



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 15, 2008

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Excused: Vice Mayor Reid and Chair De La Fuente

Present: Member Chang and Member Brunner

The Oakland City Council Rules and Legislation Committee convened at 10:48 AM, with Councilmember Brunner presiding as Chairperson.

A LACK OF A QUORUM WAS NOTED. THE DECISION WAS MADE TO PROCEED, REVIEW THE ITEMS, AND TO TAKE AN ACTION WHEN A QUORUM IS DECLARED.

1 **Closed Session**

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The Office of the City Attorney scheduled a Closed Session for Tuesday, May 20, 2008 from 4 PM - 6 PM

2 **Approval of the Draft Minutes from the Committee meeting of May 1, 2008**

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No Action Taken Due To Lack Of Quorum

3 **Determination of Schedule of Outstanding Committee Items**

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No Action Taken Due To Lack Of Quorum

05-15 RULES PEND

No Action Taken Due To Lack Of Quorum

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4 **Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of May 20, 2008 (SUPPLEMENTAL)**

05-15 Rules Item 4

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- S-4-1 Subject: Measure Y Evaluation - Berkeley Policy Associates
From: Office of the City Administrator
Recommendation: Receive The Measure Y (Violence Prevention And Public Safety Act Of 2004) Outcome Evaluation Report For Violence Prevention Programming, 2005-2008
[07-1374](#)
[View Report.pdf](#)
- S-4-2 Subject: 2008 Distinguished Schools - Recognition
From: Councilmembers Kernighan, De La Fuente & Brunner
Recommendation: Adopt A Resolution Commending Three Oakland Elementary Schools - Lincoln, Hillcrest And Think College Now - For Their Selection As 2008 Distinguished School Honorees By The California School Recognition Program Of The State Of California Department Of Education
[07-1352](#)
The following individual spoke on this item:
- Sanjiv Handa
- S-4-3 Subject: Sandra Steen - Recognition
From: Councilmember Patricia Kernighan
Recommendation: Adopt A Resolution Recognizing Sandra Steen For 22 Years Of Distinguished Service To The City Of Oakland
[07-1353](#)
[View Report.pdf](#)
[81281 CMS.pdf](#)
- S-4-4 Subject: Bond Rating System Reform
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Supporting Reform Of The Bond Rating System To Eliminate Discrimination Against Municipal Bonds
[07-1356](#)
[View Report.pdf](#)
- S-4-5 Subject: Bruce Beasley - Recognition
From: Councilmember Henry Chang
Recommendation: Adopt A Resolution Honoring Oakland Artist Bruce Beasley On His Selection By The International Olympic Committee As One Of The Top 20 Artists In The World To Make And Showcase A Monumental Sculpture For The "2008 Beijing Olympics"
[07-1372](#)
[View Report.pdf](#)

S-4-6 Subject: Union Pacific Blight Abatement Grant
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Allocate A Grant Award From Union Pacific Railroad Foundation In The Amount Of \$15,000 For The Blight Abatement Employment Program And To Amend An Existing Agreement With Goodwill Industries, Inc. To Add \$15,000 For A Total Contract Amount Of \$65,000; On The July 8, 2008 Life Enrichment Committee Agenda
[07-1354](#)

S-4-7 Subject: 2007-2008 Measure Y Grantee Programs Report
From: Department of Human Services
Recommendation: Action On A Report On Progress Of Fiscal Year 2007-2008 Measure Y Grantee Programs, A Motion To Approve Allocations Of \$385,380 To City Agencies To Administer Violence Prevention Programs In Fiscal Year 2008-2009, And A Resolution Authorizing The City Administrator To Execute Agreements Between The City Of Oakland And Various Agencies To Provide Violence Prevention Programs For A Total Amount Not To Exceed \$6,428,189 (\$6,058,189 Measure Y Funding And \$370,000 Matched Sources) For The Period Of July 1, 2008 To June 30, 2009 And To Execute A No-Cost Amendment To The Agreement With Youth Employment Partnership, Inc. Extending The Agreement Until June 30, 2009
[07-1371](#)
The following individual spoke on this item:
- Sanjiv Handa
[View Report.pdf](#)

