



SUPPLEMENTAL

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>

Thursday, September 30, 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 September 16, 2010.

The Draft Minutes for the September 16, 2010 Rules and Legislation Committee will come before the October 7, 2010 Rules Committee for approval.

- 3 Determination of Schedule of Outstanding Committee Items
[\(RULES930\)](#)
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting of October 5, 2010 (SUPPLEMENTAL)

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[\(rules930item4\)](#)

S-4-1 Subject: 2010 Forensic Casework DNA Backlog Reduction Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Three Hundred Seventy-One Six Hundred Twenty-Two Dollars (\$371,622) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2010 Forensic Casework DNA Backlog Reduction Grant Program In The Police Department, 2) Approve A Waiver Of The Central Services Overhead, And 3) If Grant Funding Is Increased, Authorizing The City Administrator To Accept And Appropriate Additional Funds From USDOJ/NIJ Without Return To Council; On The October 12, 2010 Public Safety Committee Agenda
[\(10-0099\)](#)

S-4-2 Subject: Urban Strategies Council - Crime Analysis Services Contract
From: Oakland Police Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To 1) Enter Into A Professional Services Agreement With Urban Strategies Council To Provide Crime Analysis Services For The Oakland Police Department For The Period Of November 2010 Through October 2011, In An Amount Not-To-Exceed One Hundred Sixteen Thousand Dollars (\$116,000) And Waive The Request For Competitive Qualifications/Proposals Process; And
[\(10-0100\)](#)

2) A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In An Amount Not To Exceed Thirty Four Thousand One Hundred Forty Three Dollars (\$34,143) From The State Of California, Juvenile Accountability Block Grant (JABG) Program
[\(10-0100-1\)](#)

S-4-3 Subject: National Let's Move Campaign
From: Vice Mayor Quan
Recommendation: Adopt A Resolution Related To The National Let's Move Campaign; On The October 5, 2010 City Council Agenda As A Ceremonial Item, This item requires an Urgency Finding
[\(10-0091\)](#)

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- S-4-4 Subject: Freedom Bus Project
From: Councilmembers Kernighan And Nadel
Recommendation: Adopt A Resolution Supporting The Freedom Bus Project In Its Celebration Of The Civil Rights Movement And Encouragement Of Youth Arts Participation; On The October 19, 2010 City Council Agenda As A Ceremonial Item
[\(10-0092\)](#)
- S-4-5 Subject: Implementation Of The Municipal Identification Card
From: Offices Of The City Clerk, Councilmembers Quan And De La Fuente
Recommendations: Action On A Report And Recommendations Regarding The Responses To The Rfp/Q To Determine The Feasibility Of Implementing A Municipal Identification Card With Additional Financial And City Systems Card Services Components; On The October 12, 2010 Finance And Management Committee Agenda
[\(10-0094\)](#)
- S-4-6 Subject: Small Local Business Enterprise Program Modifications
From: Department Of Contracting And Purchasing
Recommendation: A Request To Reschedule A Resolution Adopting The Modifications To The City's Local And Small Local Business Enterprise Program As Recommended By The Fairness In Contracting And Purchasing Disparity Study; From the October 12, 2010 Community And Economic Development Committee to the December 14, 2010 Community And Economic Development Committee
[\(10-0019\)](#)
- S-4-7 Subject: Oakland Food Policy Council - Strategic Plan
From: Department of Human Services
Recommendation: Receive A Report From The Oakland Food Policy Council On Their Strategic Plan For 2010/2011 Entitled "Transforming The Oakland Food System: A Plan For Action"; On The December 14, 2010 Life Enrichment Committee Agenda
[\(10-0095\)](#)
- S-4-8 Subject: Sustainable Green Building
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance, Adopting Oakland Municipal Code Title 18 - Sustainability, Chapter 18.02 Sustainable Green Building Requirements For Private Development To Establish Environmentally Sustainable Regulations For Building Construction, Remodeling, Landscaping And Demolition; On The October 19, 2010 City Council Agenda For Final Passage
[\(09-1436\)](#)

