



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, February 26, 2009

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:

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 February 12, 2009

There are no minutes to approve

- 3 Determination of Schedule of Outstanding Committee Items
[\(02-26 Rules Pending\)](#)
- 4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of March 3, 2009 (SUPPLEMENTAL)
[\(06-26 Rules Item 4\)](#)

S-4-1 Subject: Education Partnership Meeting
From: City Council
Recommendation: Request To Cancel Life Enrichment Committee On
March 10, 2009 And Schedule A Special Education Partnership Committee
In Its Place With The Following Items On The Agenda:

- 1) An informational Report from the Alameda County Public Health Department on their recently released report: Life and Death from Unnatural Causes: Health and Social Inequity in Alameda County.

- 2) A Report From The Oakland Unified School District On The Student Drop Out Rate; Current Approaches To Address The Problem; And Recommended Strategies Going Forward.

- 3) A Report And Recommendations From Peralta Community College District On The District's Role In Partnership With The City And The Oakland Unified School District In Preparing Oakland Residents For Meaningful Engagement In The Workforce

REASON: Per The Chairperson's Request
[\(09-0113\)](#)

S-4-2 Subject: Civilianization Of Internal Affairs
From: Councilmember Larry Reid
Recommendation: Receive A Report From The Oakland Police Department Detailing The Civilianization Of Internal Affairs, Including The Fiscal Impact, Affect On The Negotiated Settlement Agreement, Timeline For Implementation, And Areas Of Consensus And Disagreement With The Mayor's Civilianization Task Force; On The April 28, 2009 Public Safety Committee Agenda
[\(09-0144\)](#)

S-4-3 Subject: Mayor's Civilianization Task Force Report
From: Councilmember Larry Reid
Recommendation: Receive A Report From The Mayor's Civilianization Task Force Detailing The Civilianization Of Internal Affairs, Including The Fiscal Impact, Affect On The Negotiated Settlement Agreement, Timeline For Implementation, And Areas Of Consensus And Disagreement With The Oakland Police Department; On The April 28, 2009 Public Safety Committee Agenda
[\(09-0145\)](#)

S-4-4 Subject: Project Teams Recognition
From: Council President Jane Brunner
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Recognizing Michael McDonald Of McDonald Construction And Development And The Entire Project Team Including Mike Dwyer, Fernando Sorto, Plumbob, LLC; Medium Plenty; Wonderland Gardens; Chris French Metal, Inc.; And Concreteworks For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Platinum Rating Through The Us Green Building Council's Leadership In Energy And Environmental Design For Homes Pilot Program And A Greenpoint Rating Through Build It Green For The Margarido House;

[\(09-0146\)](#)

2) A Resolution Recognizing Mills College And The Entire Project Team Including: Ehdd Architecture; Karen Fiene Architects; Peter H. Dodge, FAIA; James R. Griffin Construction, Inc; Rumsey Engineers, Silverman And Light; Archie Held Studio, And Dorothy Lenehan Architectural Glass For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Platinum Rating Through The Us Green Building Council's Leadership In Energy And Environmental Design New Construction Program For The Betty Irene Moore Sciences Building.

[\(09-0146-1\)](#)

3) A Resolution Recognizing Earthjustice And The Entire Project Team Including: Design Avenues; West & East Bay Construction; Metropolitan Architecture; Constructive Technologies Group, Inc; And C & B Consulting Engineers For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Silver Rating Through The Us Green Building Council's Leadership In Energy And Environmental Design Commercial Interiors Program For The Earthjustice National Headquarters And Oakland Regional Office;

[\(09-0146-2\)](#)

4) A Resolution Recognizing Steve Edrington, Of Go Green, LLC For His Commitment To Sustainability And Green Building And Congratulating Him On Attaining A Greenpoint Rating Through Build It Green For 3926 Kansas Street And 3701 38th Avenue;

[\(09-0146-3\)](#)

5) A Resolution Recognizing Oakland Housing Authority And The Entire Project Team Including: David Baker + Partners; Equity Community Builders; Cahill Contractors; Goldfarb And Lipman; CSG Advisors And Fugro West For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Gold Rating Through The Us Green Building Council's Leadership In Energy And Environmental Design For Neighborhood Development Pilot Program For The Tassafaronga Village.