S-4-8 Subject: Sun Microsystems Agreements
From: Department of Information Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator To:
(1) Exercise The Renewal Clause Of The Master Lease-Purchase Agreement With Sun Microsystems Finance, Inc., To Finance The Purchase Of The Hardware, Equipment, Software And Services Necessary To Accomplish A "Technology Refresh" Of The City's Primary Information Technology Systems Infrastructure In A Finance Amount Not-To-Exceed Three Million Two Hundred Twenty-Two Thousand Five Hundred Dollars (\$3,222,500); And,

(2) Purchase The Sun Microsystems Equipment And Services From Govstor, LLP Through A State Of California Department Of General Services Cooperative Agreement Established Under The California Strategic Sourcing Initiative Statewide Contract Program In An Amount Not-To-Exceed Two Million Four Hundred Ninety-Two Thousand Eight Hundred One Dollars (\$2,492,801); And,

(3) Waive The City's Formal Bidding And Competitive RFP/RFQ Selection Requirements, And Informally Bid And Award Contracts To Third Party Vendors For The Purchase Of Related Equipment And Services Needed For The Sun Microsystems' Technology Refresh In An Amount Not To Exceed Four Hundred Seventy Thousand Four Hundred Seventy Four Dollars (\$470,474), Without Return To Council
[07-1370](#)
[View Report.pdf](#)

S-4-9 Subject: Oakland Retail Enhancement Strategy - Implementation
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The June 10, 2008 Community And Economic Development Committee Agenda Action On A Report Implementing Recommendations From The Conley Consulting Group's Oakland Retail Enhancement Strategy; And Reschedule To The June 24, 2008 Community And Economic Development Committee Agenda

Reason: Staff needs to reschedule due to timing conflicts with retail convention.
[07-1175](#)

- S-4-10 Subject: Zoning Map Amendments
From: Community and Economic Development Agency
Recommendation: Adopt An Interim Ordinance, Recommended By The Planning Commission, Amending The Zoning Maps For Two Years, Applying The S-4 Design Review Combining Zone, Which Requires New Or Rehabilitated Non-Residential Facilities To Follow Established Design Review Procedures, To Those C-10, C-30, C-35 And C-40 Zones Which Are Designated In The General Plan As Neighborhood Center Commercial, Community Commercial And Urban Residential
[07-1332](#)
[View Report.pdf](#)
- S-4-11 Subject: West Oakland Community Advisory Group Report
From: Community and Economic Development Agency
Recommendation: Receive The Annual Report Regarding The Former Oakland Army Base From The West Oakland Community Advisory Group (WOCAG); On The July 8, 2008 Community And Economic Development Committee Agenda
[07-1355](#)
The following individual spoke on this item:
- Sanjiv Handa
- S-4-12 Subject: Brown Sugar Kitchen Restaurant Grant
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Approving A \$75,000 Tenant Improvement Grant To Brown Sugar Kitchen Restaurant Located At 2534 Mandela Parkway And Allocating West Oakland Redevelopment Funds For The Grant; On The June 24, 2008 Community And Economic Development Committee Agenda
[07-1357](#)
- S-4-13 Subject: Fremont Pool Facility Improvements
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Agency Resolution Contributing Central City East Redevelopment Funds in the Amount of \$800,000 To The City of Oakland Under The Cooperation Agreement For Exterior Renovation Improvements To the Fremont Pool Facility At 4559 Foothill Boulevard; And
[07-1358](#)

2) A City Resolution Accepting and Appropriating Central City East Redevelopment Funds in the Amount of \$800,000 Under the Cooperation Agreement For Exterior Renovation Improvements To the Fremont Pool Facility At 4559 Foothill Boulevard; On The June 24, 2008 Community And Economic Development Committee Agenda
[07-1358-1](#)

S-4-14 Subject: Master Developer Selection
From: Community and Economic Development Agency
Recommendation: Action On A Report And Recommendations Regarding The Selection Of A Master Developer For A 108-Acre Portion Of The Former Oakland Army Base; On The July 8, 2008 Community And Economic Development Committee Agenda
[07-1359](#)

The following individual spoke on this item:
- Sanjiv Handa

S-4-15 Subject: Revocable And Conditional Permit - 2355 Broadway, LLC
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting 2355 Broadway LLC A Revocable And Conditional Permit To Allow A New Electrical Transformer And Vault For An Existing Building At 2355 Broadway To Encroach Under The Public Sidewalk Along 24th Street
[07-1360](#)
[View Report.pdf](#)

