

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 07, 2007

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Excused: Member Reid

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

The Oakland City Council Rules and Legislation Committee convened at 10:48

AM, with Council President De La Fuente presiding as Chairperson.

1
Closed Session

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

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

Votes:

Excused; 1 - Member Reid

Aye; 3 - Vice Mayor Chang, Member Brunner and Chair De La Fuente

The office of the City Attorney scheduled a Closed Session on June 19, 2007

for 1:30 - 3:30 PM

Approval of the Draft Minutes from the Committee meeting of May 24, 2007

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

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

Votes:

Excused; 1 - Member Reid

Aye; 3 - Vice Mayor Chang, 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:

Excused; 1 - Member Reid

Aye; 3 - Vice Mayor Chang, Member Brunner and Chair De La Fuente

[06-07 Rules Item 3](#)

[View Item.pdf](#)

4

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

meetings of June 12, 2007 (SUPPLEMENTAL)

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

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

Votes:

Excused; 1 - Member Reid

Aye; 3 - Vice Mayor Chang, Member Brunner and Chair De La Fuente

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

- Jonathan Bair

- *Silvia Venegas*

S-4-1

Subject: End Of The MacArthur Maze Local Emergency

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The End Of The Local

Emergency Declared By The Resolution No. 80543 C.M.S Due To The Repair Of

Catastrophic Damage To A Portion Of The Oakland Maze-East Bay 580 Freeway

07-0377

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/19/2007

[View Report.pdf](#)

S-4-2

Subject: Bobbie Lee - Recognition

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Honoring Bobbie Lee For Thirty-Five Years

Of Dedicated And Distinguished Service To The City Of Oakland And

Congratulating Her On Her Retirement

07-0367

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/19/2007

as a Ceremonial item

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

- *Sanjiv Handa*

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S-4-3

Subject: McClymond's Boy's Basketball Team Recognition

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Congratulating The McClymonds High

School Boy's Basketball Team For Their Outstanding Season And Reaching the

Division I State Championship Finals

07-0373

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/19/2007

as a Ceremonial item

[View Report.pdf](#)

S-4-4

Subject: Priority Project Funds - District Four

From: Councilmember Jean Quan

Recommendation: Adopt A Resolution Authorizing For Immediate Allocation Of

\$35,000 Of Councilmember Jean Quan's Priority Project Funds To The City Of

Oakland Office Of Parks And Recreation For The Woodminster Music Series

[07-0382](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/19/2007

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

- Sanjiv Handa

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S-4-5

Subject: Tom Margro - Recognition

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Honoring Thomas E. Margro For 17 Years

Of Commitment And Distinguished Service To The Bay Area Rapid Transit District

[07-0383](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/19/2007

[View Report.pdf](#)

S-4-6

Subject: Revocable And Conditional Permit - Rock Paper Scissors Collective

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Granting The Rock Paper Scissors Collective

A Conditional And Revocable Encroachment Permit To Allow The 'First Friday

Community Cultural Event' To Encroach Into 23rd Street Between Valley Avenue

And Telegraph Avenue On The First Friday Of Each Month Between The Hours Of

5:00 p.m. And 10:00 p.m.; On The July 10, 2007 Public Works Committee Agenda

[07-0384](#)

Scheduled to *Public Works Committee on 7/10/2007

S-4-7

Subject: Final Map For Tract 7781 - 59th Street

From: Community and Economic Development Agency

Recommendation: A Request To Withdraw From The June 19, 2007 City Council

Agenda A Resolution Approving A Final Map For Tract 7781 To Convert Six

Rental Housing Units To Condominium Ownership At 828 And 832 59th Street

Reason: Applicant has not yet been issued a renewal Certificate of Occupancy, which

is required by the Municipal Code for approval of the subdivision map.

