

Meeting Minutes City of Oakland

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, April 05, 2007

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Present: Vice Mayor Chang, Member Reid, Member Brunner and Chair De La

Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:50

a.m., with Councilmember President De La Fuente presiding as Chairperson

1
Closed Session

A motion was made by Vice Mayor Chang, seconded by Member Brunner,

to *Approve as Submitted. The motion carried by the following vote:

Votes:

Aye; 4 - Vice Mayor Chang, Member Reid, Member Brunner and Chair De La

Fuente

The Office of the City Attorney scheduled a Close Session for Tuesday, April

17, 2007 to begin at 3:30 p.m.

Approval of the Draft Minutes from the Committee meeting of March 22, 2007

A motion was made by Member Reid, seconded by Member Brunner, to

***Approve the Minutes. The motion carried by the following vote:**

Votes:

Aye; 4 - Vice Mayor Chang, Member Reid, Member Brunner and Chair De La

Fuente

3

Determination of Schedule of Outstanding Committee Items

A motion was made by Member Brunner, seconded by Vice Mayor Chang,

to *Approve with the following amendments. The motion carried by the

following vote:

Votes:

Aye; 4 - Vice Mayor Chang, Member Reid, Member Brunner and Chair De La

Fuente

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

- Sanjiv Handa

[Rules PL 4-5-07](#)

[View Item.pdf](#)

FROM THE APRIL 19, 2007 RULES AND LEGISLATION COMMITTEE AGENDA

#1

Subject: Boards And Commission Directory Compliance

From: Councilmember Jean Quan

Recommendation: Receive An Informational Report From The Office Of The City Attorney

Addressing The Boards And Commissions Directory Listings And Their Compliance With

Sunshine And Brown And Maddy Acts

06-1116

Scheduled to *Rules & Legislation Committee on 4/26/2007

[View Item.pdf](#)

#2

Subject: Assembly Bills 29 And 1231 Analysis

From: Council President Ignacio De La Fuente

Recommendation: Request For A Bill Analysis And Resolution From CEDA Regarding

Assembly Bill 29 (Hancock), Assembly Bill 1231(Garcia) Proposing Criteria For Prop 1C

\$850,000,000 Regional Planning, Housing And Infill Incentive Grants

07-0077

Scheduled to *Rules & Legislation Committee on 5/10/2007

#3

Subject: Assembly Bill 792

From: Council President Ignacio De La Fuente

Recommendation: Adopt A Resolution From CEDA Regarding Assembly Bill 792 (Garcia)

Proposing Criteria For The Prop 1C \$100,000,000 Affordable Housing Innovation Fund

[07-0081](#)

Scheduled to *Rules & Legislation Committee on 5/10/2007

#4

Subject: Senate Bill 167

From: Council President Ignacio De La Fuente

Recommendation: Adopt A Resolution From CEDA Regarding Senate Bill 167 (Negrete

McLeod) Proposing Criteria For The Prop 84 \$90 Million Set Aside From The Communities And

Climate Change Reduction Program For Planning Grants And Incentives

[07-0082](#)

Scheduled to *Rules & Legislation Committee on 5/10/2007

4

Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee

meetings of April 10, 2007 (SUPPLEMENTAL)

4-1

Subject: Paul Coverdell National Forensic Sciences Program

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, On

Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An

Amount Not To Exceed Twenty-One Thousand And Seventy-Three Dollars

(\$21,073) From The State Of California, Governor's Office Of Emergency Services,

For Implementation Of The 2007 Paul Coverdell National Forensic Sciences

Improvement Act Program, And Appropriate Said Funds To The Police Department;

On The May 8, 2007 Public Safety Committee Agenda

[07-0133](#)

Scheduled to *Public Safety Committee on 5/8/2007

4-2

Subject: 2007 California Seat Belt Compliance Campaign

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, On

Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An

Amount Not To Exceed Eighty-Two Thousand Seven Hundred And Forty-One

Dollars (\$82,741) From The State Of California, Office Of Traffic Safety, For The

Police Department's Participation In The 2007 Twenty-One Day California Seat Belt

Compliance Campaign; On The May 8, 2007 Public Safety Committee Agenda

07-0134

Scheduled to *Public Safety Committee on 5/8/2007

4-3

Subject: 2007-2008 Selective Traffic Enforcement Program

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, On

Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An

Amount Not To Exceed Seven Hundred Four Thousand Six Hundred And Eighty

Dollars (\$704,680) From The State Of California, Office Of Traffic Safety, For

Implementation Of The 2007/2008 Selective Traffic Enforcement Program In The

Police Department; On The May 8, 2007 Public Safety Committee Agenda

[07-0135](#)

