



City of Oakland Meeting Agenda

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, May 27, 2010

10:45 AM

City Council Chambers - 3rd Floor

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: Vice Mayor Jean Quan, District 4;
Ignacio De La Fuente, District 5; Larry Reid, District 7; and Chairperson
Jane Brunner, District 1**

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of May 13, 2010
- 3 Determination of Schedule of Outstanding Committee Items
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting of June 1, 2010 and the Rules and Legislation Committee Meeting of June 3, 2010 (SUPPLEMENTAL)
[\(527item4\)](#)

S-4-1 Subject: Weatherization Assistance Program
From: Office Of The City Administrator/Equal Access
Recommendation: Adopt A Resolution Amending Resolution Number
82636 C.M.S. Authorizing A Subcontract With The County Of Alameda
To Administer The California Community Services And Development
Department's Weatherization Assistance Program Outside Of Oakland, To
Allow For The Use Of Funds Within Oakland; On The June 8, 2010
Community And Economic Development Committee Agenda
[\(09-1514\)](#)

S-4-2 Subject: Improving Langaguae Access To City Services
From: Office Of The City Adminstrator/ Equal Access
Recommendation: Receive A Status Report On The Implementation Of
The Equal Access To Services Ordinance And Recommendations For
Improving Language Access To City Services For Oakland's Limited
English Speaking Population For The Period July 1, 2009 Through June 30,
2010; On The June 8, 2010 Finance And Management Committee Agenda
[\(09-1526\)](#)

S-4-3 Subject: Tui Ko - Settlement Agreement
From: Office Of The City Attorney
Recommendation: A Request To Withdraw From The June 1, 2010 City
Council Agenda With No New Date.

A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Claim Of Tui Ko, In The Amount Of
\$5,358.09, As A Result Of Property Damage Sustained In An Automobile
Collision On December 9, 2009 (Public Works Agency)

Reason For Request: For Further Development Of The Claim
[\(09-1505\)](#)

S-4-4 Subject: Reserved Parking Program
 From: Council President Brunner
 Recommendation: A Request To Re-Title An Item Already Scheduled To
 The June 8, 2010 Community And Economic Development Committee
 Agenda

NEW TITLE: Adopt An Ordinance Amending Oakland Municipal Code
(OMC) Chapter 12.08 (Encroachments) To Add A New Section 12.08.250
(Broadway Auto Row On-Street, Reserved Parking Program), To Create A
Pilot On-Street, Reserved Parking Program For Broadway Auto Row Auto
Dealers, For The Exclusive Use Of Certain On-Street Parking By A
Dealership And Its Customers

OLD TITLE: Adopt A Resolution To Create A Pilot On-Street, Reserved
Parking Program For Broadway Auto Row Auto Dealers, Whereby Auto
Dealers Located On Broadway May Elect To Pay An Amount Equal To
The Average Revenue Of The Meters Immediately In Front Of Their
Businesses In Order To Have The Meters Removed And The Spaces
Reserved For Exclusive Use By The Dealership And Its Customers
[\(09-1402\)](#)

S-4-5 Subject: Budget Policy - City Employee Parking
 From: Councilmember Kernighan
 Recommendation: A Request To Re-Title An Item Already Scheduled To
 The June 8, 2010 Finance And Management Committ Meeting

NEW TITLE: Adopt A Resolution Establishing Budget Policy Regarding
City Subsidization of Parking in the Downtown City Center for City
Employees and Elected Officials

OLD TITLE: Adopt A Resolution Establishing Budget Policy Regarding
City Subsidization of Employee Parking
[\(09-1463\)](#)

S-4-6 Subject: Community Informational Budget Meetings
 From: Vice Mayor Quan
 Recommendation: Receive A Request To Schedule Community
 Informational Meetings On The City Budget; On The June 1, 2010 City
 Council Agenda
[\(09-1477\)](#)

S-4-7 Subject: Support Of Senate Bill 1205
 From: Vice Mayor Quan
 Recommendation: Adopt A Resolution In Support Of Senate Bill (SB)
 1205 (Corbett) Establishing The San Francisco Bay Area Disaster Recovery
 Planning Council; On The June 1, 2010 City Council Agenda
[\(09-1512\)](#)

- S-4-8 Subject: Courtland Creek Park - Quan's Pay-Go Funds
From: Vice Mayor Quan
Recommendation: Adopt A Resolution Authorizing A Grant \$10,035.65 From Councilmember Jean Quan's Pay-Go Funds To The Friends Of Oakland Parks And Recreation, Fiscal Agent For ACE Arts, For Rejuvenation Work For Courtland Creek Park; On The June 15, 2010 City Council Agenda
[\(09-1527\)](#)
- S-4-9 Subject: Portable Restroom At Madison Square Park
From: Councilmember Kernighan
Recommendation: Adopt A Resolution Authorizing An Allocation Of \$1960 To The Public Works Agency For Rental Of A Portable Restroom At Madison Square Park Through Fiscal Year 2010 -2011; On The June 15, 2010 City Council Agenda
[\(09-1529\)](#)
- S-4-10 Subject: City And The Port Layoffs
From: Department Of Human Resources Management
Recommendation: Adopt One Of The Following Pieces Of Legislation:

A Report Identifying Issues Between The City And The Port Regarding Layoffs And Providing Two Options For Legislation To Address Those Issues:

1) A Resolution Authorizing The City Administrator To Negotiate And Execute Agreements With The Port Of Oakland And The Unions Representing The Affected Bargaining Groups To Identify And Address Differences Between The City Of Oakland's Layoff Process And The Port Of Oakland's Layoff Process; Or
[\(09-1515\)](#)

2) A Resolution Directing Staff To Develop An Amendment To The City Of Oakland Charter Revising Article IX Personnel Administration To Create Separate Merit Systems For The City And The Port That Are Governed By One Civil Service Board; On The June 8, 2010 Finance And Management Committee Agenda
[\(09-1515-1\)](#)
- S-4-11 Subject: Status Of Temporary Contract and Exempt Limited Employees
From: Department Of Human Resources Management
Recommendation: Receive An Informational Report Regarding The Status Of Temporary Contract Service Employee (TCSE) And Exempt Limited Duration Employee (ELDE) Positions Citywide; On The July 13, 2010 Finance And Management Committee Agenda
[\(09-1518\)](#)

- S-4-12 Subject: 2009-2011 Adopted Biennial Budget
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Amending The City Of Oakland's Fiscal Year 2009-2011 Adopted Biennial Budget For Funds Administered By The Community And Economic Development Agency (CEDA), Which Was Amended Pursuant To Resolution Number 82578 C.M.S., Providing For Adjustments In Revenue Estimates And Appropriations For Various CEDA Programs To Reflect Changes In Funding And To Reflect Budget Changes Approved On April 29, 2010, For The Oakland Redevelopment Agency, And Reducing The Agency's Administrative Costs [TITLE CHANGE]; On The June 15, 2010 City Council Agenda
[\(09-1490\)](#)
- S-4-13 Subject: Amending 2009-2011 Biennial Budget
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Amending The Oakland Redevelopment Agency's (ORA) Biennial Budget For Fiscal Years 2009-2011 To Revise Appropriations For Fiscal Year 2010-2011 To Provide For The Addition Of A Planner V And Project Manager III Position Which Are Deemed Critical For The Purpose Of Achieving The Core Mission Of The ORA [TITLE CHANGE]; On The June 15, 2010 City Council Agenda
[\(09-1501\)](#)
- S-4-14 Subject: San Francisco Bay Trail Regional Development Program
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To Apply For, Accept And Appropriate Grant Funds From The San Francisco Bay Trail Regional Development Program For Up To Four Hundred Thousand Dollars (\$400,000.00) For The Fruitvale Avenue To High Street Gap Closure Segment Of The Oakland Waterfront Bay Trail; On The June 22, 2010 Public Works Committee Agenda
[\(09-1516\)](#)
- S-4-15 Subject: Construction Of Various Streets - Gallagher & Burk, Inc.
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Awarding The Contract For Construction Of Various Streets And Roads And Preventive Maintenance (Project Number C388010), To Gallagher & Burk, Inc., The Lowest, Responsive, Responsible Bidder, In The Amount Of One Million One Hundred Forty-Four Thousand Four Hundred Ninety-Eight Dollars And Ninety-Five Cents (\$1,144,498.95); On The June 22, 2010 Public Works Committee Agenda
[\(09-1517\)](#)

- S-4-16 Subject: Purchase Of Real Property At 7001 Snell Street,
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The
Purchase Of Real Property At 7001 Snell Street, In The Coliseum
Redevelopment Project Area, From Union Pacific Railroad, For \$295,350,
And Authorizing Up To \$250,000 For Demolition, Environmental
Remediation, Fencing, And Real Estate Closing Costs; On The June 22,
2010 Community And Economic Development Committee Agenda
[\(09-1519\)](#)
- S-4-17 Subject: Nonprofit Affordable Housing Developers
From: Community And Economic Development Agency
Recommendation: Receive An Informational Report On Compliance By
Nonprofit Affordable Housing Developers With The City's Contracting
And Employment Programs; On The June 22, 2010 Community And
Economic Development Committee Agenda
[\(09-1520\)](#)
- S-4-18 Subject: Artisan Walk Home Owners Association
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Authorizing A One-Year Extension Of The Project Area
Committee For The Broadway/Macarthur/San Pablo Redevelopment
Project To July 25, 2011; And
[\(09-1521\)](#)
- 2) A Resolution Amending The Procedures Of Formation For The Project Area
Committee For The Broadway/Macarthur/San Pablo Redevelopment Project To
Designate The Artisan Walk Home Owners Association As A Community Organization
Represented On The Project Area Committee; On The June 22, 2010 Community And
Economic Development Committee Agenda
[\(09-1521-1\)](#)
- S-4-19 Subject: First Amendment To The Joint Exercise Of Powers Agreement
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing First Amendment To
The Joint Exercise Of Powers Agreement Between The Redevelopment
Agency And The State Of California For The Oakland State Building; On
The June 22, 2010 Community And Economic Development Committee
Agenda
[\(09-1522\)](#)

