

# 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, October 13, 2005**

**10:30 AM**

**City Council Chambers - 3rd Floor**

*The Oakland City Council Rules and Legislation Committee convened at 10:43*

*A.M., with Council President De La Fuente presiding as Chairperson.*

### **Roll Call / Call to Order**

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

Fuente

### **COMMITTEE MEMBERSHIP:**

1

Closed Session

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

**\*Received and Filed. The motion carried by the following vote:**

#### **Votes:**

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

Fuente

2

Approval of the Draft Minutes from the Committee meeting of September 29, 2005

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

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

**Votes:**

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

Fuente

3

Determination of Schedule of Outstanding Committee Items

**A motion was made by Member Chang, seconded by Member Brunner, to**

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

**Votes:**

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

Fuente

(R&L Item 3 10-13-05)

[View Item 3.pdf](#)

4

Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council

meeting of October 18, 2005 (SUPPLEMENTAL)

**A motion was made by Member Brunner, seconded by Member Chang, to**

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

**following vote:**

**Votes:**

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

Fuente

S-4-01

Subject: Electronic Crime Task Force

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Accept And Appropriate A Maximum Of Eighteen Thousand Dollars (\$18,000) In

Federal Funds From The Department Of Homeland Security, United States Secret

Service (USSS) To The Oakland Police Department For The Overtime Costs Of

One (1) Police Officer Assigned To The Electronic Crime Task Force (ECTF) For

The Period Of October 1, 2005 To September 30, 2006 And An Additional Fifteen

Thousand Dollars (\$15,000) In Federal Funds From The Department Of Homeland

Security, United States Secret Service (USSS), To The Oakland Police Department

For The Overtime Cost Of One (1) Police Officer Assigned To The Electronic

Crime Task Force (ECTF) From October 1, 2004 To September 30, 2005

(05-0847)

**Scheduled to \*Public Safety Committee on 11/8/2005**

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S-4-02

Subject: City-Guaranteed Credit Card Usage - Report

From: Office Of The City Auditor

Recommendation: Receive An Interim Report On Performance Audit Of

City-Guaranteed Credit Cards Used By City Of Oakland Employees And Council

Members For The Period March 30, 2004 Through June 28, 2004 (05-0863)

**Scheduled to \*Finance & Management Committee on 11/8/2005**

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S-4-03

Subject: Hurricane Katrina Response

From: Office Of The City Clerk

Recommendation: Discussions And Action On A Report Regarding The City Of

Oakland's Response To Hurricane Katrina; On The City Council Agenda As Soon

As Possible (05-0862)

**No Action Taken**

S-4-04

Subject: Animal Shelter Operations And Animal Shelter Director Hiring Update

From: Councilmember Reid

Recommendation: Action On A Report And Recommendation On The Operations

Of The Animal Shelter And Receive A Status Report On The Hiring Of The

Animal Shelter Director (05-0843)

**Scheduled to \*Public Safety Committee on 11/8/2005**  
S-4-05

Subject: Adopt An Oakland Public School

From: Councilmember Kernighan

Recommendation: Adopt A Resolution To Encourage All Businesses And

Organizations In The City Of Oakland To Adopt An Oakland Public School

(05-0844)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /**  
**City Council on 11/1/2005**

[View Item.pdf](#)  
S-4-06

Subject: Development Projects Conditions Of Approval

From: Councilmember Nadel

Recommendation: Action On A Report And Recommendations On The

Enforcement Of Conditions Of Approval For Development Projects, Including

How This Enforcement Takes Place, Whether Fines Are Levied And What Actions

Can Be Taken To Improve This Process; On The Community And Economic

Development Committee Agenda For Scheduling (05-0849)

**Not Accepted**  
S-4-07

Subject: Public Works Employees Time Clocks



From: Councilmember Nadel

Recommendation: Receive A Status Report On The Implementation Of Time

Clocks For Certain Public Works Employees Including An Analysis Of The Costs

Of Implementation, The Rationale For The Program, And Other Alternatives For

Achieving The Intended Goals; On The Public Works Committee Agenda For

Scheduling (05-0859)

**Not Accepted**  
S-4-08

Subject: Urban Arts Academy After School Program

From: Department Of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Negotiate And Execute A Grant Agreement Between The City Of Oakland And

The Oakland Leaf Foundation For The 2005-2006 Urban Arts Academy After

School Program In An Amount Not To Exceed \$72,500 To Provide Direct Services

For The Oakland Fund For Children And Youth For Fiscal Year 2005-2006

(05-0850)

**Scheduled to \*Finance & Management Committee on 11/8/2005**  
S-4-09

Subject: Oakland Fund For Children And Youth 2006-2008 Request For

Proposals

From: Department Of Human Services

Recommendation: Action On A Report And Request For Approval Of The Fiscal

Year 2006-2008 Requests For Proposals For The Oakland Fund For Children And

Youth (05-0851)

**Scheduled to \*Life Enrichment Committee on 11/8/2005**

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S-4-10

Subject: Nonexclusive Storm Drain Easement

From: Community And Economic Development Agency

Recommendation: Adopt An Ordinance Authorizing The Granting Of A

Nonexclusive Permanent Storm Drain Easement Of 479 Square Feet On City

Owned Property Located At 105th Avenue, Oakland (APN # 045-5370-020-01) To

Marinwoods Enterprises, Inc. For The Appraised Market Value Of \$2,500; On The

November 8, 2005 Finance And Management Committee Agenda (05-0853)

