

# 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, May 27, 2004**

**10:30 AM**

**City Council Chambers - 3rd Floor**

*The Oakland City Council Rules and Legislation Committee convened at 10.46*

*a.m. with Councilmember Reid presiding as Chairperson.*

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

Excused: Chair De La Fuente

Present: Member Chang, Member Reid and Member Wan

1  
Closed Session

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

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

#### **Votes:**

Excused; 1 - Chair De La Fuente

Aye; 3 - Member Chang, Member Reid and Member Wan

(Item 1 Rules 5-27-04)

[Item 1 RLC 5-27-04.pdf](#)

2

Approval of the Draft Minutes from the Committee meeting of May 13, 2004

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

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

**Votes:**

Excused; 1 - Chair De La Fuente

Aye; 3 - Member Chang, Member Reid and Member Wan

3

Determination of Schedule of Outstanding Committee Items

**\*Approve as Submitted**

**Votes:**

(Item 3 Rules 5-27-04)

[Item 3 RLC 5-27-04.pdf](#)

4

Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting

of June 1, 2004 (SUPPLEMENTAL)

*The following individual spoke on Item 4 and did not indicate a position:*

- *Sanjiv Handa*

4-1

A request to confirm the reporting out schedule for the July 27, 2004 Council

Committee agenda items. Currently, the July 20, 2004 Council meeting is the last

meeting scheduled prior to the Council's Summer Recess, August 2, 2004 through

September 10, 2004 (04-0473)

**Scheduled to \*Rules & Legislation Committee on 6/3/2004**

*The Committee directed staff to return with this item on June 3, 2004 for further discussion.*

4-2

Subject: AC Transit and BART Funds

From: President De La Fuente and Councilmember Quan

Recommendation: Adopt a Resolution opposing the proposal in the Governor's

recent budget for the Fiscal Year 2004-2005 (The "May Revise") to take funds

from both the Alameda-Contra Costa Transit District (AC Transit) and the Bay

Area Rapid Transit District (BART) (04-0483)

**Scheduled to \*Rules & Legislation Committee on 6/10/2004**

[04-0483.pdf](#),

[Item 8 6-10-04.pdf](#),

[Item S-10.30CC 6-15-04.pdf](#)

4-3

Subject: National Organic Program

From: Councilmember Brunner

Recommendation: Adopt a Resolution encouraging the United States Department

of Agriculture to work cooperatively with organic producers and consumers in

developing standards for the National Organic Program, which the Federal

Government's Department of Agriculture administers to develop national standards

for the marketing of organically produced products and ensure consistent standards

for such products (04-0484)

**\*Withdrawn with No New Date**

[Item 17 6-15-04.pdf](#)

4-4

Subject: Oakland Chinatown Advisory Committee Appointments

From: Councilmember Wan

Recommendation: Adopt a Resolution appointing Vice Mayor Henry Chang, Jr.

and Councilmember Danny Wan as the City of Oakland representatives on the

Oakland Chinatown Advisory Committee, per the settlement agreement between

the City of Oakland, City of Alameda, and Oakland Chinatown Coalition; on the

June 10, 2004 Rules and Legislation Committee agenda (04-0488)

**\*Withdrawn with No New Date**

[04-0488.pdf](#)

4-5

Subject: Walter Johnson - Service Recognition

From: Councilmember Reid

Recommendation: Adopt a Resolution commending Walter Johnson, for more than

32 years of devoted and dedicated service and congratulating him on his retirement

(04-0490)

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

**City Council on 6/15/2004**

[Item 8.2 6-15-04.pdf](#)

4-6

Subject: Sale of City-Owned Property - 3615 and 3619 35th Avenue

From: Community and Economic Development Agency

Recommendation: Adopt an Ordinance authorizing the negotiation and execution

of a purchase and sale agreement for the sale of City-owned property at 3615 and

3619 35th Avenue at fair market value (\$279,000) to Collins/PBA for the

development of a mixed-use project (04-0489)

**Scheduled to \*Finance & Management Committee on 6/22/2004**

[Scheduling Request.pdf](#),

[Item 3 6-22-04.pdf](#)

4-7

Subject: Assembly Bill 392

From: Public Works Agency

Recommendation: Adopt a Resolution declaring support for Assembly Bill 392

related to Environmental Justice and Community-Based Transportation Planning

Grants (04-0486)

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

**City Council on 6/1/2004**

*The Committee moved, seconded and carried a motion to approve the following*

*urgency finding pursuant to the Sunshine Ordinance Section 2.20.080 E(2)*

*regarding scheduling of this Item: 1) that the matter came to the attention of the*

*legislative body after posting of the 10-day agenda ; and 2) the need to take*

*immediate action relates to state legislation.*

[Item S-20 6-1-04.pdf,](#)

[78593 CMS.pdf](#)

