



# 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>

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Thursday, February 05, 2009

10:45 AM

City Council Chambers - 3rd Floor

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### **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:**

**Jean Quan, District 4; Vice Mayor 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 January 22, 2009
- 3 Determination of Schedule of Outstanding Committee Items  
(02-05 Rules Pending)
- 4 Scheduling of Agenda Items and revisions to the agendas for the Council Committee meetings of February 10, 2009 (SUPPLEMENTAL)  
(02-05 Rules Item 4)

S-4-1            Subject:     Donald P. McCullum Youth Court - Grant  
From:        Oakland Police Department  
Recommendation: A Request To Withdraw From The February 24, 2009 Public Safety Committee Agenda A Follow-up Report On The Spending Plan Associated Grant Funds In An Amount Not To Exceed \$500,000 From The State Of California, Corrections Standards Authority, Juvenile Accountability Block Grant (JABG) Program, Gang Intervention Grant Initiative, For The Grant Term Of January 1, 2009 Through June 30, 2009 And Funding Agreement In An Amount Not To Exceed \$150,000 With The Donald P. McCullum Youth Court For Supplemental Implementation Of The Oakland Youth Court, Interface Project, As It Pertains To Youth-Based Gang Violence Preventions And Intervention Services; With No New Date

Reason:     The Police Department Did Not Receive The Grant, Therefore No Funds Are Available.

[\(07-1842-1\)](#)

S-4-2            Subject:     Mayor's Public Safety Plan  
From:        Councilmember Reid  
Recommendation: A Request To Withdraw From The February 10, 2009 Public Safety Committee Agenda A Report Requesting A Presentation From The Mayor's Office On The Mayor's Public Safety Plan/Model Including The Justification (e.g. Empirical Data) For The Specific Recommendations, Financial Impact, And The Implementation Status; And Reschedule To The May 12, 2009 Public Safety Committee Agenda

Reason:     Staff Is Completing Research To Provide A Comprehensive Public Safety Report/Model To The Public Safety Committee.

[\(09-0033\)](#)

S-4-3            Subject:     Real Property Purchase - 905 66th Avenue  
From:        Community and Economic Development Agency  
Recommendation: A Request To Withdraw From The February 10, 2009 Community and Economic Development Committee Agenda An Agency Resolution Authorizing The Purchase Of Real Property At 905 66th Avenue, From The Alameda-Contra Costa Transit District For \$7,747,102 Less the Cost Of Any Environmental Site Remediation And Authorizing Up To \$12,000 For Real Estate Closing Costs, \$60,000 For Property Inspection Costs And \$1,000,000 For Demolition Costs; And Reschedule To The February 24, 2009 Community And Economic Development Committee Agenda

Reason:     Council Has Requested A Closed Session Discussion Of This Item Prior To Its Being Heard At Committee.

[\(09-0039\)](#)

- S-4-4      Subject:    Rehabilitation Of Sanitary Sewers - Pacific Trenchless  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing Award Of A  
Construction Contract To Pacific Trenchless, Inc. For The Rehabilitation Of  
Sanitary Sewers Off Alvarado Road And Evergreen Lane (Project No.  
C282811) For The Amount Of Two Hundred Fifty-Four Thousand Nine  
Hundred Ten Dollars (\$254,910.00); On The February 24, 2009 Public  
Works Committee Agenda  
[\(09-0085\)](#)
- S-4-5      Subject:    Rehabilitation Of Sanitary Sewers - Mosto Construction  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing Award Of A  
Construction Contract To Mosto Construction, Inc. For The Rehabilitation  
Of Sanitary Sewers In Various Locations Off Redwood Road, Tartan Way,  
Crestmont Drive, Kimberlin Heights Drive, And Elinora Avenue (Project  
No. C262310) For The Amount Of Four Hundred Forty Thousand Five  
Hundred Twenty-Five Dollars (\$440,525.00); On The February 24, 2009  
Public Works Committee Agenda  
[\(09-0086\)](#)
- S-4-6      Subject:    Rehabilitation Of Sanitary Sewers - Andes Construction  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing Award Of A  
Construction Contract To Andes Construction, Inc. For The Rehabilitation  
Of Sanitary Sewers In An Area Bounded By Lakeside Drive, Alice Street,  
20th Street And 11th Street (Project No. C59310) For The Amount Of  
Two Million Five Hundred Seventy Thousand And Forty-Two Dollars  
(\$2,570,042.00); On The February 24, 2009 Public Works Committee  
Agenda  
[\(09-0087\)](#)
- S-4-7      Subject:    T.Y. Lin International - Contract Amendment No. 3  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing Amendment No. 3 To  
The Professional Services Contract With T.Y. Lin International/Earthtech,  
Joint Venture For The Replacement Of Embarcadero Bridge Over Lake  
Merritt Channel (Project No. G121810) Increasing The Scope Of Work  
And The Contract Amount By Six Hundred Eighty Thousand Dollars  
(\$680,000.00) For A Total Contract Amount Not To Exceed One Million  
Nine Hundred Eighty Thousand Two Hundred Forty-Four Dollars  
(\$1,980,244.00); On The February 24, 2009 Public Works Committee  
Agenda  
[\(09-0088\)](#)

