

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, June 09, 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 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

The City Attorney scheduled a June 14, 2005 Special Closed Session at 9:30

A.M.

Approval of the Draft Minutes from the Committee meeting of May 26, 2005

A motion was made by Member Reid, seconded by Member Chang, 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 Reid, 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 6-09-05)

[View Item.pdf](#)

4

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

meeting of June 14, 2005 (SUPPLEMENTAL)

A motion was made by Member Brunner, 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

(R&L Item 5 6-09-05)

[View Item.pdf](#)

4-1

Subject: Urban Search And Rescue Team

From: Oakland Fire Department

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

Apply For, Accept And Appropriate A Grant From The Federal Emergency

Management Agency (FEMA) For The Period March 1, 2005 To June 30, 2006 In

The Amount Of Eight Hundred Ninety Two Thousand Dollars (\$892,000.00) To

Meet Continuing Training And Equipment Needs Of The Fire Department's Urban

Search And Rescue (USAR) Team, 2) Waive The City's Competitive Bidding

Requirements And Authorize Procurement Of Some Equipment From The General

Services Administration Agency, And 3) Award Said Equipment Contracts

Without Return To Council (05-0517)

Scheduled to *Public Safety Committee on 6/28/2005

[View Report.pdf,](#)

[79348 CMS.pdf](#)

4-2

Subject: Patrol Canine Acquisition

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her

Designee To Accept And Appropriate A Donation In The Amount Of Ten

Thousand Dollars (\$10,000) To The Oakland Police Department For The

Acquisition Of Two Patrol Canines, Valued At Approximately Four Thousand

Eight Hundred Dollars (\$4,800) Each, For A Total Cost Of Approximately Nine

Thousand Six Hundred Dollars (\$9,600), For Use By The Police Department

Canine Program, With Any Remaining Funds To Be Used To Offset Handler

Training Costs And The Purchase Of Canine Related Supplies And/Or Services

(05-0499)

Scheduled to *Public Safety Committee on 6/28/2005

[View Report.pdf,](#)

[79347 CMS.pdf](#)

4-3

Subject: Comcast Cable Franchise

From: Office of the City Administrator and Office of the City Clerk

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Of The City Of Oakland Amending Chapter 5.16 Of Title 5 Of

The Oakland Municipal Code To Regulate The Occupancy And Use Of Public

Rights-Of-Way By Cable Systems And Open Video Systems, To Provide For

Establishment Of Customer Service Standards; Establishing Franchise And

Licensing Requirements For Operators Of Such Systems And To Prescribe

Minimum Charges, Terms, And Conditions For And Upon The Construction,

Maintenance, And Repair Of Such Systems; And (05-0422)

Accepted

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

- *Sanjiv Handa*

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2) An Ordinance Granting A Cable Franchise To Comcast Of California/Colorado, LLC To

Construct And Operate A Cable System To Provide Cable Service Within A Franchise Area

Within The City Of Oakland; Establishing The Terms And Conditions Of The Franchise Grant;

And Establishing Certain Remedies For The Violation Of The Franchise; and place on the

pending list (05-0422-1)

Accepted
4-4

Subject: Boards And Commission Vacancies

From: Office Of The City Clerk

Recommendation: A Request From The June 2, 2005 Rules and Legislation

Committee To Schedule A Report And Recommendation From The Office Of The

City Clerk On The Boards And Commission Vacancy Tracking; On The Rules

And Legislation Committee Agenda For Scheduling (05-0498)

Accepted

The Committee moved seconded and carried a motion directing staff to include

the vacancy dates and available seats.

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

- Sanjiv Handa

4-5

Subject: Ronald L. Davis - Honorarium

From: Councilmember Brooks

Recommendation: Adopt a Resolution Commending the Dedicated Service,

Accomplishments and Leadership of Ronald L. Davis to the City of Oakland

(05-0494)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/21/2005

[View Report](#)

4-6

Subject: AB 352 (Micro-Stamping Of Semiautomatic Weapons)

From: Councilmember Nadel

Recommendation: Adopt A Resolution Supporting AB 352 (Micro-Stamping Of

Semiautomatic Weapons) By Assemblymember Koretz (05-0495)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/21/2005

[View Report,](#)

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[79321 CMS.pdf](#)

4-7

Subject: US Department of Peace

From: Councilmember Nadel

Recommendation: Adopt A Resolution In Support Of A US Department Of Peace

(05-0496)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/21/2005

as a Ceremonial item.