S-4-16 Subject: Youth Employment Partnership - Agreement
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A One Year Agreement With The Youth Employment Partnership, Inc., To Provide Workforce Training For Graffiti Abatement Services In The Coliseum Project Area In An Amount Not To Exceed \$30,000
[07-1361](#)
[View Report.pdf](#)

S-4-17 Subject: Cypress Mandela Training Center - Agreement
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A One Year Agreement With The Cypress Mandela Training Center To Provide Workforce Training For Graffiti Abatement Services In The West Oakland Project Area In An Amount Not To Exceed \$45,000
[07-1362](#)
[View Report.pdf](#)

S-4-18 Subject: Oakland Artists Agreement
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing One Year
Agreements With Oakland Artists To Provide Workforce Training To Oakland
Youth Through The Creation Of A Mural Beautification And Graffiti Abatement
Project In The Coliseum And Central City East Redevelopment Project Areas In A
Total Amount Not To Exceed \$ 78,000

[07-1363](#)

[View Report.pdf](#)

S-4-19 Subject: Gateway Development Service Agreement Amendments
From: Community and Economic Development Agency
Recommendation: Adopt An Oakland Redevelopment Agency (Agency)
Resolution Regarding Amendments To Existing Professional Services Agreements
In Support Of Development Of The Gateway Development Area At the Former
Oakland Army Base:

1) Authorizing The Agency Administrator To Negotiate And Execute An
Amendment To The Professional Services Agreement With Kimley-Horn &
Associates In An Amount Not To Exceed Nine Hundred Sixty Thousand Dollars
(\$960,000) For A Total Contract Amount Of Two Million Nine Hundred Sixty
Thousand Dollars (\$2,960,000); And

2) Authorizing The Agency Administrator To Negotiate And Execute An
Amendment To The Professional Services Agreement With URS Corporation To
Extend The Term Of The Contract To June 30, 2010, With No Change To The
Existing Contract Amount; And

3) Authorizing The Agency Administrator To Negotiate And Execute An
Amendment To The Professional Services Agreement With Lamphier-Gregory In
An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) For A
Total Contract Amount Of Six Hundred Forty Three Thousand Dollars (\$643,000)

[07-1364](#)

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[07-1364-1](#)

[07-1364-2](#)

- S-4-20 Subject: Final Map Tract 7803 - 2335 Market Street
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving A Final Map For Tract 7803 To
Convert Six Rental Housing Units To Condominium Ownership At 2335 Market
Street
[07-1365](#)
- S-4-21 Subject: Storm Drainage Pipes Rehabilitation - Shepherd Canyon Road
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To
Appropriate \$970,000.00 For A Capital Improvement Project To Rehabilitate
Deteriorated Storm Drainage Pipes And Structures Under Shepherd Canyon Road
From Shelterwood Drive To Gunn Drive
[07-1366](#)
[View Report.pdf](#)
- S-4-22 Subject: Public Right-Of-Way Usage
From: Community and Economic Development Agency
Recommendation: Receive An Informational Report On Options For Enhancing
The Regulation Of And Revenue For The Private Use Of The Public Right-Of-Way
For Commerce And Associated Activities
[07-1367](#)
[View Report.pdf](#)
- S-4-23 Subject: Foreclosure Activity Update
From: Community and Economic Development Agency
Recommendation: Receive A Report On Continued Actions In Response To
Foreclosure Activity; On The June 24, 2008 Community And Economic
Development Committee Agenda
[07-1368](#)
- S-4-24 Subject: St. Joseph's Professional Center Relocation
From: Community and Economic Development Agency
Recommendation: Adopt City And Agency Resolutions Approving The St.
Joseph's Professional Center Relocation Plan; On The July 8, 2008 Community
And Economic Development Committee Agenda
[07-1369](#)

- 5 A review of the Council Committees' actions from May 13, 2008 and determination of scheduling to the ORA/City Council meeting of May 20, 2008 or future dates (MATRIX)

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No Action Taken Due To Lack Of Quorum

The following individual spoke on this item:

- Sanjiv Handa

05-15 Rules Item 5

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- 6 A review of the Agendas for the Council Committees for the meeting(s) of May 27, 2008 and the Rules and Legislation Committee for the meeting of May 29, 2008

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No Action Taken Due To Lack Of Quorum

The following individual spoke on this item:

- Sanjiv Handa

05-15 Rules Item 6

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- 7 Action On The City Council's State Legislative Proposals And Agenda

[Play Video](#)

No Action Taken Due To Lack Of Quorum

The following individual spoke on this item:

