



City of Oakland Meeting Minutes

*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, May 03, 2007

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Excused: Chair De La Fuente

Present: Vice Mayor Chang, Member Reid and Member Brunner

The Oakland City Council Rules and Legislation Committee convened at 10:40 AM, with Councilmember Brunner presiding as Chairperson.

1 Closed Session

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

Votes: Excused; 1 - Chair De La Fuente

Aye; 3 - Vice Mayor Chang, Member Reid and Member Brunner

The office of the City Attorney scheduled a Closed Session for 1:30 - 3:30 PM on Tuesday, May 15, 2007

2 Approval of the Draft Minutes from the Committee meeting of April 19, 2007

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

Votes: Excused; 1 - Chair De La Fuente

Aye; 3 - Vice Mayor Chang, Member Reid and Member Brunner

3 Determination of Schedule of Outstanding Committee Items

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

Votes: Excused; 1 - Chair De La Fuente

Aye; 3 - Vice Mayor Chang, Member Reid and Member Brunner

[Rules Pend 5-03-07](#)

- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of May 8, 2007 (SUPPLEMENTAL)

**A motion was made by Member Reid, seconded by Vice Mayor Chang, to
*Approve with the following amendments. The motion carried by the
following vote:**

Votes: Excused; 1 - Chair De La Fuente

Aye; 3 - Vice Mayor Chang, Member Reid and Member Brunner

S-4-1 Subject: Municipal Code Chapter 8.02 - Amendment
From: Finance and Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Repealing And Reenacting Chapter 8.02 Of The Oakland
Municipal Code Relating To Security Alarm Systems And Modifying Chapter 1.12
To Provide For Fines In Chapter 8.02; And

[07-0145](#)

Scheduled to *Finance & Management Committee on 5/22/2007

2) A Resolution Authorizing The City Administrator To Transfer One Hundred Seventy-Seven Thousand Three Hundred Thirty-Four Dollars (\$177,334.00) From The Oakland Police Department Fiscal Year 2006-2007 General Purpose Operating Budget To The Finance And Management Agency's Revenue Division Fiscal Year 2006-2007 General Purpose Operating Budget To Support Continuation Of The Security Alarm Program, And Authorize Waiving The Competitive Bid Process And Authorizing An Increase To The Previously Approved Contract For Software And Maintenance Services With Progressive Solutions, Inc. For The Acquisition Of Additional Software To Administer The Billing And Collection Of False Alarm Permits And Fines In The Amount Of One Hundred Five Thousand Dollars (\$105,000.00) For A Total Contract Amount Not-To-Exceed Seven Hundred Twenty-Two Thousand Dollars (\$722,000.00)

[07-0145-1](#)

Scheduled to *Finance & Management Committee on 5/22/2007

S-4-2 Subject: Alexander Zermeno - Recognition
From: Council President Ignacio De La Fuente
Recommendation: Adopt A Resolution Honoring Alexander Zermeno Upon His Retirement From The Unity Council

[07-0232](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/15/2007**

S-4-3 Subject: PG&E - Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Recognizing The Energy Efficiency Work
Of Pacific Gas And Electric Company's Public Affairs Team In The City Of
Oakland
[07-0233](#)
**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/15/2007**

S-4-4 Subject: National Older Americans Month
From: Vice Mayor Henry Chang
Recommendation: Adopt A Resolution Declaring May 2007 As National Older
Americans Month
[07-0235](#)
**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/15/2007**

S-4-5 Subject: Fox Theater Project
From: Community and Economic Development Agency
Recommendation: Receive An Informational Report On The City's Local
Contracting And Hiring Goals For The Fox Theater Renovation Project Including
The Hiring Status Of Local And Small Businesses And The Type And Use Of Any
Assistance Programs Used On The Project For Businesses In Need Including, The
Commitment To Hire Previously Incarcerated People
[07-0257](#)
**Scheduled to *Community & Economic Development Committee on
6/26/2007**

S-4-6 Subject: Priority Project Funds - District Five
From: Council President Ignacio De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant Of \$6,245 From
Council Member De La Fuente's Priority Project Funds To The Glenview
Elementary Parent Teacher Association For The Purpose Of Funding Odyssey Of
The Mind Team Participation In The National Odyssey Of The Mind Competition
[07-0259](#)
**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/15/2007**

