

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, January 05, 2006

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

Excused: Member Brunner

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

COMMITTEE MEMBERSHIP:

1

Closed Session

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

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

Votes:

Excused; 1 - Member Brunner

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

2

Approval of the Draft Minutes from the Committee meeting of December 8, 2005 and

December 15, 2005

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

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

Votes:

Excused; 1 - Member Brunner

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

3

Determination of Schedule of Outstanding Committee Items

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

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

Votes:

Excused; 1 - Member Brunner

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

(R&L Item 3 01-05-06)

[View Item.pdf](#)

4

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

meetings of January 10, 2006 (SUPPLEMENTAL)

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

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

Votes:

Excused; 1 - Member Brunner

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

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

- *Sanjiv Handa*

4-1

Subject: Emergency Rescue And Recovery Actions And Support Activities

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Accept And Appropriate Funds From State And Federal Agencies For Oakland

Fire Department Emergency Rescue And Recovery Actions And Support

Activities, And Waiving Oakland's Competitive Request For Proposal Or

Qualifications Processes For Emergency Consultant Services For Such Contracts

Within The City Administrator's Authority Which Is \$150,000.00 (06-0006)

Scheduled to *Public Safety Committee on 1/24/2006

[View Report.pdf](#),

[79705 CMS.pdf](#)

Subject: Natural Heritage Institute - Conflict of Interest Waiver

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Approving A Conflict Waiver For The

Natural Heritage Institute To Permit It To Continue To Represent The Millsmount

Homeowners Association In Matters Related To Chimes Creek And The Desilva

Gates Leona Quarry Project (06-0008)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/17/2006

As A Non-consent Item

[View Report.pdf,](#)

[79684 CMS.pdf](#)

4-3

Subject: Retail Land Use Policy

From: Community And Economic Development Agency

Recommendation: Action On A Report Regarding Retail Development Strategy

Report Presented For Discussion And Direction (05-0881)

***Rescheduled to *Rules & Legislation Committee on 1/12/2006**

For Scheduling

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

- Sanjiv Handa

[View Report.pdf](#)

4-4

Subject: Sergeant Darby Falkenstine - Recognition

From: Vice Mayor Quan

Recommendation: Adopt A Resolution Honoring Sergeant Darby B. Falkenstine

For Many Years Of Devoted Service To The City Of Oakland (05-1030)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/17/2006

As A Ceremonial Item

[View Report.pdf,](#)

[79671CMS.pdf](#)

4-5

Subject: Caldecott Tunnel 4th Bore - Status Report

From: Councilmember Reid

Recommendation: Receive A 15 Minute Status Report From Caltrans On The

Draft Environmental Report To Be Released In Early 2006 On The Caldecott

Tunnel 4th Bore; On The February 21, 2006 City Council Agenda (06-0007)

***Rescheduled to *Rules & Legislation Committee on 1/12/2006**

For Scheduling

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

- *Sanjiv Handa*

4-6

Subject: Henry J. Kaiser Convention Center Employee Status Report

From: Councilmember Reid

Recommendation: Receive A Status Report On The Placement Of Permanent Part

Time Employees And Temporary Part Time Employees From The Henry J. Kaiser

Convention Center (06-0010)

***Rescheduled to *Finance & Management Committee on 1/10/2006**
For Scheduling
4-7

Subject: Community Services Block Grant Funding

From: Department Of Human Services

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

Apply, Accept And Appropriate A Two Year Grant In The Amount Of \$1,361,186

In Community Services Block Grant (CSBG) Funds From The State Of California

Department Of Community Services And Development (CSD) To The City Of

Oakland's Federally Designated Community Action Agency In The Amount Of

\$680,593 Annually For Calendar Years 2006 and 2007; 2) To Enter Into

Agreements With Providers For Services; And 3) To Apply For, Accept,

Appropriate And Enter Into Future Agreements For CSBG Renewal Grant Funding

From CSD Without Returning To Council (06-0009)

Scheduled to *Life Enrichment Committee on 2/14/2006

[View Report.pdf,](#)

[View Supplemental.pdf](#)

4-8

Subject: Proposition 42 Funds

From: Public Works Agency

Recommendation: A Request To Withdrawn From The January 10, 2006 Public

Works Committee Agenda A Resolution Authorizing The City Administrator To

Accept And Appropriate \$1,844,000.00 Of Proposition 42 Funds From Local

Street and Road Rehabilitation In Fiscal Year 2005- 2006; And Place On The

Pending List (05-0912-1)