- Sanjiv Handa

- Aaron Lehmer

Subject: Support Of Assembly Bill 501

Recommendation: Adopt A Resolution In Support Of Assembly Bill 501 (Swanson and Hancock) - "Pharmaceutical Devices" Which Would Require Pharmaceutical Manufacturers To Provide Safe Disposal Options For Home-Generated Pen Needles, Pre-Filled Syringes, And Other Injection Devices (SHARPS) By Providing A Prepaid Mail-Back Container To Consumer

07-1317

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Subject: Support Of Assembly Bill 2347
From: Councilmember Quan
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2347 (Ruskin) - "Mercury
Thermostats Take-Back" That Would Provide For Free And Convenient Return Of
Mercury-Containing Thermostats To Any Location That Sells Them

[07-1319](#)

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[81333 CMS.pdf](#)

Subject: Support Of Assembly Bill 2505
From: Councilmember Quan
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2505 (Brownley) - "Toxic
Packaging Phase Out" Which Would Prevent Human And Environmental Exposure To Toxins
And Encourage Recycling Of Packaging By Phasing Out Use Of Toxic, Non Recyclable
Polyvinyl Chloride (PVC) Packaging

[07-1320](#)

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[81334 CMS.pdf](#)

Subject: Support Of Assembly Bill 2640
From: Councilmember Quan
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2640 (Huffman) -
"Compostable Organics Management" Which Would Incentivize The Development Of
Environmentally Superior Alternatives To Landfilling Organic Compostable Materials Through
A \$1.40 Per Ton Fee For Green Materials Use For "Beneficial Reuse" In Landfills, Used To
Promote Activities That Divert These Materials From Landfills

[07-1322](#)

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[81335 CMS.pdf](#)

Subject: Support Of Assembly Bill 1672
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution In Support Of Senate Bill 1672 (Steinberg) That Would
Enact The Renewable Energy, Climate Change, Career Technical Education, And Clean
Technology Job Creation Bond Act Of 2010, To Authorize The Issuance And Sale Of 3 Billion
Dollars In State General Obligation Bonds For Specified Purposes, Including: (A) The
Development Of Renewable Energy And Energy Efficiency And Conservation; (B) The
Development Of Clean Technology Businesses And Jobs, And Educational And Worker
Training Programs; And (C) The Development Of Businesses, Technologies, Infrastructure
Investment, Jobs, Apprenticeships, And Internships That Will Help California Adapt To
Climate Change With Special Attention For Actions That Will Benefit Disadvantaged
Communities

[07-1335](#)

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ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Oakland Police Department - Annuitant Funding
From: Vice Mayor Reid
Recommendation: Adopt A Resolution Authorizing The Amount Of Seventy-Eight Thousand Dollars (\$78,000) From Vice Mayor Larry Reid's Pay-Go Funds To Be Used To Pay Salaries And Other Employment Costs Of Police Annuitants Performing Review Of Child Abuse Complaints
[07-1375](#)

[View Report.pdf](#)
[81303 CMS.pdf](#)

Subject: Support For The City Of Miangyang
From: Councilmembers Chang and Quan
Recommendation: Adopt A Resolution In Support Of Oakland's Friendship City Of Miangyang, China, For Its Recovery From The May 12th 7.9 Magnitude Earthquake
[07-1376](#)

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[81304 CMS.pdf](#)

Subject: Special Budget Workshop
From: Council President De La Fuente
Recommendation: Action On A Request To Schedule A Special Budget Hearing For Wednesday, June 11, 2008 From 5:00 PM To 7:00 PM
[07-1269-2](#)

Subject: Delinquent Business Taxes
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or
[07-1398](#)

2) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City Administrator On The Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; Or
[07-1398-1](#)

3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code

[07-1398-2](#)

Subject: Delinquent Mandatory Garbage Fees

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For October/November/December 2007, Monthly Accounts And January/February/March 2008, Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[07-1399](#)

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[07-1399-1](#)

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code

[07-1399-2](#)

Subject: Delinquent Transient Occupancy Taxes

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[07-1400](#)

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over to The County Tax Collector For Collection; Or

[07-1400-1](#)

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Transient Occupancy Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code

[07-1400-2](#)

Subject: Delinquent Real Property Taxes

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[07-1401](#)

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[07-1401-1](#)

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code

[07-1401-2](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual spoke on this item:

- 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 11:43 AM

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