



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, March 18, 2010

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

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Excused: Chair Brunner

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

The Oakland City Council Rules and Legislation Committee convened at 10:50 AM with President Pro Tem Reid presiding as Chairperson.

1 Closed Session

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NO ACTION REQUIRED

2 Approval of the Draft Minutes from the Committee meeting of March 4, 2010

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A motion was made by Member Quan, seconded by Member De La Fuente, to *Approve the Minutes. The motion carried by the following vote:

Votes: Excused; 1 - Chair Brunner

Aye; 3 - Member Quan, Member Reid and Member De La Fuente

3 Determination of Schedule of Outstanding Committee Items

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

Votes: Excused; 1 - Chair Brunner

Aye; 3 - Member Quan, Member Reid and Member De La Fuente

4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of March 23, 2010 (SUPPLEMENTAL)

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A motion was made by Member Quan, seconded by Member De La Fuente, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Excused; 1 - Chair Brunner

Aye; 3 - Member Quan, Member Reid and Member De La Fuente

4-1 Subject: 2010-2011 Assessment Process - WPAD
From: The Budget Office
Recommendation: Adopt A Resolution Initiating The Fiscal Year 2010-2011
Assessment COntirmation Process For The City Of Oakland Wildfire Prevention
Assessment District And Authorizing The City Administrator To Order A
Preliminary Annual Report Pursuant To Oakland Municipal Code
[09-1284](#)

Scheduled to *Finance & Management Committee on 4/13/2010

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

- Sanjiv Handa
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4-2 Subject: 2010-2011 Assessment Process - LLAD
From: The Buget Office
Recommendation: Adopt A Resolution Initiating The Fiscal Year 2010-2011
Assessment Process For The City Of Oakland Landscaping And Lighting
Assessment District And Authorizing The City Administrator To Order A
Preliminary Engineer's Report Pursuant To The California Streets And Highways
Code
[09-1285](#)

Scheduled to *Finance & Management Committee on 4/13/2010

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4-3 Subject: Special Tax Imposed For Emergency Medical Services
From: Budget Office
Recommendation: Conduct A Public Hearing An Upon Conclusion Adopt An
Ordinance Authorizing A Fiscal Year 2010-2011 Increase To A Special Tax
Imposed For Emergency Medical Services In Accordance With The Emergency
Medical Services Retention Act Of 1997 (Measure M); On The June 1, 2010 City
Council Agenda
[09-1286](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 6/1/2010**

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

- Sanjiv Handa

4-4 Subject: Preliminary Annual Report - WPAD
 From: Budget Office
 Recommendation: Adopt A Resolution Of Intention To Levy Taxes, Acceptance
 Of The Fiscal Year 2010-2011 Preliminary Annual Report For The City Of
 Oakland Wildfire Prevention Assessment District Pursuant To Oakland Municipal
 Code; On The April 27, 2010 Finance And Management Committee Agenda And
 As A Public Hearing On The June 1, 2010 City Council Agenda
[09-1287](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 4/27/2010**

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

- Sanjiv Handa

4-5 Subject: 2010-2011 Preliminary Engineer's Report - LLAD
 From: Budget Office
 Recommendation: Adopt A Resolution Of Intention To Levy Taxes, Acceptance
 Of The Fiscal Year 2010-2011 Preliminary Engineer's Report For The City Of
 Oakland Landscaping And Lighting Assessment District; On The April 27, 2010
 Finance And Management Committee Agenda And As A Public Hearing On The
 June 1, 2010 City Council Agenda
[09-1288](#)

Scheduled to *Finance & Management Committee on 4/27/2010

4-6 Subject: Paramedic Emergency Services
 From: Budget Office
 Recommendation: Conduct A Public Hearing An Upon Conclusion Adopt An
 Ordinance Authorizing A Fiscal Year 2010-2011 Increase To A Special Tax
 Imposed For Paramedic Emergency Services In Accordance With The Paramedic
 Services Act Of 1997 (Measure N); On The June 1, 2010 City Council Agenda
[09-1289](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 6/1/2010**

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

- Sanjiv Handa

4-7 Subject: Oakland Wildfire Prevention Assessment District - Annual Report
 From: Budget Office
 Recommendation: Conduct A Public Hearing An Upon Conclusion Adopt A
 Resolution Confirming The Information In The Annual Report For The City Of
 Oakland Wildfire Prevention Assessment District For Fiscal Year 2010-2011 And
 Levying Of Assessments; On The June 1, 2010 City Council Agenda
 [09-1290](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 6/1/2010**

4-8 Subject: Engineer's Report - LLAD
 From: Budget Office
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A
 Resolution Confirming The Information In The Engineer's Report For The City Of
 Oakland Landscaping And Lighting Assessment District For Fiscal Year
 2010-2011 And Levying Of Assessments; On The June 1, 2010 City Council
 Agenda
 [09-1291](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 6/1/2010**

