

Meeting Minutes City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California 94612

Ceda Floyd, 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, June 24, 2004

10:30 AM

City Council Chambers - 3rd Floor

The Oakland City Council Rules and Legislation Committee convened at 10:47

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

Roll Call / Call to Order

Present: Member Chang, Member Reid, Member Wan and Chair De La Fuente
The Roll Call was revised to reflect Councilmember Reid present at 11:54 a.m.

1

Closed Session

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

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

Votes:

Absent; 1 - Member Reid

Aye; 3 - Member Chang, Member Wan and Chair De La Fuente

2

Approval of the Draft Minutes from the Committee meeting of June 10, 2004

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

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

Votes:

Absent; 1 - Member Reid

Aye; 3 - Member Chang, Member Wan and Chair De La Fuente

3

Determination of Schedule of Outstanding Committee Items

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

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

Votes:

Absent; 1 - Member Reid

Aye; 3 - Member Chang, Member Wan and Chair De La Fuente

4

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

meeting of June 29, 2004 (SUPPLEMENTAL)

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 Wan and Chair De La Fuente

The following individual spoke on Item 4:

- Sanjiv Handa

4-1

A request from the June 22, 2004 Public Works Committee to schedule the July 13,

2004 Public Works Committee meeting as a Special meeting beginning at 12:00 p.

m. (04-0577)

Approved

4-2

Subject: Domestic Violence Abatement Activities

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator, on

behalf of the City of Oakland, to accept and appropriate funds in the amount of

seventeen thousand three hundred forty-three dollars and forty-five cents (\$17,343.

45) from the State of California, Domestic Violence Restraining Order System

Fund, for use by the Oakland Police Department for Domestic Violence Abatement

Activities (04-0585)

Scheduled to *Public Safety Committee on 7/13/2004

[Scheduling Request.pdf,](#)

[Item 4 7-13-04.pdf](#)

4-3

Subject: Oakland Youth Court Project

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator on

behalf of the City of Oakland to accept and appropriate a grant in an amount not to

exceed one hundred fifty-three thousand two hundred and three dollars (\$153,203)

from the State of California, Board of Corrections (BOC), Juvenile Accountability

Block Grant (JABG) Program, and authorizing a funding agreement in an amount

not to exceed one hundred forty-two thousand dollars (\$142,000) with the Donald

P. McCullum Youth Court for implementation of the Oakland Youth Court Project

(04-0586)

Scheduled to *Public Safety Committee on 7/13/2004

[Scheduling Request.pdf](#),

[Item 5 7-13-04.pdf](#)

Subject: Police Patrol Vehicle Mobile Data Computers

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator, or her

designee, to execute a purchase order with Oakland Computer Company for two

hundred fifty (250) hardware upgrade kits for Police Patrol Vehicle Mobile Data

Computers

(MDC), in an amount not to exceed one hundred seventy-five thousand dollars (\$

175,000) (04-0587)

Scheduled to *Public Safety Committee on 7/13/2004

[Scheduling Request.pdf](#),

[Item 6 7-13-04.pdf](#)

4-5

Subject: Update Report on Oakland's Liquor Stores

From: Office of the City Attorney

Recommendation: A Discussion and action on an updated report card with

recommendations on Oakland's Liquor Stores: The Good, the Bad, & the Ugly

according to the Community (04-0273-1)

Scheduled to *Public Safety Committee on 7/13/2004

[Scheduling Request.pdf](#)

4-6

Subject: Kid's First! Oakland Children's Fund

From: Office of the City Auditor

Recommendation: Discussion and action on a Report regarding Kid's First!

Oakland Children's Fund for the period July 1, 1997 through December 31, 2003,

matching mandated fiscal year revenues and calendar year expenditures; on the

July 6, 2004 City Council agenda (04-0580)

***Withdrawn with No New Date**

[Scheduling Request.pdf](#)

4-7

Subject: Sandra Marburg - Service Recognition

From: Councilmember Reid

Recommendation: A Proclamation to honor Sandra Marburg for her dedicated

participation in the Keep Oakland Beautiful Program (04-0589)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/20/2004

[Scheduling Request.pdf](#)

4-8

Subject: Cheryl D. Taylor - Service Recognition

From: Councilmember Reid

Recommendation: Adopt a Resolution commending Cheryl D. Taylor for 31 years

of devoted and dedicated service and congratulating her on her retirement (04-

0591)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/20/2004

[Scheduling Request.pdf](#),

[Item 10.8CC.pdf](#)