4-8

Subject: Assembly Bill 2815 - Pre-Release Parole Plans

From: Oakland Police Department

Recommendation: Adopt a Resolution declaring the City of Oakland's support of

Assembly Bill 2815 which will provide three pilot counties with pre-release parole

plans for each parolee released into those counties ninety (90) days prior to release

(04-0485)

**Scheduled to \*Rules & Legislation Committee on 6/10/2004**

[04-0485.pdf,](#)

[Item 9 6-10-04.pdf,](#)

[Item S-10.31CC 6-15-04](#)

4-9



Subject: Expansion of the Weed and Seed Program

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the re-designation of thirty-five

thousand dollars (\$35,000) in Domestic Violence Restraining Order System Funds

for the development of two official Recognition Applications for submission to the

U.S. Department of Justice, Office of Justice Programs, Executive Office for Weed

and Seed, for the establishment of new Weed and Seed sites in East and West

Oakland, and authorizing a professional services agreement with Resource

Development Associates in an amount not to exceed thirty-three thousand nine

hundred and eighty dollars (\$33,980) for the development of the official

Recognition Applications (04-0487)

**Scheduled to \*Public Safety Committee on 6/8/2004**

[04-0487.pdf](#),

[Item 5 6-8-04.pdf](#)

**AN ADDITIONAL REQUEST SUBMITTED UPON THE DAIS BY THE PUBLIC WORKS**

**AGENCY**

Subject: Resurfacing of Certain Streets

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing award of a construction contract to McGuire

and Hester for resurfacing of certain streets in the City of Oakland for Fiscal Year 2003-2004 (

Project Number C234930) in the amount of \$3,928,797.40 (PURSUANT TO SECTION 902-E

OF THE CITY CHARTER, THIS ITEM REQUIRES A 2/3 VOTE OF THE COUNCIL - 6

AFFIRMATIVE VOTES) (TITLE CHANGE) (04-0213-1)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 6/1/2004**

*The Committee moved, seconded and carried a motion to approve the following*

*urgency finding pursuant to the Sunshine Ordinance Section 2.20.080 E(2)*

*regarding scheduling of this Item: 1) the matter came to the attention of the*

*legislative body after posting of the 10-day agenda; and 2) is required to avoid*

*a substantial adverse impact to health and safety.*

[Item 9 5-11-04.pdf](#),

[Item S-21 6-1-04.pdf](#),

[78594 CMS.pdf](#)

(Item 4 Rules 5-27)

[Item 4 5-27-04.pdf](#)

A review of the Council Committees' actions from May 25, 2004 and determination of

scheduling to the ORA/City Council meeting of June 1, 2004 (1 week) or June 15, 2004

(3 weeks) or future dates (MATRIX)

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

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

**following vote:**

**Votes:**

Excused; 1 - Chair De La Fuente

Aye; 3 - Member Chang, Member Reid and Member Wan

*The following individual spoke on Item 5 and did not indicate a position:*

- *Sanjiv Handa*

*Staff advised that Item 3 from the May 25, 2004 Finance and Management*

*Committee, found on page 3 of Attachment A, related to the Shoreline*

*Communications contract will be scheduled to the June 8, 2004 Finance and*

*Management Committee agenda.*

*Please refer to the Committee Matrix found as Attachment A to these minutes*

*for the approved scheduling of Committee items.*

(Item 5 Rules 5-27)

[Attachment A 5-25-04.pdf](#)

6

A review of the Agendas for the Council Committees for the meetings of June 8, 2004

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

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

**following vote:**

**Votes:**

Excused; 1 - Chair De La Fuente

Aye; 3 - Member Chang, Member Reid and Member Wan

*The following individual spoke on Item 6 and did not indicate a position:*

*- Sanjiv Handa*

*Staff advised that discussion of Item 7 on the June 8, 2004 Finance and*

*Management Committee agenda, related to overtime policy, would be included*

*in the report on Item 4, Revenue and Expenditures.*

(Item 6 Rules 5-27)

[Item 6 5-27-04.pdf](#)

7

Subject: Renaming of the Alice Arts Center

From: Councilmember Nadel

Recommendation: A continued discussion to adopt a Resolution changing the name of the

Alice Arts Center to the "Malonga Casquelourd Center for the Arts" (04-0356)

**A motion was made by Member Chang, seconded by Member Wan, 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 June 1, 2004 As a Non-Consent Item The motion carried by**

**the following vote:**

**Votes:**

Abstained; 1 - Member Reid

Excused; 1 - Chair De La Fuente

Aye; 2 - Member Chang and Member Wan

*The following individuals spoke in favor of Item 7:*

*- Nancy Nadel*

*- Muisi-kongo Shani Malonga*

*- Rashida Knox*

[Item 8 RLC 5-13-04.pdf,](#)

[Item 7 SUPP 5-27-04.pdf,](#)

[Item S-26 6-1-04,](#)

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

*The following individual 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 the meeting at 12:00*

*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

Phone: (510) 238-7370

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

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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*