[View Report,](#)

[79295 CMS.pdf](#)

4-8

Subject: Child Care Food Program (CCFP)

From: Department Of Human Services / Head Start

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 \$375,000 To Provide Funding For Nutritious Meals

For The City Of Oakland's Head Start Program For Program Year 2005-2006

(05-0500)

Scheduled to *Life Enrichment Committee on 7/12/2005

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[79367 CMS.pdf](#)

4-9

Subject: Even Start Family Literacy 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 Even

Start Family Literacy Grant From The State Of California Department Of

Education In The estimated amount of \$345,000 For The City Of Oakland Even

Start Program For Fiscal Year 2005-06; And Contingent Upon Receipt Of Funding

To Negotiate And Execute A Professional Services Agreement with Lustig

Consulting To Provide Evaluation Services To The City Of Oakland's Even Start

Program In An Amount Not To Exceed \$17,250 For Fiscal Year 2005-06

(05-0503)

Scheduled to *Life Enrichment Committee on 7/12/2005

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[79368 CMS.pdf](#)

4-10

Subject: Fruitvale/ San Antonio Senior Center

From: Department Of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Execute A Two-Year Contract With The Unity Council, Inc. To Fund Their

Programs And Operations At The Fruitvale/San Antonio Senior Center For Fiscal

Years 2005-2006 And 2006-2007 In An Amount Not To Exceed \$400,000 (TITLE

CHANGE) (05-0505)

Scheduled to *Life Enrichment Committee on 6/28/2005

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[79388 CMS.pdf](#)

Subject: Hong Lok Senior Center

From: Department Of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Execute A Two-Year Contract With Family Bridges, Inc. To Fund Their Programs

And Operations At The Hong Lok Senior Center For Fiscal Years 2005-2006 And

2006-2007 In An Amount Not To Exceed \$200,000 (TITLE CHANGE) (05-0508)

Scheduled to *Life Enrichment Committee on 6/28/2005

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[79387 CMS.pdf](#)

Subject: Shoreinstein Realty Investors Three, L.P.-Agreement

From: Community and Economic Development Agency

Recommendation: Adopt an Agency Resolution Authorizing the City

Administrator to Enter into an Eleventh Amendment to the Disposition and

Development Agreement with Shorenstein Realty Investors Three, L.P., Regarding

the City Center Project: (1) Allowing for a Residential Land Use Option on Parcel

T-12 Site; (2) Establishing Eight Million One Hundred Thousand Dollars

(\$8,100,000) as the Residential Sales Price for the Parcel T-12 Site; (3) Reducing

the Time Limit to Develop Parcel T-12 by Three Years, to a One Year Option to

Purchase; and (4) Extending the Time Limit to Develop Parcel T-5/6 Sites by Four

Years to December 13, 2013; on the June 28, 2005 Community and Economic

Development Committee agenda (05-0368)

Scheduled to *Community & Economic Development Committee on

6/28/2005

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[2005-0047 CMS.pdf](#)

4-13

Subject: Design Review Program

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution On The Consideration Of Conceptual

Revisions To The Design Review Program For One-And Two-Unit Residences; On

The June 28, 2005 Community And Economic Development Committee Agenda

(05-0501)

***Withdrawn with No New Date**
to pending list.
4-14

Subject: Olson 737 - Oakland 1, LLC

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Granting Olson 737 - Oakland 1, LLC, A

Revocable And Conditional Permit To Allow Oriel Windows On The 2nd, 3rd,

4th, And 5th Floors Of A Building At 1307 Jefferson Street To Encroach Over The

Public Right-Of-Way (05-0502)

Scheduled to *Public Works Committee on 6/28/2005

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

- *Sanjiv Handa*

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[79344 CMS.pdf](#)

4-15

Subject: Homeownership Programs

From: Community And Economic Development Agency

Recommendation: Action On A Report And Recommendations On Policies For

Homeownership Programs And Development Of Affordable Owner Occupied

Housing (05-0507)

Scheduled to *Community & Economic Development Committee on

7/12/2005

[View Report.pdf](#)

4-16

Subject: Volunteers Of America Bay Area Inc- Contract

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Negotiate And Execute A Contract For Professional Services With Volunteers Of

America Bay Area, Inc. To Operate The Oakland Day Labor Program From July 1,

2005 Through June 30, 2007 In An Amount Not To Exceed \$194,000 Per Year

And Not To Exceed \$388,000 For The Total Contract Term (05-0516)

Scheduled to *Community & Economic Development Committee on

7/12/2005

[View Report.pdf,](#)

[79419 CMS.pdf](#)

4-17

Subject: Traffic Safety Improvements - San Leandro Street and 66th Avenue

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Accept And Appropriate The Hazard Elimination Safety (HES) Program State

Funds In The Amount Of Ninety Thousand Dollars (\$90,000) For Traffic Safety

Improvements At The Intersection Of San Leandro Street At 66th Avenue

(05-0506)

Scheduled to *Public Works Committee on 7/12/2005

[View Report.pdf,](#)

[79354 CMS.pdf](#)

4-18

Subject: Transportation Engineering Services Agreements

From: Public Works Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Authorizing The City Administrator To Enter Into A Professional

Service Agreement With URS Corporation For As-Needed Transportation

Engineering Services In An Amount Not-To-Exceed Two-Hundred And Fifty

Thousand Dollars (\$250,000) (05-0510)

Scheduled to *Public Works Committee on 7/12/2005

[View Report.pdf,](#)

[79356 CMS.pdf](#)