**Scheduled to \*Finance & Management Committee on 12/13/2005**  
S-4-11

Subject: Rent Adjustment And Enterprise Zone Hiring Credit Voucher

From: Community And Economic Development Agency

Recommendation: Adopt An Ordinance Amending Ordinance Number 12676

C.M.S. (Master Fee Schedule), As Amended To Modify Rent Adjustment And

Enterprise Zone Hiring Credit Voucher Fees Assessed By The Community And

Economic Development Agency (05-0855)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /**

**City Council on 11/15/2005**

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S-4-12

Subject: Alternative Transportation Fuels Program - Status Report

From: Public Works Agency

Recommendation: Receive A Status Report On The City's Alternative

Transportation Fuels Program For Fleet Vehicles And Equipment (05-0848)

**Scheduled to \*Public Works Committee on 11/8/2005**

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S-4-13

Subject: FDC Construction - Contract

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or

Her Designee, To Award A Construction Contract To FDC Construction, Inc. For

The Montclair Recreation Center Renovation Project (G230130) In The Amount

Of Four Hundred Thirty Three Thousand Dollars (\$433,000.00) (05-0852)

**Scheduled to \*Public Works Committee on 11/8/2005**

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S-4-14

Subject: Phase II Implementation Plans For Various Water Quality Programs

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Phase II Implementation Plans

For The Oakland Trust For Clean Water And Safe Parks, Measure DD, Creek

Restoration, Watershed Acquisition And Lake Merritt Water Quality Programs; On

The December 13, 2005 Public Works Committee Agenda (05-0854)

**Scheduled to \*Public Safety Committee on 12/13/2005**  
S-4-15

Subject: Tire-Derived Product Grant Program

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Apply For, Accept And Appropriate Grant Funds Up To The Amount Of

\$100,000.00 From The Tire-Derived Product (TDP) Grant Program Of The

California Environmental Protection Agency Integrated Waste Management Board

(CIWMB) For Recycled Rubber Surfacing At Selected Park Playgrounds And Tots

Lots (05-0857)

**Scheduled to \*Life Enrichment Committee on 11/8/2005**

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(R&L Item 4 10-13-05)

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5

A review of the Council Committees' actions from October 11, 2005 and determination of

scheduling to the ORA/City Council meeting of October 18, 2005 or future dates

(MATRIX)

**A motion was made by Member Reid, seconded by Member Chang, to**

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

**Votes:**

Aye; 4 - Member 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

(R&L Item 5 10-13-05)

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6

A review of the Agendas for the Council Committees for the meetings of October 25, 2005

and the Rules and Legislation Committee of October 27, 2005

**A motion was made by Member Reid, seconded by Member Chang, to**

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



**following vote:**

**Votes:**

Aye; 4 - Member 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*

**FROM THE OCTOBER 25, 2005 COMMUNITY AND ECONOMIC DEVELOPMENT**

**COMMITTEE AGENDA**

Subject: Border Town Skate Park - Agreement

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Adding The Chapter 5 Of The Oakland Municipal Code, Entitled Business

Licenses And Regulations, New Section 5.90.010 Through 5.90.040 (Or Other Appropriate

Section Numbering) Relating To Regulation Of Skate Park Facilities (05-0842)

**Scheduled to \*Community & Economic Development Committee on**

**11/8/2005**

[View Report.pdf](#)

(R&L Item 6 10-13-05)

[View Report.pdf](#)

7

A Review Of The Boards And Commissions Vacancy Report

**No Action Taken**

8

Subject: Opposition To State Proposition 75

From: Council President De La Fuente

Recommendation: Adopt A Resolution Declaring Opposition To State Proposition 75 Titled

"Public Employee Union Dues. Restrictions On Political Contributions. Employee Consent

Requirement. Initiative Statute." (05-0798)

**A motion was made by Member Brunner, seconded by Member Chang,**

**that this matter be \*Approve the Recommendation of Staff, and Forward**

**to the Concurrent Meeting of the Oakland Redevelopment Agency / City**

**Council, due back on October 18, 2005 as a Consent Calendar item. The**

**motion carried by the following vote:**

**Votes:**

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

Fuente

[View Report.pdf,](#)

[79538 CMS.pdf](#)

9

Subject: Opposition To State Proposition 76

From: Council President De La Fuente

Recommendation: Adopt A Resolution Declaring Opposition To State Proposition 76 Titled

"State Spending And School Funding Limits. Initiative Constitutional Amendment." (05-0802)

**A motion was made by Member Brunner, seconded by Member Chang,**

**that this matter be \*Approve the Recommendation of Staff, and Forward**

to the Concurrent Meeting of the Oakland Redevelopment Agency / City

Council, due back on October 18, 2005. The motion carried by the

following vote:

**Votes:**

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

Fuente

[View Report.pdf,](#)

[79539 CMS.pdf](#)

**OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)**

*The following individual(s) spoke under Open Forum:*

- *Sanjiv Handa*

- *Hari Titan*

**Adjournment**

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

*City Council Rules and Legislation Committee adjourned at 11:2 A.M.*

\*

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.

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

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*City Clerk and Clerk of the Council*