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- S-4-9 Subject: 10700 MacArthur Boulevard - Encroachment Permit
From: Community And Economic Development Agency
Recommendation: A Request To Withdraw An Item Already Scheduled
To The October 12, 2010 Public Works Committee Agenda
- Adopt A Resolution Granting MacArthur Boulevard Associates A
Conditional And Revocable Permit To Allow A Soil Shoring System To
Encroach Under The Public Right-Of-Way Along Foothill Boulevard For A
New Grocery Store In The Foothill Square Shopping Center Located At
10700 MacArthur Boulevard
[\(10-0056\)](#)
- S-4-10 Subject: Cultural Services Grants
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City
Administrator To Enter Into Fifty-Seven (57) Cultural Services Grants To
Fifty-One (51) Oakland-Based Nonprofit Organizations And Individual
Artists Providing Arts And Cultural Services In Oakland During Fiscal
Year 2010-2011 In A Total Amount Not To Exceed \$925,126; On The
October 26, 2010 Life Enrichment Committee Agenda
[\(10-0090\)](#)
- S-4-11 Subject: 319 Chester Street - Sale Of Property DDA
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing A Disposition And
Development Agreement With The Alliance For West Oakland
Development For The Sale Of, And Development Of Affordable Housing
On, One City-Owned Parcel At 319 Chester Street; On The October 26,
2010 Community And Economic Development Committee Agenda
[\(10-0096\)](#)
- S-4-12 Subject: Central City East Homeownership Rehabilitation Program
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Amending Resolution No. 2006-0036 C.M.S. To Modify
The Central City East Homeownership Rehabilitation Program To Include
Interior And Structural Repairs And Increase The Maximum Loan Amount
From \$75,000 To \$150,000;
[\(10-0097\)](#)
- 2) A Resolution Adopting The West Oakland Vacant Housing
Acquisition/Rehabilitation/New Construction Program And Allocating \$735,000 For The
Program From Fiscal Year 2010-2011 Low And Moderate Income Housing Funds;
[\(10-0097-1\)](#)

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3) A Resolution Adopting The West Oakland Automatic Gas Shut-Off Valve Program And Allocating \$210,000 For The Program From Fiscal Year 2010-2011 Low And Moderate Income Housing Funds; And
[\(10-0097-2\)](#)

4) A Resolution Adopting The West Oakland Owner Rehabilitation Program And Allocating \$1,939,000 For The Program From Fiscal Year 2010 - 2011 Low And Moderate Income Housing Funds; On The October 26, 2010 Community and Economic Development Committee Agenda
[\(10-0097-3\)](#)

S-4-13 Subject: Brownsfields Assessment - 2114 & 2154 Macarthur Boulevard
From: Community & Economic Development Agency
Recommendation: Adopt A Resolution To Apply For, Accept, And Appropriate A Targeted Site Assessment Brownsfields Technical Assistance Grant From The Department Of Toxic Control Substances For Environmental Assessment At 2114 & 2154 MacArthur Boulevard To Encourage Cleanup For Mixed-Use Commercial Development; On The October 26, 2010 Community & Economic Development Agenda
[\(10-0098\)](#)

S-4-14 Subject: Rehabilitation Of Sanitary Sewers - Andes Construction
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes Construction, Inc. For The Rehabilitation Of Sanitary Sewers In The Area Bounded By East 24th Street, 17th Avenue, International Boulevard, And 13th Avenue (Sub-Basin 58-01 - Project No. C96110) In Accord With Plans Specifications For The Project And Contractors Bid In The Amount Of Four Million Four Hundred Seventy-Six Thousand Seven Hundred Thirty-One Dollars (\$4,476,731.00); On The October 26, 2010 Public Works Committee Agenda
[\(10-0087\)](#)

S-4-15 Subject: Rehabilitation Of Sanitary Sewers - Mosto Construction
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Mosto Construction For The Rehabilitation Of Sanitary Sewers In The Easement By Doncaster Place And By Colton Boulevard And On Mandana Boulevard (Project No. C329118), In The Amount Of One Hundred Ninety-Seven Thousand Seven Hundred Seventy-One Dollars (\$197,771.00); On The October 26, 2010 Public Works Committee Agenda
[\(10-0088\)](#)

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S-4-16 Subject: Clean Air Funds
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) Resolution Authorizing The City Administrator, Or His Designee, To Accept And Appropriate Ninety Thousand Dollars (\$90,000.00) In Transportation Fund For Clean Air Funds For The Webster/Franklin Streets Bikeway Project; And
(10-0089)