4-9

Subject: Edna Davis - Service Recognition

From: Councilmember Reid

Recommendation: Adopt a Resolution honoring Edna Davis upon her retirement

from the City of Oakland after 32 years of service (04-0592)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/20/2004

[Scheduling Request.pdf](#),

[Item 10.9CC.pdf](#)

4-10

Subject: Janie B. Young - Service Recognition

From: Councilmember Reid

Recommendation: Adopt a Resolution commending Janie B. Young for more than

31 years of devoted and dedicated service and congratulating her on her retirement

(04-0593)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/13/2004

[Scheduling Request.pdf](#),

[Item 10.10CC.pdf](#)

4-11

Subject: Design Review Ordinance for Designated Streets

From: Councilmember Wan

Recommendation: Adopt a Resolution pursuant to Section 17.144.030 of the

Planning Code directing the Planning Commission to initiate rezoning to add the S-

4 Design Review Combining Zone to properties located on Lakepark Avenue and

on Grand Avenue from Lakepark Avenue to Mandana Boulevard; on the

September 14, 2004 Community and Economic Development Committee agenda (

04-0594)

Scheduled to *Community & Economic Development Committee on 9/14/

2004

[Scheduling Request.pdf](#)

4-12

Subject: Child Care Food Program (CCFP) Grant

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 the Child Care

Food Program (CCFP) Grant from the California Department of Education in an

estimated amount of \$360,000 for program year 2004-2005 (04-0584)

Scheduled to *Life Enrichment Committee on 7/13/2004

[Scheduling Request.pdf](#),

[Item 14 7-13-04.pdf](#)

4-13

Subject: PSAI Old Oakland Associates

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution granting PSAI Old Oakland Associates,

LLC, a California Limited Liability Company, a conditional revocable permit for

the encroachment of existing building structural supports, sidewalk basement to be

converted into commercial space and sidewalk basement stairs into the public right

-of-way area of 9th Street and sidewalk basement into the public right-of-way area

of Broadway located at 901 Broadway (04-0576)

Scheduled to *Public Works Committee on 7/13/2004

[Scheduling Request.pdf](#),

[Item 15 7-13-04.pdf](#)

4-14

Subject: Rent Adjustment Program Income Report

From: Community and Economic Development Agency

Recommendation: Receive an Annual Report regarding Rent Adjustment Program

income, costs and operations for Fiscal Year 2003-2004 and anticipated costs for

Fiscal Year 2004-2005; on the July 13, 2004 Community and Economic

Development Committee agenda (04-0581)

No Action Taken

[Scheduling Request.pdf](#)

4-15

Subject: Bay Area Air Quality Management District

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to apply

for, accept and appropriate \$106,500 in grant funds to offset the incremental cost

of acquiring one garbage packer truck and one street sweeper powered by

compressed natural gas instead of diesel fuel and to enter into a funding agreement

with the Bay Area Quality Management District if the application is approved by

the Bay Area Air Quality Management District Board of Directors (04-0582)

Scheduled to *Public Works Committee on 7/13/2004

[Scheduling Request.pdf](#),

[Item 14 7-13-04.pdf](#)

4-16

Subject: Recreational Grants

From: Public Works Agency

Recommendation: Adopt Resolutions authorizing the application for, acceptance,

and appropriation of funding from the State of California Department of Parks and

Recreation for grant funds from the 1) California Youth Soccer and Recreation

Development Program 2) Urban Parks and Healthy Communities Program, 3)

Habitat Conservation Fund, and 4) Recreational Trails Program; on the September

14, 2004 Life Enrichment Committee agenda (04-0583)

Scheduled to *Life Enrichment Committee on 9/14/2004

[Scheduling Request.pdf](#)

4-17

Subject: Traffic Signal Projects

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to award

a construction contract to Ray's Electric for the traffic signal projects at the

intersections of Franklin Street at 7th Street, International Boulevard at 103rd/104

th Avenues, and Mountain Boulevard at Village Square Driveway (City Project

Nos. C222210, C160110, and C64630) in the amount of four hundred twenty-three

thousand seven hundred thirty dollars (\$423,730) (04-0590)

Scheduled to *Public Works Committee on 7/13/2004

[Scheduling Request.pdf](#)