Approved

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

- *Sanjiv Handa*

4-9

Subject: Radio Equipment Upgrade

From: Finance And Management Agency

Recommendation: A Request To Schedule The Adoption Of The Following Pieces

Of Legislation:

1) A Resolution Authorizing The City Administrator Or Her Designee To Allocate

Funds From The Radio Replacement Fund In An Amount Not To Exceed Three

Million Dollars (\$3,000,000.00) And Authorize The City Administrator To

Execute A Contract With Dailey-Wells Inc. For Project Engineering, Radio

Replacement And Upgrades Without Return To Council; (05-0929-1-1)

Scheduled to *Public Safety Committee on 1/24/2006

2) A Resolution Authorizing The City Administrator Or Her Designee To Authorize Two (2)

Additional Positions For Project Management And Installation Coordination For A Period Not

To Exceed Three Years Without Return To Council; (05-0929-2-1)

Scheduled to *Public Safety Committee on 1/24/2006

3) A Resolution Authorizing The City Administrator To Enter Into Cooperative Agreements

With Bay Area Rapid Transit District (BART) And The City Of Richmond Allowing The

Mutual Roaming Capabilities Of Public Safety Units On Each Of The Radio Systems Without

Return To Council; And (05-0929-3-1)

Scheduled to *Public Safety Committee on 1/24/2006

4) A Resolution Authorizing The City Administrator Or Her Designee To Execute A Purchase

Order With M/A-Com Inc. For Radio Parts And Materials For An Amount Not To Exceed Five

Hundred Thousand Dollars (\$500,000.00) Per Year For Three (3) Years Without Return To

Council; On The Public Safety Committee Agenda As Soon As Possible (05-0929-4-1)

Scheduled to *Public Safety Committee on 1/24/2006

4-10

Subject: Annual Workers' Compensation Report For 2004-2005

From: Finance And Management Agency

Recommendation: Receive The Annual Workers' Compensation Report For

2004-2005 (06-0005)

Scheduled to *Finance & Management Committee on 1/24/2006

[View Report.pdf](#)

4-11

Subject: Tactical Shoot House Sale

From: Office Of The City Administrator

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Sell To The Concord Police Officers Association A Tactical Shoot House For Its

Original Purchase Price Of Forty-Eight Thousand Seven Hundred Dollars

(\$48,700) And Appropriating Those Funds To The Oakland Police Department

(06-0004)

Scheduled to *Public Safety Committee on 2/14/2006

[View Report.pdf](#)

(R&L Item 4 01-05-06)

[View Item.pdf](#)

ADDITIONAL SCHEDULING REQUEST SUBMITTED ON THE DIAS

Subject: Franchise Labor Requirements

From: Office Of The City Attorney

Recommendation: Approve The Introduction (First Reading) Of An Ordinance Amending

Title 5 Of The Oakland Municipal Code To Add Chapter 5.82, Proprietary Interest Franchise

Labor Requirements - Card Check, Procedure For Determining Employee Preference On

Representation By Labor Organization, Which Will Require Franchises In Which The City Has

A Proprietary Interest To Enter Into A Card Check Agreement, A Procedure For Determining

Employee Preference On The Subject Of Whether Or Not To Be Represented, With A Labor

Organization That Requests Such An Agreement (06-0016)

Scheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/City Council on 1/17/2006

As A Non-consent Calendar Item.

[View Report.pdf](#)

5

A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of January 17, 2006 and Rules and Legislation Committee meeting of January 19, 2006

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

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

Votes:

Excused; 1 - Member Brunner

Aye; 3 - Member Chang, Member Reid 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 01-05-06)

[View Item.pdf](#)

6

Subject: Oakland Athletics Bambino Field

From: Office Of Parks And Recreation

Recommendation: Adopt A Resolution Authorizing The City Administrator To Rename

Bambino Field Located At The Greenman Field Complex To The Oakland Athletics Bambino

Field For A Period Of Ten Years (05-0985)

A motion was made by Member Reid, 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 January 17, 2006. The motion carried by the following vote:

Votes:

Excused; 1 - Member Brunner

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

As A Non-consent Item

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

- *Sanjiv Handa*

[View Report.pdf](#),

[79685 CMS.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual(s) spoke under 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 at 11:18 A.M.

NOTE:

Americans With Disabilities Act

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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.

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