- S-4-7 Subject: Affordable Housing Week
From: Councilmember Jane Brunner
Recommendation: Adopt A Resolution Proclaiming May 11-20, 2007 As
"Affordable Housing Week" In Oakland
[07-0260](#)
**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/15/2007**
- S-4-8 Subject: Senior Services Set-Aside Program
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To
Execute Contracts Between The City And Eleven Oakland Nonprofit Agencies
(Alameda Community Food Bank, Mandela Marketplace, Inc., Alzheimer's
Services Of The East Bay, Bay Area Community Services, Legal Assistance For
Seniors, Lifelong Medical Care, Inc., Progressive Research and Training For
Action, Rebuilding Together Oakland, Self Help For The Elderly, Mercy
Retirement And Care Center, St. Mary's Center) To Provide Services To Senior
Citizens Under Senior Services "Set-Aside" Funding For Fiscal Year 2007-2008 In
An Total Amount Not To Exceed \$470,000
[07-0246](#)
Scheduled to *Life Enrichment Committee on 6/12/2007
- S-4-9 Subject: Oakland Youth Centers Report
From: Department of Human Services
Recommendation: Receive An Informational Report On The Development Of
Oakland Youth Centers
[07-0258](#)
Scheduled to *Life Enrichment Committee on 5/22/2007
- S-4-10 Subject: Uncollectible, Defaulted And Delinquent Loans
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution To Remove Non-Performing Loans
Receivable Of Approximately \$806,912 From The Oakland Redevelopment
Agency Accounts
[07-0238](#)
Scheduled to *Finance & Management Committee on 6/12/2007

S-4-11 Subject: As-Needed General Consulting Services
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Award, Negotiate, And Execute Professional Services Agreements Without Returning To The Agency With Economic Consultants To Provide As-Needed General Economic Consulting Services In A Total Amount Not To Exceed \$480,000 Or Up To \$160,000 Per Contract, Plus An Allocation For A Contract Amount Compliance Fee To The City In An Amount Not To Exceed 3% Of The Contract Mount, For The Following Redevelopment Project Areas: Broadway/Macarthur/San Pablo, Central City East, Central District, Coliseum, Oakland Army Base, And West Oakland

[07-0239](#)

Scheduled to *Community & Economic Development Committee on 6/26/2007

S-4-12 Subject: Affordable Housing Located Between 18th And 19th Street
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Amending Agency Resolution No. 2005-0067 C.M.S. Authorizing A \$2,464,400 Predevelopment And Development Loan To Resources For Community Development For The Fox Courts Affordable Housing Development Located Between 18th Street, 19th Street, San Pablo Avenue And Telegraph Avenue To (1) Convert A Portion Of The Loan In The Amount Of \$2,000,000 To A Grant; And (2) Redesignate The \$1,280,000 Portion Of The Funding Now Designated For Development Costs To Predevelopment Costs

[07-0244](#)

Scheduled to *Community & Economic Development Committee on 5/22/2007

S-4-13 Subject: Hausrath Economics Group - Professional Services Agreement
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Amending Resolution No. 76728 C.M.S. To Increase The Amount Of The Professional Services Agreement With Hausrath Economics Group For An Economic Impact Analysis Of Inclusionary Housing By An Amount Not To Exceed \$40,000, For a Total Contract Amount Not To Exceed \$100,000

[07-0245](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/15/2007

S-4-14 Subject: Oakland Ice Center Contract - San Jose Arena Management
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution, Approving The Agreement As Directed By Agency Resolution No. 2007-0036 C.M.S., Which Authorized The Agency To Negotiate A Three-Year Agreement With San Jose Arena Management, LLC To Manage And Operate The Oakland Ice Center For A Percentage Of Net Revenue, Pursuant to Specific Criteria, And To Approve The Allocation Of Agency Funds In The Amount Of \$100,000 As Matching Funds For A Contribution From San Jose Management LLC For Necessary Capital Improvements To The Oakland Ice Center, And Allocating Agency Funds Of Up To \$200,000 For Capital Improvements To The Oakland Ice Center
[07-0247](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/5/2007

S-4-15 Subject: Peter And Helen Shiu - Lease
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Two-Year Lease With An Additional Two Year Option, With Peter And Helen Shiu For Real Property Located At 530 Lake Park Avenue, For Use As A Community Meeting Facility In An Annual Amount Not To Exceed \$40,000 Plus Telephone And Utility Costs And A \$200 Monthly Water Charge, For The Initial Term And The Option Term
[07-0248](#)

Scheduled to *Finance & Management Committee on 6/12/2007

S-4-16 Subject: MacArthur Transit Hub Streetscape Improvement
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces of Legislation:

1) A Resolution 1) Authorizing The Acceptance And Appropriation Of \$215,000 Of Measure B Bicycle And Pedestrian Countywide Discretionary Grant Funds From The Alameda County Transportation Improvement Authority And \$215,000 Of Grant Funds From The Regional Bicycle And Pedestrian Program Administered By The Alameda County Congestion Management Agency From The 2006/2007 Coordinated Program, And Any Other Funds Received From These Programs; 2) Authorizing The Agency Administrator To Negotiate And Execute A Grant Funding Agreement With The Alameda County Transportation Improvement Authority, And 3) Accepting And Appropriating \$125,000 From The Redevelopment Agency Of The City Of Oakland Under The Cooperation Agreement For The Required Local Match
[07-0249](#)