Scheduled to *Public Safety Committee on 5/8/2007

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

- *Sanjiv Handa*

4-4

Subject: Councilmember Larry Reid - Travel Authorization

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Authorizing Councilmember Larry E. Reid

To Attend The National Forum For Black Public Administrators From April 20-26,

2007

07-0126

Scheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/City Council on 4/17/2007

[View Report.pdf](#)

4-5

Subject: Project Priority Funds - District Seven

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Authorizing An Immediate Grant of \$15,000

From Councilmember Larry E. Reid's Priority Project Funds For Operating

Expenses To A Safe Place, A Non-Profit Agency That Provides Shelter for Battered

Women and Their Children

07-0138

Scheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/City Council on 4/17/2007

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[View Report.pdf](#)
4-6

Subject: Project Priority Funds - District Seven

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Authorizing An Immediate Grant of \$15,000

From Councilmember Larry E. Reid's Priority Project Funds For Operating

Expenses To Ariel Outreach Mission, A Non-Profit Agency That Operates An

Emergency Shelter For Women

07-0139

Scheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/City Council on 4/17/2007

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4-7

Subject: Community Action Partnership Funding

From: Department of Human Services

Recommendation: A Request To Withdraw From The April 24, 2007 Life

Enrichment Committee Agenda An Informational Report On The Potential Impact

To Oakland's Community Action Partnership If The Federal Community Services

Block Grant (CSBG) Funding Is Eliminated And A Resolution Opposing The

President's 2008 Federal Budget Proposal To Eliminate CSBG Funding

REASON: Withdraw due to recent developments in Congress

07-0051

***Withdrawn with No New Date**

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

- *Sanjiv Handa*

4-8

Subject: Child Development Services Grants

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator, On

Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Head Start

And Early Head Start Basic And Training And Technical Assistance Grants For

Program Year 2007-2008 From The U.S. Department Of Health And Human

Services, Administration For Children And Families (DHHS/ACF) In The Estimated

Amount Of \$14,513,944, And Authorizing A Grant Agreement With The Unity

Council For The Estimated Amount Of \$4,613,555 To Fund Child Development

Services In Accord With Said Grants; On The May 8, 2007 Life Enrichment

Committee Agenda

07-0116

Scheduled to *Life Enrichment Committee on 5/8/2007
4-9

Subject: Homeless Plan

From: Department of Human Services

Recommendation: Receive An Informational Report on the Oakland Permanent

Access To Housing (PATH) Homeless Plan; On The May 8, 2007 Community And

Economic Development Committee Agenda

This item is currently scheduled on the May 8, 2007 Life Enrichment Committee

Agenda and staff is requesting it to be scheduled the same day for CEDA

[07-0117](#)

Scheduled to *Life Enrichment Committee on 5/8/2007
4-10

Subject: Operation Dignity, Inc. - Agreement

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing An Agreement With Operation

Dignity, Inc. For The Homeless Mobile Outreach Program (HMOP) In An Amount

Not To Exceed \$358,620 For The Period Of July 1, 2007 Through June 30, 2009;

On The June 12, 2007 Life Enrichment Committee Agenda

[07-0118](#)

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

4-11

Subject: Homeless Encampments Initiative

From: Department of Human Services

Recommendation: Receive An Informational Report On the Proposed Homeless

Encampments Initiative of Oakland's Permanent Access To Housing (PATH) Plan

[07-0119](#)

Scheduled to *Life Enrichment Committee on 5/8/2007

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

- *Sanjiv Handa*

4-12

Subject: Volunteers Of America - Contract

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Execute An Agreement Between The City Of Oakland And Volunteers Of America,

Bay Area, Inc. For An Amount Not To Exceed \$78,000 To Provide Project Choice

Reentry Housing Assistance For The Period Of May 1, 2007 To December 31,

2007; On The May 8, 2007 Public Safety Committee Agenda

[07-0132](#)

Scheduled to *Public Safety Committee on 5/8/2007

4-13

Subject: Measure Y Programs

From: Department of Human Services

Recommendation: Receive An Informational Report On Progress Of Fiscal Year

2006-2007 Measure Y (Violence Prevention And Public Safety Act Of 2004)

Violence Prevention Grantees And Programs, And A Recommendation To Exercise

The City's Option To Renew For One Year Grant Agreements Between The City Of

Oakland And Various Agencies; On The May 22, 2007 Public Safety Committee

Agenda

07-0136

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

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

- *Sanjiv Handa*

4-14

Subject: Attitudinal Healing Connection, Inc. - Agreement

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Execute An Agreement Between The City Of Oakland And Attitudinal Healing

Connection, Inc. For An Amount Not To Exceed \$25,000 To Provide Restorative

Justice Training For The Period Of July 1, 2007 To June 30, 2008 A One-Year

Option To Renew; On The May 22, 2007 Public Safety Committee Agenda

[07-0141](#)