4-19

Subject: American Red Cross Bay Area Chapter Donation

From: Public Works Agency

Recommendation: A Presentation Of A Donation Of \$4,300 To The American Red

Cross, Bay Area Chapter, From Funds Raised By The Public Works Agency For

Activities Associated With National Public Works Week Commemorating

Oakland's Theme, "Public Works As First Responders, We're Everywhere You

Look" (05-0511)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/21/2005

4-20

Subject: Rockridge Greenbelt Phase II Project

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or

Her Designee, To: 1) Increase The Scope Of Work And Contract Amount For The

Rockridge Greenbelt Phase II Project Design-Build Contract With BBI

Construction, Inc., By An Amount Not-To-Exceed \$212,000.00 (For A Total

Contract Amount Not-To-Exceed \$635,081.00) For Additional ADA

Improvements, Planting And Irrigation, 2) Waive Competitive Bidding Or

RFP/RFQ Requirements, And 3) Accept A Gift-In-Place Of Additional Swings,

Benches And Other Improvements With An Estimated Value Of \$45,000.00 From

The Friends Of The Rockridge Greenbelt And Friends Of Parks And Recreation

(05-0514)

Scheduled to *Public Works Committee on 6/28/2005

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

- Sanjiv Handa

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[View Supplemental Report.pdf,](#)

[79394 CMS.pdf](#)

4-21

Subject: Oakland's Sustainable Development Initiative

From: Office of the Mayor and Community and Economic Development

Agency

Recommendation: Receive a Supplemental Status Report on the City of Oakland's

efforts to foster socially and environmentally sustainable economic growth and

recommendations for proposed strategies to augment those efforts (05-0059)

Not Accepted

[View Report.pdf](#),

[Item s-62 Motion from Committee.pdf](#)

4-22

Subject: Family Reading And Literacy Initiative

From: Oakland Public Library

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Apply For, Accept, And Appropriate A Grant In The Amount Of \$146,520 From

The California State Library Under The Library Services And Technology Act

(LSTA) For Fiscal Year 2005-2006 For The "Family Reading Is Fun: Early

Literacy Training And Resources For Parent and Caregivers" Initiative (05-0504)

Scheduled to *Life Enrichment Committee on 7/12/2005

as the last item on the agenda

[View Report.pdf](#)

4-23

Subject: California Library Literacy Services

From: Oakland Public Library

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Apply For, Accept, And Appropriate A Grant In The Amount Of \$82,936 From

The California State Library California Library Literacy Services For Fiscal Year

2005-2006 To Support The Oakland Public Library Second Start Adult Literacy

Program (05-0509)

Scheduled to *Life Enrichment Committee on 7/12/2005

[View Report.pdf,](#)

[79369 CMS.pdf](#)

4-24

Subject: Philanthropic Ventures Foundation

From: Oakland Public Library

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Enter Into A Funding Agreement Between The City Of Oakland And The

Philanthropic Ventures Foundation (PVF) In An Amount Not To Exceed \$500,000

For Fiscal Year 2005-2006 To Provide Partial Support For The Library's

Grant-Funded Youth Services Programs (05-0512)

Scheduled to *Life Enrichment Committee on 7/12/2005

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

- *Sanjiv Handa*

4-25

Subject: Taxi Medallion Number 303

From: Office Of The City Administrator

Recommendation: A Request To Withdraw From The June 21, 2005 City Council

Agenda The Conduction Of A Public Hearing On Maurice Thomas' Appeal Of The

Administrative Hearing Officer's Decision To Revoke Taxi Medallion Number

303, And Affirm Hearing Officer's Decision, And Reschedule To The September

6, 2005 City Council Agenda As A Public Hearing (05-0513)

Accepted and forwarded to Concurrent Meeting of the Oakland

Redevelopment Agency / City Council on 9/6/2005

ADDITIONAL REQUEST SUBMITTED ON THE DIAS:

Subject: Sideshow Activities

From: Oakland City Council

Recommendation: Action on A Report and Recommendations Regarding Two Alternatives To

Address Sideshow Activities: Alternative No. 1 - An Ordinance Amending Title 9 Of The

Oakland Municipal Code To Add Chapter 9.60 (a) Declaring Vehicle Sideshows A Public

Nuisance And (b) Prohibiting The Gathering Of Spectators At Such Public Nuisance Events;

And Alternative No. 2 - An Ordinance That Includes The Foregoing Provisions And Also

Provides For The Forfeiture Of Vehicles Involved In Sideshow Events (05-0429-1)

Scheduled to *Public Safety Committee on 6/28/2005

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[12695 CMS.pdf](#)

FROM JUNE 21, 2005 CITY COUNCIL AGENDA:

Subject: Preferential Voting

From: Office of the City Clerk

Recommendation: Receive an Informational Report on Preferential Voting and its use in the

City of Oakland's Special Elections (05-0092)

***Withdrawn and Rescheduled to *Rules & Legislation Committee on**

6/23/2005

[View Report.pdf](#)

5

A review of the Agendas for the ORA/ City Council Meeting of June 21, 2005 and Rules

and Legislation Committee of June 23, 2005

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

Approve as Amended. 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 6-09-05)

[View Item.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual(s) spoke during 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 11:30 A.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

Phone: (510) 238-7370

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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