4-18

Subject: Union Point Project

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to: 1)

accept donated funds from The Port of Oakland in the amount of \$300,000

designated for the Union Point Park project, 2) appropriate and allocate said funds

to the Union Point Park project, and 3) amend the master agreement with Spanish

Speaking Unity Council to increase the total project budget from \$8,684,000 to \$8,

984,000; on the September 14, 2004 Life Enrichment Committee agenda (04-0596

)

Scheduled to *Life Enrichment Committee on 9/14/2004
[Scheduling Request.pdf](#)
4-19

Subject: Office Supply Vendors - Toner Cartridges

From: Finance and Management Agency

Recommendation: Adopt a Resolution awarding two contracts to the lowest

responsible, responsive bidders, Corporate Express, Inc., for miscellaneous office

supplies, and Give Something Back for laser printer toner cartridges and recycled

content, Dioxin free paper, in an amount not to exceed \$1,100,000.00 per year in

accordance with Specification No. 07-615-00-01 for the two-year period of July 15

, 2004 to June 30, 2006, and authorizing, without return to Council, extension of

said contracts one year at a time for a total of three additional years (04-0588)

Scheduled to *Finance & Management Committee on 7/13/2004

[Scheduling Request.pdf](#),

[Item 10 7-13-04.pdf](#)

4-20

Subject: Tree Permit Appeal-4437 Mountain View Avenue - Public Hearing

From: Office of Parks and Recreation

Recommendation: Conduct a Public Hearing and upon conclusion adopt a

Resolution denying the appeal filed by Guy Moore and Shirley Leonard-Moore

against the decision of the Director of the Office of Parks and Recreation

approving the issuance of a tree removal permit - DR04-021 at 4455 - Mountain

View Avenue (Councilmember Brooks - District 6) (04-0524)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/20/2004

[Scheduling Request.pdf](#)

4-21

Subject: Construction of Single Family Residence - 6036 Contra Costa Road

From: Office of Parks and Recreation

Recommendation: A Discussion and action on a report and recommendation on

tree protection measures and approved building plans to be adhered to during the

construction of a single family house at 6036 Contra Costa Road; on the July 20,

2004 City Council agenda

This item will require a determination to be scheduled directly to the July 20, 2004

City Council agenda. (04-0579)

Continued to *Rules & Legislation Committee on 7/1/2004
[Scheduling Request.pdf](#)
4-22

Subject: Amendment to Assembly Bill 2523 - Nuisance Evictions

From: Office of the City Administrator

Recommendation: A Discussion and possible action on a report regarding

Assembly Bill 2523 that would require the City Attorney to issue nuisance eviction

notices, limit recovery of attorney's fees payable by landlords to the City, and

require response to notices in 30 days (04-0578)

Scheduled to *Rules & Legislation Committee on 7/1/2004

[Scheduling Request.pdf](#),

[Item 6 SUPP RLC 07-01-04.pdf](#),

[Item S-26.pdf](#)

ADDITIONAL REQUESTS SUBMITTED UPON THE DAIS

Subject: Nuisance Abatement Liens and Costs

From: Community and Economic Development Agency

Recommendation: Adopt an Ordinance amending Oakland Municipal Code Sections 15.08.130

, 1.08.040, 1.12.040 and 1.16.040 to authorize foreclosure proceedings to collect nuisance

abatement liens and costs, and amending Oakland Municipal Code 1.08.060 to increase the

maximum annual cumulative civil penalties from \$250,000 to \$365,000. (04-0604)

Scheduled to *Finance & Management Committee on 7/13/2004

[Item 11 7-13-04.pdf](#)

(Item 4 Rules 6-24)

[Item 4 6-24-04.pdf](#)

5

A review of the Council Committees' actions from June 22, 2004 and determination of

scheduling to the ORA/City Council meeting of July 6, 2004 (2 weeks) or future dates

(MATRIX)

***Approve as Submitted**

Please refer to the Committee Matrix, Attachment A to these minutes, for

approved scheduling of items to the City Council agenda.

(Item 5 Rules 6-24)

[Approved Attachment A 6-24-04 Rules.pdf](#)

6

A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting
of July 6, 2004

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

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

Votes:

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

The following individual spoke on Item 5:

- Sanjiv Handa

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual spoke on Open Forum:

- 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 11:44

p.m.

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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*

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