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

4-15

Subject: Purchase Of Various Properties From Alameda County

From: Community and Economic Development Agency

Recommendation: A Request To Withdraw From The May 8, 2007 Community And

Economic Development Committee Agenda An Agency Resolution Authorizing The

Purchase Of The Following Tax-Defaulted Properties In The Coliseum And Central

City East Redevelopment Project Areas From The County Of Alameda: (1) 7951

MacArthur Boulevard (APN# 40-3407-1), Purchase Price \$165,261 Plus Interest;

(2) 7963 MacArthur Boulevard (APN# 40-3407-2), Purchase Price \$188,270 Plus

Interest; (3) 812 Fruitvale Avenue (APN# 33-2198-8), Purchase Price \$48,509 Plus

Interest; (4) 917 73rd Avenue (APN# 41-4153-35), Purchase Price \$7,860 Plus

Interest; And (5) 606 Clara Street (APN# 44-5014-6-3), Purchase Price \$256,029

Plus Interest

Reason: Item being replace with a new request, which contains a couple of property

locations different from those listed herein

07-0097

***Withdrawn with No New Date**

4-16

Subject: Final Map For Tract 7627

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Approving A Final Map For Tract 7627 To

Convert Twenty-Six Rental Housing Units To Condominium Ownership At 1800

57th Avenue

07-0130

Scheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/City Council on 5/1/2007

[View Report.pdf](#)

4-17

Subject: Coliseum Commercial Tenant Improvement Program

From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Adopting The Coliseum

Commercial Tenant Improvement Program, Allocating \$225,000 For The Program

From Coliseum Redevelopment Project Funds And Authorizing The Agency

Administrator To Enter Into Grant Contracts And Third-Party Design Contracts

Necessary To Administer The Program Without Returning To The Agency; On The

May 22, 2007 Community And Economic Development Committee Agenda

Scheduled to *Community & Economic Development Committee on

5/22/2007

4-18

Subject: Purchase Of Various Properties From Alameda County

From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of The

Following Tax-Defaulted Properties In The Coliseum And Central City East

Redevelopment Project Areas From The County Of Alameda: (1) 7951 MacArthur

Boulevard (APN# 40-3407-1), Purchase Price \$165,261 Plus Interest; (2) 7963

MacArthur Boulevard (APN# 40-3407-2), Purchase Price \$188,270 Plus Interest;

(3) Sunshine Court (APN# 40-3319-47-3), Purchase Price \$6,375 Plus Interest; (4)

Sunshine Court (APN# 40-3319-47-2), Purchase Price \$8,145 Plus Interest; And (5)

606 Clara Street (APN# 44-5014-6-3), Purchase Price \$256,029 Plus Interest; On

The May 22, 2007 Community And Economic Development Committee Agenda

07-0140

Scheduled to *Community & Economic Development Committee on

5/22/2007

4-19

Subject: Williams Energy Settlement

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1)

Appropriate \$95,020 Solar Project-Related Interest And Refund Revenue; 2)

Allocate \$1,500,000 Of Williams Energy Settlement Funds; And 3) Accept And

Appropriate \$666,666.67 Of Reliant Energy Settlement Funds For Alternative

Energy Or Energy Efficiency Activities; On The May 22, 2007 Public Works

Committee Agenda

07-0127

Scheduled to *Public Works Committee on 5/22/2007
4-20

Subject: Slope Stabilization And Drain Improvements

From: Public Works Agency

Recommendation: Adopt A Resolution Rejecting The Single Bid and Authorizing

The City Administrator To Award A Negotiated Construction Contract To Beliveau

Engineering Contractors, Inc. For The Construction Of Slope Stabilization Piers And

Drainage Improvements In Joaquin Miller Park (Project Nos. C282850, C244870

And C195610) For An Amount Not To Exceed Four Hundred Thirty-Eight

Thousand Three Hundred Eighty-Two Dollars (\$438,382.00)

Scheduled to *Public Works Committee on 4/24/2007

[View Report.pdf](#)

4-21

Subject: Performance Measure Reports

From: Office of the City Administrator

Recommendation: Receive Follow-Up Informational Reports From The Department

Of Human Services, Library Department, Museum Department And Office Of Parks

And Recreation On Performance Results Of Fiscal Year 2005-2006 And

Suggestions For Performance Measures; On The Life Enrichment Committee

Agenda

To Be Scheduled As Follows:

April 24 - Museum

May 8 - Office of Parks and Recreation

May 22 - Department of Human Services

June 12 - Library

07-0128

Accepted

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

- *Sanjiv Handa*

4-22

Subject: Measure Z Oversight Committee Report

From: Office Of The City Administrator

Recommendation: Receive An Annual Report Of The Measure Z Community

Oversight Committee For 2006

07-0137

Scheduled to *Public Safety Committee on 4/24/2007

[View Report.pdf](#)

ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: 7th Street Streetscape Improvement Project

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Apply For, Accept,

And Appropriate Up To Five Hundred Thousand Dollars (\$500,000.00) In Fiscal Year 2007 Safe

Routes To Transit Grants Funds For The 7th Street Streetscape Improvement Project

07-0103

***Withdrawn with No New Date**

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

Scheduled to *Rules & Legislation Committee on 5/3/2007

[View Item.pdf](#)

Subject: Municipal Code Chapter 4.28 - Amendment

From: Finance and Management Agency

Recommendation: Adopt An Ordinance Amending Chapter 4.28 Of The Oakland Municipal

Code To Establish And Codify The Claim Requirements And Procedures For Utility Users Tax

Refunds Of Tax, Penalties Or Interest, Overpaid, Erroneously Or Illegally Collected, And Amend

Section 4.28.120 To Grant Authority To The Utility Users Tax Administrator To Examine Books,

Records And Witnesses, And To Issue Administrative Subpoenas To Persons In Violation Of

Chapter 4.28.

Scheduled to *Finance & Management Committee on 4/24/2007
[View Report.pdf](#)

Subject: Municipal Code Chapter 8.02 - Amendment

From: Finance and Management Agency

Recommendation: Adopt 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 Approval Of 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

Scheduled to *Finance & Management Committee on 4/24/2007

[View Report.pdf](#)

5

A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of April 17, 2007 and the Rules and Legislation Committee meeting of April 19, 2007

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:

Aye; 4 - Vice Mayor Chang, Member Reid, Member Brunner and Chair De La

Fuente

Refer to the notation under item 3

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

- Sanjiv Handa

[04-05 Rules Item 5](#)

[View Item.pdf](#)

6

Subject: Federal Legislative Agenda

From: Office of the City Council

Recommendation: Receive An Informational Report On The Federal Legislative Agenda For

2007

A motion was made by Vice Mayor Chang, seconded by Member Brunner,

that this matter be Scheduled to the Concurrent Meeting of the Oakland

Redevelopment Agency/City Council, to be heard at the April 17, 2007

meeting as a Non-Consent item. The motion carried by the following vote:

Votes:

Aye; 4 - Vice Mayor Chang, Member Reid, Member Brunner and Chair De La

Fuente

This item was forwarded to this agenda by the April 5, 2007 Rules and

Legislation Committee. The Committee also directed staff to return with a

supplemental report addressing the following: 1) How much money did

Oakland get from the Federal government and what did Platinum do to help

secure the funding in each case? 2) What are the top priorities that Platinum is

working on for Oakland? 3) Regarding the Waterfront and Estuary, what has

been done to secure assistance from the Army Corps of Engineers and the

Coastal Commission? 4) What is the list of programs referred to under

National Programs and Federal Grants? 5) In regards to the Radical Roving

Recreation Program, the Oakland Youth Center and the Lake Merritt

Improvement Project, when was the funding requested, who approved it and

what department is working on the programs? 6) In regards to the Transit

Village Developments, it was our understanding that no funds were available

for these programs, is that correct or incorrect, and if incorrect, what are the

funding possibilities? 7) What does the Water Resources Development Act

mean? 8) Is the funding listed the only amount the City has received from the

Federal government for the Port?

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

- *Sanjiv Handa*

[View Item.pdf,](#)

[View Supplemental Report.pdf,](#)

[View Supplemental Report.pdf](#)

Subject: Analysis Of Senate Bill 2

From: Councilmember Desley Brooks

Recommendation: Action On A Bill Analysis And Recommendation On Senate Bill 2 Local

Planning (Senator Cedillo) Related To Emergency Shelters And Transitional Residential

Facilities

06-1129

**A motion was made by Member Brunner, seconded by Vice Mayor Chang,
that this matter be Accepted. The motion carried by the following vote:**

Votes:

Aye; 4 - Vice Mayor Chang, Member Reid, Member Brunner and Chair De La

Fuente

The Committee accepted the report, but decided to oppose the Senate Bill and

oppose and watch as recommended by staff

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

- *Sanjiv Handa*

[View Item.pdf](#)

04-05 Rules item 4

[View Item.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual(s) spoke under Open Forum:

- *Sanjiv Handa*

- *Donald A. Gilmore*

Adjournment

There being no further business, and upon the motion duly made, the Oakland

City Council Rules and Legislation Committee adjourned the meeting at 11:47

a.m.

NOTE:

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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.

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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