07-0218

***Withdrawn with No New Date**

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

- *Sanjiv Handa*

S-4-8

Subject: Development Appeal - 4801 Shattuck Avenue

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The

Following Pieces Of Legislation:

1) A Resolution Denying The Appeal And Upholding The Planning Commission

Approval For Case File Number CMDV06-425 & TPM-9235 (Construction Of 44

Dwelling Units At 4801 Shattuck Avenue); And

[07-0357](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/17/2007

2) A Resolution Denying The Appeal And Upholding The Planning Commission's Conditions Of

Approval For Case File Number CMDV06-425 & TPM-9235 (Construction Of 44 Dwelling

Units At 4801 Shattuck Avenue); On The July 17, 2007 City Council Agenda

[07-0357-1](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/17/2007

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

- *Sanjiv Handa*

S-4-9

Subject: Oakland Day Labor Program

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,

2007 Through June 30, 2009, In An Amount Not To Exceed \$194,000 Per Year

And \$388,000 For The Two Year Contract Term; On The July 10, 2007 Community

And Economic Development Committee Agenda

07-0370

Scheduled to *Community & Economic Development Committee on

7/10/2007

S-4-10

Subject: Merchant Leadership Forums

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Allocating \$72,500 To The Oakland

Merchant Leadership Forum To Conduct Monthly Merchant Forums And To

Coordinate Merchant Associations Participation In The City Of Oakland's Shop

Oakland Campaign For The Period Beginning July 1, 2007 And Ending June 30,

2008; On The July 10, 2007 Community And Economic Development Committee

Agenda

07-0371

Scheduled to *Community & Economic Development Committee on

7/10/2007

S-4-11

Subject: 2006-2007 CAPER

From: Community and Economic Development Agency

Recommendation: Receive A Report Regarding The Consolidated Annual

Performance And Evaluation Report (CAPER) For Community Development Block

Grant (CDBG) HOME, Housing Opportunities For People With AIDS (HOPWA)

And Emergency Shelter Grant (ESG) Programs Performance For The Year

2006-2007; On The September 11, 2007 Community And Economic Development

Committee Agenda; And As A Public Hearing On The September 18, 2007 City

Council Agenda

[07-0372](#)

Scheduled to *Community & Economic Development Committee on

9/11/2007

and as a Public Hearing on September 18, 2007

S-4-12

Subject: Revocable And Conditional Permit - 1538 Broadway

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Granting 1538 Broadway LLC A Revocable

And Conditional Permit For A Building At 1538 Broadway To Allow A Concrete

Vault And Electrical Transformer To Encroach Under The Public Sidewalk; On The

July 10, 2007 Public Works Committee Agenda

[07-0375](#)

Scheduled to *Public Works Committee on 7/10/2007

S-4-13

Subject: Revocable And Conditional Permit - 221 Oak Street

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Granting Prevention Institute, Inc., A

Revocable And Conditional Permit For An Existing Building At 221 Oak Street To

Allow A Concrete Vault And Electrical Transformer To Encroach Under The Public

Sidewalk; On The July 10, 2007 Public Works Committee Agenda

07-0376

Scheduled to *Public Works Committee on 7/10/2007

S-4-14

Subject: Rehabilitation Of Sanitary Sewers - Shetland Avenue

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Award Of A Construction

Contract To Andes Construction, Inc. For The Rehabilitation Of Sanitary Sewers In

The Area Bounded By Shetland Avenue, Malcolm Avenue, And Scotia Avenue

(Project No. C227810) For The Amount Of One Million Six Hundred Twenty-Seven

Thousand Three Hundred Twenty-Seven Dollars (\$1,627,327.00); On The July 10,

2007 Public Works Committee Agenda

[07-0366](#)

Scheduled to *Public Works Committee on 7/10/2007
S-4-15

Subject: Rehabilitation Of Sanitary Sewers - Butters Drive

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Award Of A Construction

Contract To Andes Construction, Inc. For The Rehabilitation Of Sanitary Sewers In

The Easement Off Butters Drive (Project No. C135410) For The Amount Of Two

Hundred Eighty-Five Thousand One Hundred Sixty-Seven Dollars (\$285,167.00);

On The July 10, 2007 Public Works Committee Agenda

[07-0368](#)

Scheduled to *Public Works Committee on 7/10/2007

S-4-16

Subject: Rubber Material For Sidewalk Repair

From: Public Works Agency

Recommendation: Adopt A Resolution To Establish Use Of Rubber Material For

Sidewalk Repair As An Alternative To Concrete; And Authorize The City

Administrator To Apply For Tire-Derived Product Grants, Accept And Appropriate

The Grant Funds For Citywide Sidewalk Repair Program; On The July 10, 2007

Public Works Committee Agenda

[07-0369](#)