- S-4-20 Subject: Mortgage Assistance Loans
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Appropriating \$122,000 In Revenue From Application Fees From Homebuyers Applying For Mortgage Assistance Loans And Authorizing The Appropriation Of Future Loan Fees For Program And Operational Expenses; On The June 22, 2010 Community And Economic Development Committee Agenda
[\(09-1524\)](#)
- S-4-21 Subject: Cityworks Maintenance Management System
From: Public Works Agency
Recommendation: Adopt Informational Report And Presentation On The Cityworks Maintenance Management System Used In The Public Works Agency; On The July 13, 2010 Public Works Committee Agenda
[\(09-1528\)](#)
- S-4-22 Subject: Raiders Ticket Surcharge
From: Finance And Management Agency
Recommendation: Subject: 2009 Raiders Ticket Surcharge
Recommendation: A Request To Re-Schedule An Item Already On The The June 8, 2010 Finance And Management Committee Agenda To The June 22, 2010 Finance And Management Committee Agenda

A Resolution Increasing Estimated Revenue And Offsetting Expenditures From The 2009 Raiders Ticket Surcharge And Authorizing A Transfer Of \$130,934 From The Non-Departmental Citywide Activities Budget To The Office Of Parks And Recreation Budget To Benefit Citywide Youth Activities
[\(09-1429\)](#)
- S-4-23 Subject: Amending The Salary Schedule
From: Department Of Human Resource Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Add The Permanent Part Time (PPT) And Part Time (PT) Equivalent Classifications Of: Case Manager, Supervising, PPT; Case Manager, Supervising, PT; Case Manager II, PPT; Case Manager II, PT; Case Manager I, PT; On The June 8, 2010 Finance And Management Committee Agenda
[\(09-1513\)](#)
- S-4-24 Subject: Parking Access And Revenue Control Systems (PARCS)
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 Scheidt And Bachmann USA, Inc. To Provide A Garage Automation System (Parking Access And Revenue Control) In An Amount Not To Exceed \$2,500,000; On The June 22, 2010 Finance And Management Committee Agenda

(09-1525)

- 5 A review of the Council Committees' actions from May 25, 2010 and determination of scheduling to the ORA/City Council meeting of June 1, 2010 (MATRIX)
[\(527item5\)](#)
- 6 A review of the Agendas for the Council Committees for the meeting(s) of June 8, 2010 and Rules and Legislation Committee meeting of June 10, 2010
[\(527item6\)](#)
- 7 Subject: Councilmember Travel And Accomodation Expenses
From: Councilmember Kernighan
Recommendation: Adopt A Resolution Requiring A Statement In The Agenda Report Disclosing Source Of Funding For Councilmember Travel And Accomodation Expenses For Which City Council Approval Is Sought; And If City Funds Are To Be Used, The Projected Amount Thereof
[\(09-1462\)](#)
- 8 Subject: Assembly Bill 781 - Bilingual Services
From: Councilmembers De La Fuente and Kernighan, Vice Mayor Quan
Recommendation Adopt A Resolution In Opposition Of Assembly Bill 781, As Amended (JEFFERIES), "Bilingual Services" Which Would Effect Statutory Changes Relating To Bilingual Hiring Requirements In Local Agencies
[\(09-1487\)](#)
- 9 Subject: Senate Bill 1100 And Assembly Bills 1343, 2193,2176 and 2398
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution To Support California Senate Bill (SB)1100 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Household Batteries They Sell In California After Their Useful Life
[\(09-1445-1\)](#)
2) Adopt A Resolution To Support California Assembly Bill (AB)1343 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Architectural Paint They Sell In California After Its Useful Life
[\(09-1446\)](#)
3) Adopt A Resolution To Support California Assembly Bill 2139 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Household Medical Needles, Household Pesticides, And Household Single-Use Butane Containers They Sell In California After Their Useful Life
[\(09-1447\)](#)
4) Adopt A Resolution In Support Of California Assembly Bill (AB) 2176 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Mercury-Containing Lamps They Sell In California After Their Useful Life
[\(09-1448\)](#)
5) Adopt A Resolution To Support California Assembly Bill (AB) 2398 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Carpet They Sell In California After Its Useful Life

(09-1449)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

NOTE: Americans With Disabilities Act
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Office of the City Clerk - Agenda Management Unit
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(TDD)

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM

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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**LATONDA SIMMONS
Agency Secretary/City Clerk
and Clerk of the Council**

ORA - Oakland Redevelopment Agency
S - Supplemental Item