Scheduled to *Public Works Committee on 6/12/2007

2) An Agency Resolution Allocating \$125,000 From The Broadway/MacArthur/San Pablo Tax Allocation Bonds Series 2006C-TE To The City Of Oakland Under The Cooperation Agreement To Fund The MacArthur Transit Hub Streetscape Improvement Project As Matching Funds For The 2006/2007 Coordinated Program Grant Funding Awards
[07-0249-1](#)

Scheduled to *Public Works Committee on 6/12/2007

S-4-17 Subject: Waterfront Bay Trail Project Completion
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Five Hundred Fifty-Four Thousand Dollars (\$554,000.00) From Federal Surface Transportation Program (STP) And Congestion Mitigation And Air Quality Improvement (CMAQ) Funding And Committing The Necessary Non-Federal Match And Stating The Assurance To Complete The Project For The Waterfront Bay Trail Gap Closure: Derby Avenue To Lancaster Street
[07-0240](#)

Scheduled to *Public Works Committee on 5/22/2007

S-4-18 Subject: Collaborative Creek Improvement
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Receive And Appropriate Up To Two Hundred Eighty Thousand Dollars (\$280,000) Per Year From The Alameda County Flood Control And Water Conservation District To Implement The Collaborative Creek Improvement And Clean Creeks Program For The Period From July 1, 2007 Through June 30, 2008 And Authorization To Extend Annually Through 2012
[07-0242](#)

Scheduled to *Public Works Committee on 6/12/2007

S-4-19 Subject: San Pablo Golden Gate District Pedestrian Street Light Project
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Accepting And Appropriating \$1,500,000 From The Redevelopment Agency Under The Cooperation Agreement To Fund The San Pablo Golden Gate District Pedestrian Street Light Project; And
[07-0243](#)

Scheduled to *Public Works Committee on 6/12/2007

2) An Agency Resolution Allocating \$1,500,000 From The Broadway/MacArthur/San Pablo Tax Allocation Bonds Series 2006C-TE To The City Of Oakland Under The Cooperation Agreement For The San Pablo Golden Gate District Pedestrian Street Light Project
[07-0243-1](#)

Scheduled to *Public Works Committee on 6/12/2007

- S-4-20 Subject: Oakland Park Rangers - MOU
From: Finance and Management Agency
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The Oakland Park Rangers' Association, Representing Employees In Representation Unit R01, Covering The Period Of July 1, 2006 To June 30, 2008
[07-0250](#)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/5/2007
- S-4-21 Subject: Deputy City Attorney V/Special Counsel Association - MOU
From: Finance and Management Agency
Recommendation: Adopt A Resolution Approving Memorandum Of Understanding Between The City Of Oakland And The Deputy City Attorney V And Special Counsel Association, Representing Employees In Representation Unit U41 Covering The Period From July 1, 2006, Through June 30, 2008
[07-0251](#)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/29/2007
- S-4-22 Subject: International Association of Firefighters, Local 55 - MOU
From: Finance And Management Agency
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The International Association Of Fire Fighters, Representing Employees In Representation Unit FQ1, Covering The Period Of July 1, 2007 To June 30, 2008
[07-0252](#)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/5/2007
- S-4-23 Subject: Salary Ordinance Amendment
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 (The Salary Ordinance) To Increase The Salaries Of Employees By 4% For Fiscal Year 2006-2007 And 2007-2008, Pursuant To The Recently Approved Memoranda Of Understanding For The Deputy City Attorney V And Special Council Association And Oakland Park Rangers Association And To Increase The Salaries Of Employees By 4% For Fiscal Year 2007-2008, Pursuant To The Recently Approved Memorandum Of Understanding For The International Association Of Firefighters, Local 55; On The June 5, 2007 City Council Agenda
[07-0253](#)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/5/2007

S-4-24 Subject: Dog Ordinance Amendment
From: Office of Parks and Recreation
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Title 6, Chapter 6.04, Section 6.04.080 Dogs At Large In Parks, To Allow Dogs To Be Off-Leash, Under Specific Conditions, In The Mosswood Park Dog Play Area As Authorized By The Parks And Recreation Advisory Commission; And

[07-0254](#)

Scheduled to *Life Enrichment Committee on 6/12/2007

S-4-25 Subject: Radical Roving Recreation Program Report
From: Office of Parks and Recreation
Recommendation: Receive An Informational Report On The Office Of Parks And Recreation Radical Roving Recreation Program

[07-0255](#)