- S-4-8      Subject:     Affordable Housing Development Activities  
From:        Community and Economic Development Agency  
Recommendation: Adopt Resolutions Regarding Affordable Housing Development Activities, Including Authorizing Over \$18 Million In Affordable Housing Development Loans And Appropriating Funds For The Affordable Housing Development Program; On The March 10, 2009 Community And Economic Development Committee Agenda; And As A Public Hearing On The March 17, 2009 City Council Agenda  
[\(09-0091\)](#)
- S-4-9      Subject:     Rehabilitation Of Existing Affordable Housing  
From:        Community and Economic Development Agency  
Recommendation: Adopt Resolutions And A City Ordinance Regarding Rehabilitation Of Existing Affordable Housing, Including Authorizing Over \$9 Million In Loans For Existing Affordable Housing Developments And Authorizing Certain Foreclosure Activities With Respect To The Rehabilitation Of Some Of These Developments; On The March 10, 2009 Community And Economic Development Committee Agenda; And As A Public Hearing On The March 17, 2009 City Council Agenda  
[\(09-0092\)](#)
- S-4-10     Subject:     Senate Bill 7 - Analysis  
From:        Public Works Agency  
Recommendation: Action On A Bill Analysis And Recommendation To Support, If Amended, Senate Bill 7 Legislation Regarding Purchasing Electricity From Customers Who Generate More Electricity In A Twelve-Month Period Than They Consume; On The March 5, 2009 Rules And Legislation Committee Agenda  
[\(09-0094\)](#)
- S-4-11     Subject:     Assembly Bill 64 - Analysis  
From:        Public Works Agency  
Recommendation: Action On A Bill Analysis And Recommendation To Support, If Amended, Assembly Bill 64 Legislation Regarding And Modifying Statewide Renewables Portfolio Standards, Creating A Standard Tariff For Certain Renewable Energy Generation Projects And Creating A Renewable Infrastructure Authority; On The March 5, 2009 Rules And Legislation Committee Agenda  
[\(09-0095\)](#)
- S-4-12     Subject:     Assembly Bill 68 - Analysis  
From:        Public Works Agency  
Recommendation: Action On A Bill Analysis And Recommendation To Support Assembly Bill 68 Legislation To Levy A Fee Against Single-Use Disposable Carry-Out Bags In California; On The March 5, 2009 Rules And Legislation Committee Agenda  
[\(09-0096\)](#)

- S-4-13      Subject:    Assembly Bill 87 - Analysis  
              From:      Public Works Agency  
              Recommendation: Action On A Bill Analysis And Recommendation To Support Assembly Bill 87 Alternative Legislation To Levy A Fee Against Single-Use Disposable Carry-Out Bags In California; On The March 5, 2009 Rules And Legislation Committee Agenda  
[\(09-0097\)](#)
- S-4-14      Subject:    Delinquent Transient Occupancy Taxes - Public Hearing  
              From:      Finance and Management Agency  
              Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes; On The December 15, 2009 City Council Agenda  
[\(09-0068\)](#)
- S-4-15      Subject:    Delinquent Mandatory Garbage Fees - Public Hearing  
              From:      Finance and Management Agency  
              Recommendations: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For April/May/June 2009, Monthly Accounts And July/September/October 2009, Quarterly Accounts; On The December 15, 2009 City Council Agenda  
[\(09-0069\)](#)
- S-4-16      Subject:    Delinquent Business Taxes - Public Hearing  
              From:      Finance and Management Agency  
              Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes; On The December 15, 2009 City Council Agenda  
[\(09-0070\)](#)
- S-4-17      Subject:    Delinquent Real Property Taxes - Public Hearing  
              From:      Finance and Management Agency  
              Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes; On The December 15, 2009 City Council Agenda  
[\(09-0071\)](#)
- S-4-18      Subject:    Delinquent Transient Occupancy Taxes - Public Hearing  
              From:      Finance and Management Agency  
              Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes; On The September 15, 2009 City Council Agenda  
[\(09-0072\)](#)