[\(09-0146-4\)](#)

6) A Resolution Recognizing The University Of California Office Of The President For Their Commitment To Sustainability And Green Building And Congratulating Them On

Attaining A Silver Rating Through The Us Green Building Council's Leadership In Energy And Environmental Design Existing Building Program For 1111 Franklin Street.
[\(09-0146-5\)](#)

7) A Resolution Recognizing RPR Architects And The Entire Oakland Based Project Team Including Uptown Arts Building; Ingraham Dejesse Associates; W. E. Lyons Construction Co.; Sullivan Masonry And Restoration; Wooden Window; Paramount Aluminum And The Glass Man For The Restoration And Renovation Of The Uptown Arts Building At 1629 Telegraph Ave, Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The US Green Building, Council's Leadership In Energy And Environmental Design Commercial Interiors Program For The RPR Architects Office;
[\(09-0146-6\)](#)

8) A Resolution Recognizing Pulte Homes And The Entire Project Team Including Kava Massih Architects; Miller Company; And Civil Engineering Associates For Their Commitment To Sustainability And Green Building And Congratulating Them Attaining A Greenpoint Rating Through Build It Green For Zephyr Gate;
[\(09-0146-7\)](#)

9) A Resolution Recognizing Brandywine Realty Trust And The Entire Project Team Including;; Wright Heerema Architects; Charles Pankow Builders, LTD.; And Simon & Associates For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Gold Rating Through The Us Green Building Council's Leadership In Energy And Environmental Design Core And Shell Program For Center 21 At 2100 Franklin Street;
[\(09-0146-8\)](#)

10) A Resolution Recognizing Forest City Enterprises, MacFarlane Partners And The Entire Project Team Including: McLarand Vasquez Emsiek & Partners; James E. Roberts-Obayashi Corporation; LFR, Inc.; And CTG Energetics For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Silver Rating Through The U.S. Green Building Council's Leadership In Energy And Environmental Design New Construction For The Uptown; On The March 17, 2009 City Council Agenda As A Ceremonial Item
[\(09-0146-9\)](#)

11) A Resolution Recognizing StopWaste.Org And The Entire Project Team Including: Placeworks LLC; Komorous-Towey Architects; KEMA Green; BBI Construction; Four Dimensions; Rumsey Engineers, Inc.; OLMM Consulting Engineers; IDEAS; And Taylor Engineering For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Platinum Rating Through The Us Green Building Council's Leadership In Energy And Environmental Design New Construction Program For 1537 Webster Street;
[\(09-0146-10\)](#)

- S-4-5 Subject: Feather River Camp Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Celebrating The 85th Anniversary Of Oakland's Feather River Camp; On The March 17, 2009 City Council Agenda As A Ceremonial Item
[\(09-0153\)](#)
- S-4-6 Subject: Infrastructure Projects Status Report
From: City Council
Recommendation: Receive A Status Report On The Capacity Of City Staff To Administer Infrastructure Projects Which May Be Funded Through The Federal Stimulus Plan; On The March 24, 2009 Public Works Committee Agenda
[\(09-0154\)](#)
- S-4-7 Subject: Public Works Agency Priorities
From: City Council
Recommendation: Action On A Report From The Public Works Agency Director To Support And Facilitate Public Works Committee Discussion On Priorities For The 2009-2011 Budget Cycle; On The March 24, 2009 Public Works Committee Agenda
[\(09-0155\)](#)
- S-4-8 Subject: Oakland Retail Enhancement Strategy - Implementation Activities
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The March 24, 2009 Community And Economic Development Committee Agenda A Progress Report And Possible Action On Implementation Activities To Date Associated With The Oakland Retail Enhancement Strategy; And Reschedule To The April 28, 2009 Community And Economic Development Committee Agenda

Reason: Given the scope and number of new activities directed by City Council, staff needs more time to achieve solid progress.
[\(09-0054\)](#)

S-4-9 Subject: T.Y. Lin International - Contract Amendment No. 3
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Waiving The Request For
Proposal/Request For Qualification Competitive Selections Process
Requirements And 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
March 10, 2009 Public Works Committee Agenda
[\(09-0088\)](#)

S-4-10 Subject: Revocable And Conditional Permit - 1700 50th Avenue
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A Revocable And
Conditional Permit To Allow A Replacement Building For Fire Station No.
18 At 1700 50th Avenue To Encroach Into The Public Right-Of-Way; On
The March 24, 2009 Public Works Committee Agenda
[\(09-0147\)](#)