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

- Sanjiv Handa

4-9 Subject: Special Tax Imposed For Library Services
 From: Budget Office
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An
 Ordinance Authorizing A Fiscal Year 2010-2011 Increase To A Special Tax
 Imposed For Library Services In Accordance With The Library Services Retention
 And Enhancement Act Of 2004 (Measure Q); On The June 1, 2010 City Council
 Agenda
 [09-1292](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 6/1/2010**

4-10 Subject: Violence Prevention And Public Safety Services
From: Budget Office
Recommendation" Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2010-2011 Increase To A Special Tax Imposed For Violence Prevention And Public Safety Services In Accordance With The Violence Prevention And Public Safety Act Of 2004 (Measure Y); On The June 1, 2010 City Council Agenda
[09-1293](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 6/1/2010**

4-11 Subject: City Center Walk Project
From: Budget Office
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Amending Resolution 00-69 To Authorize A Contribution Of \$1,000,000 For The Purposes Of Job Training And Housing That Were Contributed By The Developers Of The City Center Walk Project, To The City Under The Cooperation Agreement, To Serve As Partial Repayment Of A Loan Made By The City To The Oak Center Project Area; And
[09-1294](#)

**Scheduled to Special Concurrent Meeting of the Oakland Redevelopment
Agency/City Council on 4/1/2010**
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2) A City Resolution Accepting And Appropriating A Contribution Of \$1,000,000 In Redevelopment Agency Funds Under The Cooperation Agreement For Job Training And Housing Programs
[09-1294-1](#)

**Scheduled to Special Concurrent Meeting of the Oakland Redevelopment
Agency/City Council on 4/1/2010**

4-12 Subject: Potential Reorganizations For Departmental Efficiencies
From: Budget Office
Recommendation: Receive An Informational Report On Potential Reorganizations For Departmental Efficiencies, Including Accounting, Payroll And Personnel; On The April 13, 2010 Finance And Management Committee Agenda
[09-1295](#)

Scheduled to *Finance & Management Committee on 4/13/2010

4-13 Subject: Midcycle Policy Budget For FY 2010-2011
From: Budget Office
Recommendation: Adopt A Resolution Amending The Midcycle Policy Budget For Fiscal Year 2010-2011, Which The City Council Amended Pursuant To Resolution No. _____ C.M.S. On March 16, 2010
[09-1297](#)

Scheduled to Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 4/1/2010

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4-14 Subject: Midcycle Oakland Redevelopment Agency Budget For FY 2010-11
From: Budget Office
Recommendation: Adopt A Resolution Amending The Midcycle Oakland Redevelopment Agency Budget For Fiscal Year 2010-11, Which The Redevelopment Agency Amended Pursuant To Resolution No. 2009-0090 C.M.S. On October 6, 2009; On The April 1, 2010 Special Budget Meeting Agenda
[09-1298](#)

Scheduled to Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 4/1/2010

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4-15 Subject: Sexually Exploited Minors Awareness Week
From: Vice Mayor Jean Quan
Recommendation: Adopt A Resolution Supporting Sexually Exploited Minors Awareness Week, April 19 Through April 24, 2010; On The April 20, 2010 City Council Agenda
[09-1283](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/ City Council on 4/20/2010

4-16 Subject: Assembly Bill 2567
From: Councilmember Kaplan
Recommendation: Adopt A Resolution To Support Assembly Bill 2567, Authorizing Local Public Agencies To Install And Operate Automated Parking Enforcement Systems As Part Of Public Agency Street Sweepers
[09-1296](#)

Scheduled to *Rules & Legislation Committee on 4/15/2010

- 4-17 Subject: Amending O.M.C 9.08.080 - Immoral Dress
From: Councilmember Kaplan
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Section 9.08.080 - Immoral Dress, To Remove The Phrase "In The Attire Of A Person Of The Opposite Sex, Or In Any Indecent Or Lewd Attire" From The Ordinance; On The April 27, 2010 Public Safety Committee Agenda
[09-1301](#)
Scheduled to *Public Safety Committee on 4/27/2010
- 4-18 Subject: Quan Travel - Sacramento April 22-23, 2010
From: Vice Mayor Jean Quan
Recommendation: Adopt A Resolution Authorizing Vice Mayor Jean Quan To Travel To Sacramento, CA On April 22-23 2010 To Attend League Of California Cities Board Of Director Meeting; On The April 20, 2010 City Council Agenda
[09-1302](#)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/ City Council on 4/20/2010
- 4-19 Subject: U.S. Department Of Housing - Consolidated Plan
From: Community And Economic Development Agenda
Recommendation: Adopt A Resolution 1) Authorizing the City Administrator to prepare and submit to the U.S. Department of Housing and Urban Development the Consolidated Plan for Fiscal Years 2010-2015; 2) Authorizing The City Administrator To Prepare And Submit To The U.S. Department Of Housing And Urban Development The Consolidated Plan Annual Action Plan For Fiscal Year 2010-2011; 3) Accepting And Appropriating Grant Funds Totaling \$14,857,042 For The Home, Emergency Shelter Grant, Housing Opportunities For Persons With Aids, And The Community Development Block Grant Programs; 4) Appropriating \$670,480 In Program Income And Any Amounts In Excess Thereof For Housing Rehabilitation Loans; And 5) Authorizing The City Administrator To Negotiate And Execute Agreements With Contractors For Fiscal Years 2009-2011 For The Community Development Block Grant Program; On The April 27, 2010 Community And Economic Development Committee Agenda And As A Public Hearing On The May 4, 2010 City Council Agenda
[09-1240](#)
Scheduled to *Community & Economic Development Committee on 3/23/2010