- S-4-19      Subject:     Delinquent Mandatory Garbage Fees - Public Hearing  
From:        Finance and Management Agency  
Recommendations: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For January/ February/March 2009, Monthly Accounts and April/May/June 2009, Quarterly Accounts; On The September 15, 2009 City Council Agenda  
[\(09-0073\)](#)
- S-4-20      Subject:     Delinquent Business Taxes - Public Hearing  
From:        Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes; On The September 15, 2009 City Council Agenda  
[\(09-0074\)](#)
- S-4-21      Subject:     Delinquent Real Property Taxes - Public Hearing  
From:        Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes; On The September 15, 2009 City Council Agenda  
[\(09-0075\)](#)
- S-4-22      Subject:     Delinquent Transient Occupancy Taxes - Public Hearing  
From:        Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes; On The June 16, 2009 City Council Agenda  
[\(09-0076\)](#)
- S-4-23      Subject:     Delinquent Mandatory Garbage Fees - Public Hearing  
From:        Finance and Management Agency  
Recommendations: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For October/ November/December 2008, Monthly Accounts and January/February/March 2009, Quarterly Accounts; On The June 16, 2009 City Council Agenda  
[\(09-0077\)](#)
- S-4-24      Subject:     Delinquent Business Taxes - Public Hearing  
From:        Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes; On The June 16, 2009 City Council Agenda  
[\(09-0078\)](#)
- S-4-25      Subject:     Delinquent Real Property Taxes - Public Hearing  
From:        Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes; On The June 16, 2009 City Council Agenda

[\(09-0079\)](#)

S-4-26      Subject:     Delinquent Transient Occupancy Taxes - Public Hearing  
From:        Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes; On The March 17, 2009 City Council Agenda

[\(09-0080\)](#)

S-4-27      Subject:     Delinquent Mandatory Garbage Fees - Public Hearing  
From:        Finance and Management Agency  
Recommendations: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For July/August/September 2008, Monthly Accounts And October/November/December 2008, Quarterly Accounts; On The March 17, 2009 City Council Agenda

[\(09-0081\)](#)

S-4-28      Subject:     Delinquent Business Taxes - Public Hearing  
From:        Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes; On The March 17, 2009 City Council Agenda

[\(09-0082\)](#)

S-4-29      Subject:     Delinquent Real Property Taxes - Public Hearing  
From:        Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes; On The March 17, 2009 City Council Agenda

[\(09-0083\)](#)

S-4-30      Subject:     Cash Management Report  
From:        Finance And Management Agency  
Recommendation: Receive The Cash Management Report For The Quarter Ended December 31, 2008; On The February 24, 2009 Finance And Management Committee Agenda

[\(09-0084\)](#)

S-4-31      Subject:     Spousal Retirement Benefits - Ballot Measure  
From:        Police and Fire Retirement Board  
Recommendation: Adopt A Resolution Submitting, On The Oakland City Council's Own Motion, A Proposed Charter Amendment, Entitled, "Measure Allowing All Widows And Widowers Who Remarry To Receive Spousal Retirement Benefits" To Be Submitted To The Electors At The Election Of June 2, 2009; Directing The City Clerk To Fix The Date For Submission Of Arguments And To Provide For Notice And Publication In Accordance With The Law And Authorizing Certain Other Election Activities; On The March 3, 2009 City Council Agenda

[\(09-0089\)](#)

S-4-32            Subject:     Retirement Benefits Funding - Ballot Measure  
From:           Police and Fire Retirement Board  
Recommendation: Adopt A Resolution Submitting On The City Council's Own Motion, A Proposed Charter Amendment, Entitled, "Measure Extending The City Of Oakland's Deadline To Fund Retirement Benefits For All Members Of The Police And Fire Retirement System And Their Beneficiaries Beyond July 1, 2026 " To Be Submitted To The Electors At The Election Of June 2, 2009; Directing The City Clerk To Fix The Date For Submission Of Arguments And To Provide For Notice And Publication In Accordance With The Law And Authorizing Certain Other Election Activities; On The March 3, 2009 City Council Agenda  
[\(09-0090\)](#)

S-4-33            Subject:     Real Property Transfer Tax - Ballot Measure  
From:           Finance and Management Agency  
Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion, To The Electors At A June 2, 2009 Special Election, A Proposed Ordinance Amending The Real Property Transfer Tax, Chapter 4.20 Of The Oakland Municipal Code, In Order To Tax Transfers Of Real Estate Resulting From Corporate Mergers, Consolidations And Acquisitions Without Increasing The Tax Rate: And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With A June 2, 2009 Special Election; On The February 24, 2009 Finance And Management Committee Agenda  
[\(09-0093\)](#)

5                    A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of February 17, 2009 and the Rules and Legislation Committee for the meeting of February 19, 2009  
[\(02-05 Rules Item 5\)](#)

**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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(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.

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

ORA - Oakland Redevelopment Agency  
S - Supplemental Item