S-4-11 Subject: 2009 American Recovery And Reinvestment Act Grant
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Local Support To Apply For American Recovery And
Reinvestment Act Of 2009 (ARRA) Funding In The Amount Of Five
Million Seven Hundred And Seventy-Two Thousand Dollars
(\$5,772,000.00) For The Purpose Of Street Rehabilitation, Curb Ramp
Installation, And Sidewalk Repair; And
[\(09-0148\)](#)

2) A Resolution Authorizing The Administrator Or Designee To Accept And Appropriate
Five Million Seven Hundred And Seventy-Two Thousand Dollars (\$5,772,000.00)
American Recovery And Reinvestment Act Of 2009 (ARRA) Grant Funds To Resurface
Roadways, Install Curb Ramps, And Repair Sidewalk Damage City-Wide; On The March
24, 2009 Public Works Committee Agenda
[\(09-0148-1\)](#)

S-4-12 Subject: West Oakland Transit Village Project Funding
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Submittal Of Applications To The California Department Of Housing And Community Development For Funding Under The Transit Oriented Development (TOD) Program For The West Oakland Transit Village Project And Authorizing Acceptance And Appropriation Of Grant Funds From This Program And The Execution Of Standard Agreements And Any Related Documents Necessary, If Selected For Such Funding; And

[\(09-0149\)](#)

2) An Agency Resolution Authorizing The Submittal Of Applications To The California Department Of Housing And Community Development For Funding Under The Infill Housing Program For The West Oakland Transit Village Project And Authorizing Acceptance And Appropriation Of Grant Funds From This Program And The Execution Of Standard Agreements And Any Related Documents Necessary, If Selected For Such Funding; On The March 24, 2009 Community And Economic Development Committee Agenda

[\(09-0149-1\)](#)

S-4-13 Subject: Consolidated Annual Performance And Evaluation Report
From: Community and Economic Development Agency
Recommendation: 1) Receive A Report Regarding (1) Review Of Oakland's Consolidated Annual Performance And Evaluation Report (CAPER) For Community Development Block Grant, Home, Housing Opportunities For People With Aids And Emergency Shelter Grant Programs Performance For The Year 2007-2008; And

[\(09-0150\)](#)

(2) Adopt A Resolution Allocating An Estimated Award Of \$8,326,488 Of Community Development Block Grant Funds For Fiscal Year 2009-2010 Between The Categories Of Housing, Homeless Services, Economic Development, Neighborhood Programs And Administration And Allocating An Estimated \$670,480 In Program Income To The Rehabilitation Revolving Loan Program; On The March 24, 2009 Community And Economic Development Committee Agenda; And As A Public Hearing On The April 7, 2009 City Council Agenda

[\(09-0150-1\)](#)

S-4-14 Subject: Ice Resurfacing Machine Purchase
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Agency Administrator To Purchase An Ice Resurfacing Machine For The Oakland Ice Center In An Amount Not To Exceed \$90,000; On The March 24, 2009 Community And Economic Development Committee Agenda

[\(09-0151\)](#)

S-4-15 Subject: Franklin 88 Garage Management Agreement
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A Two-Year Agreement With Pacific Park Management, Inc. Or Douglas Parking LLC For Management Of The Franklin 88 Garage At 9th And Franklin Streets In Downtown Oakland; On The March 24, 2009 Community And Economic Development Committee Agenda
[\(09-0152\)](#)

S-4-16 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-4-17 Subject: Outside Service Contracts
From: Finance and Management Agency
Recommendation: Receive A Follow-Up Informational Report On Outside Services Contracts Including Discussion Of Combining Various Types Of Contracts And As-Needed Contracts; And Responses To Questions Submitted By International Federation Of Professional & Technical Engineers, Local 21 At The February 10, 2009 Finance & Management Committee Meeting; On The April 28, 2009 Finance And Management Committee Agenda
[\(09-0130\)](#)

5 A review of the Council Committees' actions from February 24, 2009 and determination of scheduling to the ORA/City Council meeting of March 3, 2009 or future dates
(MATRIX)
[\(02-06 Rules Item 5\)](#)

6 A review of the Agendas for the Council Committees for the meeting(s) of March 10, 2009 and the Rules and Legislation Committee for the meeting of March 12, 2009
[\(02-06 Rules Item 6\)](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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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