The Master Fee Schedule (Ordianance Number 12948 C.M.S.) To Establish New Registration And Inspection Fees 09-0953-1

## Scheduled to \*Community & Economic Development Committee on 12/15/2009

The following individual spoke on this item:

- Sanjiv Handa

2) An Agency Resolution Authorizing A Loan To The Restoration Association For Improving The Landmark 16th Street Station (RAILS), Secured By A Deed Of Trust On The Property, In An Amount Not To Exceed \$39,677 To Secure The Historic 16th Street Train Station In West Oakland; Or

09-0854-1

## Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/ City Council on 11/3/2009

3) An Agency Resolution Amending Resolution No. 2008-0085 C.M.S. To Allow Up To \$39,677 Of The Predevelopment Loan To The Restoration Association For Improving The Landmark 16th Street Station (RAILS) To Be Used For Securing The 16th Street Train Station In West Oakland 09-0854-2

## Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/ City Council on 11/3/2009

*The following individual spoke on this item:* 

- Sanjiv Handa 2009-0093 CMS.pdf A review of the Council Committees' actions from October 27, 2009 and determination of scheduling to the ORA/City Council meeting of November 3, 2009 or future dates (MATRIX)

Play Video

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

The following individual spoke on this item:

- Sanjiv Handa

10-29 Rules Item 5

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A review of the Agendas for the Council Committees for the meetings of November 10, 2009 and the Rule and Legislation Committee for the meeting of November 12, 2009 Play Video

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

The following individual spoke on this item:

- Sanjiv Handa

10-29 Rules Item 6

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Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")

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The following individual spoke on this item:

- Sanjiv Handa

09-0188

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

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*The following individual(s) spoke under Open Forum:* 



**Meeting Minutes** 

October 29, 2009

### Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 12:22 p.m.

NOTE: Americans With Disabilities Act

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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.

City Clerk and Clerk of the Council