Scheduled to *Life Enrichment Committee on 5/22/2007

S-4-26 Subject: Smoking Ordinance
From: Office of the City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 8.30, "Smoking", To Prohibit Smoking At Bus Stops And Other Areas Where The Public Waits For Service, At Outdoor Dining Areas, Public Trails, Parks And Golf Courses, Family Childcare Centers, Common Areas In Multi-Unit Housing, Hotels, And Motels, And The Oakland International Airport; Restrict Smoking Outside Bars; And Prohibit Smoking In Individual Units In New Multi-Unit Residential Buildings; Require New Rental Agreements To Disclose Nonsmoking Prohibitions; Deem Unconsented Exposure To Second Hand Smoke In All Multi-Unit Housing A Nuisance And Trespass

[07-0237](#)

Scheduled to *Public Safety Committee on 6/12/2007

S-4-27 Subject: Coliseum Redevelopment Project
From: Office of the City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed Two Hundred Forty Thousand Dollars (\$240,000) For Certain Public Improvements Within The Coliseum Redevelopment Project Area Under The Neighborhood Project Initiative (NPI) Program; And

[07-0256](#)

Scheduled to *Community & Economic Development Committee on 6/26/2007

ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Oakland Ambassadors Program
From: Councilmember Jane Brunner
Recommendation: Action On A Report And Recommendations For The Oakland Ambassadors Program
[07-0261](#)

**Scheduled to *Community & Economic Development Committee on
5/22/2007**

Subject: Councilmember Desley Brooks - Travel Authorization
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Attend The "U.S. Africa Sister Cities" Conference From August 7-15, 2007
[07-0262](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/15/2007**

Subject: Councilmember Desley Brooks - Travel Authorization
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Attend The Partners For Success: The Changing Face Of Cities Conference From May 4-5, 2007
[07-0263](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 5/15/2007**

[Rules 05-03 Item 4](#)

- 5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of May 15, 2007 and the Rules and Legislation Committee meeting of May 17, 2007
**A motion was made by Vice Mayor Chang, seconded by Member Reid, to
*Approve with the following amendments. The motion carried by the
following vote:**

Votes: Excused; 1 - Chair De La Fuente
Aye; 3 - Vice Mayor Chang, Member Reid and Member Brunner

FROM THE MAY 8, 2007 ORA/CITY COUNCIL MEETING AGENDA

Subject: Immigration And Customs Enforcement
From: Council President De La Fuente And Councilmembers Brunner And Quan
Recommendation: Adopt A Resolution Reaffirming The City Of Oakland As A City of Refuge And Reaffirming That The Mayor And The City Council Instruct All Departments And Employees To Refrain From Assisting Or Cooperating In Their Official Capacity With Any U.S. Immigration And Customs, Enforcement (I.C.E.) Investigation, Detention, Or Arrest Procedures Except In Situations Involving Public Safety And Serious Crimes
[07-0223](#)

***Withdrawn with No New Date**

*This item was withdrawn and combined with item 19 on this agenda (Legistar
File ID #07-0223)*

[Rules 05-03 Item 5](#)

- 6 Subject: Analysis Of Assembly Bill 1648
From: Councilmember Nancy Nadel
Recommendation: Action On A Bill Analysis Of Assembly Bill 1648 (Leno), An Act To Amend Sections 832.5 And 832.7 Of The Penal Code, Relating To Peace Officer Records, To Make Specified Information In Certain Disciplinary Records Available To The Public
[07-0143](#)

***Approve as Amended the Recommendation of Staff, and Forward to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/15/2007**

The following individual(s) spoke in favor of this item:
- Mark Schlosberg

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

- 7 Subject: Support Of Assembly Bill 960
From: Office of the City Attorney
Recommendation: Adopt A Resolution In Support Of Assembly Bill 960 (Hancock) Liquor Store Amortization Bill
[07-0155](#)

***Approve as Amended the Recommendation of Staff, and Forward to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/15/2007**

The following individual(s) spoke in favor of this item:
- Shirley Burnell

- 8 Subject: Assembly Bill 1648 And Senate Bill 1019
From: Office of the City Administrator
Recommendation: Adopt A Resolution Of The Oakland City Council In Support Of Assembly Bill 1648 (Leno) And Senate Bill 1019 (Romero): Peace Office Records, To Permit Civilian Police Review Boards And Other Oversight Agencies To Hold Public Hearings Regarding Complaints About Police Conduct And To Provide Public Access To Certain Peace Officer Personnel Records
[07-0189](#)

***Approve as Amended the Recommendation of Staff, and Forward to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/15/2007**

The following individual(s) spoke in favor of this item:
- Chris Morray-Jones
- Marion Taylor

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

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 and Legislation Committee adjourned the meeting at 11:23 AM.

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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[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