Scheduled to *Public Works Committee on 7/10/2007

S-4-17

Subject: Delinquent Business Taxes

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For

Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following

Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On

The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And

Confirming The Recordation Of Liens, Administrative Charges And Assessment

Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland

Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be

Turned Over To The County For Collection; Or

07-0378

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/19/2007

[View Report.pdf](#)

S-4-18

Subject: Mandatory Garbage Fees - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage

Fees For October/November/December 2006, Monthly Accounts And

January/February/March 2007, Quarterly Accounts And Upon Conclusion Adopt

One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On

The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees

And Confirming The Recordation Of Liens With Administrative Charges And

Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland

Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be

Turned Over To The County Tax Collector For Collection; Or

07-0379

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/19/2007

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S-4-19

Subject: Real Property Transfer Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For

Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The

Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On

The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer

Taxes And Confirming The Recordation Of Liens With Administrative And

Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland

Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be

Turned Over To The County Tax Collector For Collection; Or

07-0380

Scheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/City Council on 6/19/2007

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S-4-20

Subject: Transient Occupancy Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For

Delinquent Transient Occupancy Taxes And Upon Conclusion Adopt One Of The

Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On

The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy

Taxes And Confirming The Recordation Of Liens With Administrative And

Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland

Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be

Turned Over To The County Tax Collector For Collection; Or

07-0381

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/19/2007

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S-4-21

Subject: 2007-2008 Debt Management And Swap Policy

From: Finance and Management Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Adopting The Oakland Redevelopment Agency's Debt

Management Policy And Swap Policy For Fiscal Year 2007-2008

07-0386

Scheduled to *Finance & Management Committee on 6/26/2007

[View Report.pdf](#)

S-4-22

Subject: 2007-2008 Investment Policy

From: Finance and Management Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting The City Of Oakland Investment Policy For Fiscal Year

2007-2008

[07-0387](#)

Scheduled to *Finance & Management Committee on 6/26/2007

[View Report.pdf](#)

S-4-23

Subject: Big Valley Aviation - Professional Services Agreement

From: Oakland Police Department

Recommendation: Adopt A Resolution Waiving The Competitive Request For

Proposal/Qualifications Process And Authorizing The City Administrator, On Behalf

Of The City Of Oakland, To Enter Into A Professional Services Agreement With Big

Valley Aviation In An Amount Not To Exceed Seven Hundred Thirty Thousand

Dollars (\$730,000) For The Period July 1, 2007 To June 30, 2009 For Helicopter

Aviation Maintenance Services On Behalf Of The Police Department

07-0374

Scheduled to *Public Safety Committee on 6/26/2007

[View Report.pdf](#)

S-4-24

Subject: Coliseum Redevelopment Project

From: Office of the City Administrator

Recommendation: A Request To Withdraw From The June 26, 2007 Community

And Economic Development Committee A Resolution Authorizing Funding Under

The Cooperation Agreement In An Amount Not To Exceed \$180,000 For Certain

Public Improvements Within The Coliseum Redevelopment Project Area Under The

Neighborhood Project Initiative Program; And Reschedule To The July 10, 2007

Community And Economic Development Committee Agenda

Reason: Report needs to be revised to reflect the availability of an additional

\$60,000, which will fund additional projects. Title Change (see below)

Adopt City And Agency Resolutions Allocating Redevelopment Agency Funds

Under The Cooperation Agreement In An Amount Not To Exceed Two Hundred

Forty Thousand Dollars (\$240,000) For Certain Public Improvements Within The

Coliseum Redevelopment Project Area Under The Neighborhood Project Initiative

Program

07-0256

Withdrawn and Rescheduled to *Community & Economic Development

Committee on 7/10/2007

[Rules 06-07 Item 4](#)

[View Item.pdf](#)

5

A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of June 19, 2007 and the Rules and Legislation Committee for the meeting of June 21, 2007

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

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

Votes:

Excused; 1 - Member Reid

Aye; 3 - Vice Mayor Chang, Member Brunner and Chair De La Fuente

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

- *Sanjiv Handa*

[Rules 06-07 Item 5](#)

[View Item.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual(s) spoke under open forum:

- *Sanjiv Handa*

- *Jonathan Bair*

Adjournment

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

City Council Rules and Legislation Committee adjourned the meeting at 11:30

AM

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.

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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