4-20 Subject: Increasing The Sewer Service Charge - OMC Amendment
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Of Intention To Amend Chapter 13 Of The
Oakland Municipal Code Increasing The Sewer Service Charge, Initiating A
Majority Protest Proceeding Under Article XIII-D Of The California Constitution;
On The April 27, 2010 Public Works Committee Agenda And As A Public
Hearing On The July 6, 2010 City Council Agenda
[09-1299](#)

Scheduled to *Public Works Committee on 4/27/2010

4-21 Subject: Coliseum BART Station Pedestrian Area and Plaza Design Project
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing Negotiation And
Execution Of An Agreement With Golden And Associates To Prepare Design And
Construction Drawings For The Coliseum Bart Station Pedestrian Sidewalk And
For Bart Plaza Enhancements In The Coliseum Redevelopment Project Area For A
Total Amount Not To Exceed \$135,000
[09-1300](#)

**Scheduled to *Community & Economic Development Committee on
4/13/2010**

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4-22 Subject: Final Map Tract No. 8012 - 6409 Benvenue Avenue
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Approving A Final Map For Tract No.
8012 For A Residential Subdivision Located At 6409 Benvenue Avenue And
Owned By Jerry And Mary Ann Boddum; On The April 20, 2010 City Council
[09-1304](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 4/20/2010**

4-23 Subject: AC Transit's Proposed East Bay Bus Rapid Transit Project
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Adopting Oakland's "Locally Preferred
Alternative" To Be Included And Analyzed In The Final Environmental Impact
Statement/Report For The Ac Transit East Bay Bus Rapid Transit Project
[09-1305](#)

Scheduled to *Public Works Committee on 4/13/2010

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4-24 Subject: Major Conditional Use Permit For A Telecommunications Facility
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And, Upon Conclusion, Adopt A
Resolution Denying The Appeal Of Cynthia Carpenter Et Al (Case # A 10-055)
And Upholding The Planning Commission's Decision Of Approval Of A Major
Conditional Use Permit For A Telecommunications Facility Within Three Hundred
(300) Feet Of The Boundary Of An R-40 Residential Zone And Regular Design
Review Permit For A Mini Telecom Facility Located At 1001 42nd Street; On The
May 18, 2010 City Council Agenda

[09-1306](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 5/18/2010**

ADDITIONAL ITEMS SUBMITTED ON THE DAIS

5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the
meeting(s) of March 30, 2010 and the Rules and Legislation Committee meeting of April 1,
2010

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

Votes: Excused; 1 - Chair Brunner

Aye; 3 - Member Quan, Member Reid and Member De La Fuente

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

- Sanjiv Handa

6 Subject: Analysis Of Campaign Contributions
 From: Public Ethics Department
 Recommendation: Action On A Report From The Public Ethics Commission On An Analysis
 Of Campaign Contributions Over The Last Five Years
 [09-1246](#)
 [Play Video](#)

A motion was made by Member Quan, seconded by Member De La Fuente, that this matter be *Received and Filed. The motion carried by the following vote:

Votes: Excused; 1 - Chair Brunner

Aye; 3 - Member Quan, Member Reid and Member De La Fuente

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

- *Jusy Cox*
- *Sanjiv Handa*
- *Dave Kudlecek*
- *Helen Hutchinson*
- *Ralph Kanz*
- [View Report.pdf](#)
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7 Subject: Propostion 16
 From: Councilmember Nadel Nadel
 Recommendation: Adopt A Resolution Opposing Proposition 16, Which Would Amend The
 California Constitution To Require A Two-Thirds Voter Majority For A Local Government Or
 Public Utility To Use Public Funds To Start Up Or Expand Electricity Service, Or To Create A
 Community Choice Aggregator
 [09-1265](#)
 [Play Video](#)

***Approve the Recommendation of Staff, and Forward to Concurrent Meeting of the Oakland Redevelopment Agency/ City Council on 4/20/2010**

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

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

The following individual(s) spoke under Open Forum:

- *Sanjiv Handa*

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 12:13 p.m.

NOTE: Americans With Disabilities Act
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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.

City Clerk and Clerk of the Council