2) Resolution Authorizing The Installation Of Class II Bicycle Lanes On Webster And Franklin Streets By Reducing Travel Lanes From Four (4) Through Lanes To Three (3) Through Lanes On Franklin Street Between 14th Street And 20th Street, And On Webster Street Between 14th Street And 19th Street; And From Three (3) Through Lanes To Two (2) Through Lanes On Franklin Street Between 20th Street And 22nd Street, And On Webster Street Between 19th Street And 25th Street; On The October 26, 2010 Public Works Committee Agenda
(10-0089-1)

S-4-17 Subject: Tax Allocation Bonds, Series 2010-T
From: Finance and Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of The City Council Of The City Of Oakland Approving Issuance By The Redevelopment Agency Of The City Of Oakland Of Not To Exceed \$8,050,000 Aggregate Principal Amount Of Redevelopment Agency Of The City Of Oakland Broadway/MacArthur/San Pablo Redevelopment Project Second Lien Tax Allocation Bonds, Series 2010-T (Federally Taxable Recovery Zone Economic Development Bonds - Direct Payment); And
(10-0086)

2) Resolution Of The Redevelopment Agency Of The City Of Oakland: (1) For The Purpose Of Financing A Portion Of The Agency's Obligations To The Broadway/MacArthur/San Pablo Redevelopment Project, Authorizing The Issuance Of The Redevelopment Agency Of The City Of Oakland Broadway/MacArthur/San Pablo Redevelopment Project Second Lien Tax Allocation Bonds, Series 2010-T (Federally Taxable Recovery Zone Economic Development Bonds - Direct Payment) In An Amount Not To Exceed \$8,050,000; (2) Approving The Form Of And Authorizing The Execution And Delivery Of An Indenture Of Trust And A Bond Purchase Contract; (3) Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing Execution And Delivery Of An Official Statement; (4) Approving The Form Of A First Supplemental Indenture Of Trust Relating To The Agency's Series 2006C Bonds; (5) Authorizing Payment Of Costs Of Issuance; (6) Allocating Bond Proceeds To Finance Redevelopment Activities In The Redevelopment Project Area; And (7) Authorizing Agency Officials To Take Such Other Actions Necessary To Issue The Bonds; On The October 12, 2010 Finance and Management

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Committee Agenda

[\(10-0086-1\)](#)

S-4-18 Subject: Piedmont Avenue Library
From: Oakland Public Library
Recommendation: Receive A Status Report On The Piedmont Avenue Library Planning Process; On The October 26, 2010 Life Enrichment Committee Agenda

[\(10-0093\)](#)

S-4-19 Subject: Rent Relief To Oakland Golf LLC
From: Office Of Parks And Recreation
Recommendation: A Request To Reschedule A Resolution To Approve Fifty Percent (50%) Of The Minimum Rent Relief To Oakland Golf LLC For The Operation Of The Metropolitan Golf Links During Fiscal Year July 1, 2010 Through June 30, 2011 In The Amount Of \$38,103 As Authorized In The First Sublease And Operating Agreement Approved By Resolution No. 81274 On May 6, 2008; From The October 12, 2010 Finance And Management Committee Agenda To The October 26, 2010 Finance And Management Committee Agenda

[\(10-0045\)](#)

5 A review of the Council Committees' actions from September 28, 2010 and determination of scheduling to the ORA/City Council meeting of October 5, 2010 or future dates (MATRIX)

[\(Rules930item5\)](#)

6 A review of the Agendas for the Council Committees for the meeting(s) of October 12, 2010

[\(rules930item6\)](#)

S-7 Subject: Expenditure Limit Processes (Spending Cap)
From: Councilmembers Kaplan And Quan
Recommendation: Discussion And Action Regarding A Procedure To Clarify The Process For Determining When Expenditure Ceilings (Spending Caps) Under The Campaign Finance Reform Act (Oakland Municipal Code Section 3.12.220) Are Lifted

[\(10-0084\)](#)

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding was made at the September 23, 2010 Rules and Legislation Committee to place this item on the agenda for the following reason: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting;

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This item requires an Urgency Finding (2/3 majority vote) pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance, prior to discussion.

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.

Office of the City Clerk - Agenda Management Unit

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[\(TTD\)](#)

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.

*

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

ORA - Oakland Redevelopment Agency

S - Supplemental Item