

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 DRAFT**

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

City of Oakland Website: <http://www.oaklandnet.com>

Thursday, June 22, 2006

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Excused: Member Brunner

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

The Oakland City Council Rules and Legislation Committee convened at 10:40

AM with Council President De La Fuente presiding as Chairperson.

1

Closed Session

There was no action necessary for this item

2

Approval of the Draft Minutes from the Committee meetings of May 25, 2006 and June 8,

2006

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 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

FROM THE JUNE 29, 2006 RULES AND LEGISLATION COMMITTEE AGENDA
#1

Subject: Police And Fire Retirement Board Investments

From; Finance And Management Agency

Recommendation: Adopt A Resolution Submitting On The Council's Own Motion To Be Voted

Upon At The Municipal General Election To Be Held On November 7, 2006, A Proposed

Charter Amendment, Entitled "Measure Amending City Charter Section 2601(E) To Provide

That The Police And Fire Retirement Board Shall Make Investments In Accordance With The

Prudent Person Standard As Required By The California Constitution", Which Will Remove

Investment Restrictions That Currently (1) Prohibit The Board From Investing More Than Fifty

Percent Of The Retirement Fund In Equities (Stock And Mutual Funds) And (2) Prohibit

Investment In Non-Dividend Paying Stocks Unless the Board Approves Such Investment In

Advance On A Case-By-Case Basis (06-0560)

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

this matter be *Rescheduled to the *Rules & Legislation Committee, to be

heard at the July 13, 2006 meeting. The motion carried by the following

vote:

Votes:

Excused; 1 - Member Brunner

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

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DUE TO THE PRESENCE OF COUNCILMEMBERS NADEL AND

KERNIGHAN, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A

MOTION WAS MADE AND SECONDED TO ADJOURN THE MEETING OF

THE RULES AND LEGISLATION COMMITTEE, AND TO CONVENE AS A

SPECIAL MEETING OF THE FULL COUNCIL AT 11:08 AM.

4

Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting and Council Committee meetings of June 27, 2006 (SUPPLEMENTAL)

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

S-4-1

Subject: City Council Expenses

From: Finance And Management Agency

Recommendation: Discussion and Action On A Report On The Use of City Council

Personnel Appropriated Budget For Non-Personnel Expenditures And Conditions

For Grants To Non-City Entities (TITLE CHANGE) (06-0434)

Scheduled to *Finance & Management Committee on 7/11/2006

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S-4-2

Subject: Ranked Choice / Instant Runoff Voting

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Submitting On The Council's Own Motion

To Be Voted Upon At The Municipal General Election To Be Held On November 7,

2006, A Proposed Charter Amendment, Entitled "Measure Amending City Charter

Sections 205, 303, 1100 And 1103 And Adding Section 1105 Adopting Ranked

Choice Voting To Elect City Offices By Majority Vote In A Single Election In

November Without Holding A Separate Nominating Election" (06-0567)

Scheduled to *Rules & Legislation Committee

for scheduling

The following individual(s) spoke in favor of this item:

- Farias Margarita

- *Arnold G. Townsend*

- *Lindsay Vurek*

- *Joanne H. McKray*

- *Geoff M. Collins*

- *Rachel Kahn-Huy*

- *Dave Heller*

- *Tahan K. Jones*

- *Laura Wells*

- *Christopher John Jerdonek*

- *Sennet Williams*

- *Chris P. Kavanagh*

- *Janet Kobren*

- *Alona Clifton*

- *Wilson Riles*

- *Dave Kadlecek*

- *Nichols C. Heidorn*

- *Judy Cox*

- *Alix Rosenthal*

- *Susan Schacher*

- *Sandra Lasky*

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Subject: Instant Runoff Voting

From: Councilmembers Pat Kernighan And Nancy Nadel

Recommendation: Action On A Report On The Pros/Cons Of Preferential

Voting/Instant Runoff Voting (IRV) (06-0598)

Scheduled to *Rules & Legislation Committee
for scheduling
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S-4-4

Subject: West Oakland Community Fund

From: Community And Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing The Agency

Administrator To Take All Actions Necessary To Establish The West Oakland

Community Fund (06-0552)

Scheduled to *Community & Economic Development Committee on

7/11/2006

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S-4-5

Subject: 460 Grand Avenue - Mixed-Use Development

From: Community And Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A

Resolution Denying The Appeal And Sustaining The Decision Of The Planning

Commission Approving Construction Of A New Mixed-Use Development

Consisting Of 74 Residential Units And 4,600 Square Feet Of Commercial Space

Located At 460 Grand Avenue (Case File Number CMDV04-485) (06-0585)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/18/2006

as a Public Hearing

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S-4-6

Subject: Three New Housing And Business Mix Zoning Designations

From: Community And Economic Development Agency

Recommendation: Adopt An Ordinance To Adopt 1) Proposed Amendments To The

Zoning Regulations That Create Three New Housing And Business Mix (HBX)

Zoning Designations; 2) A Design Review Manual Associated With The New HBX

Zoning Designations; 3) Amendments To The Zoning Maps To Include The New

HBX Zones; 4) Minor Revisions And Clarifications To The General Plan Map To

Refine The HBX General Plan Designation Boundaries; And 5) Amendments To

The Document “Guidelines For Determining Project Conformity With The General

Plan And Zoning Regulations” To Reflect The New Zones; On The September 12,

2006 Community And Economic Development Committee Agenda And On The

September 19, 2006 City Council Agenda As A Public Hearing (06-0591)

Scheduled to *Community & Economic Development Committee on

9/12/2006

and to the September 19, 2006 City Council agenda as a Public Hearing
S-4-7

Subject: Consolidated Annual Performance And Evaluation Report

From: Community And Economic Development Agency

Recommendation: Receive And Informational 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 2005-2006; On The September 12, 2006 Community And Economic

Development Committee Agenda And On The September 19, 2006 City Council

Agenda As A Public Hearing (06-0592)

Scheduled to *Community & Economic Development Committee on

9/12/2006

and to the September 19, 2006 City Council agenda as a Public Hearing
S-4-8

Subject: Municipal Boathouse Rehabilitation And Park Improvements

From: Public Works Agency

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

Reject The Single Bid Submitted For The Municipal Boathouse Rehabilitation And

Park Improvements Project (C241911); 2) Waive Further Competitive Bidding; 3)

Authorize The City Administrator, Or Her Designee, To Negotiate And Award A

Construction Contract To BBI Construction For Construction Of The Municipal

Boathouse Rehabilitation And Park Improvements Project In An Amount

Not-To-Exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00);

And 4) Appropriate Three Million Two Hundred Thousand Dollars (\$3,200,000.00)

From The Sailboat House Renovation Project (C242010) Under Measure DD Series

B Fund To The Municipal Boathouse Rehabilitation And Park Improvements Project

(C241911) (06-0596)

Scheduled to *Public Works Committee on 7/11/2006

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S-4-9

Subject: Progressive Solutions Contract

From: Finance And Management Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Waive Competitive Bidding And Enter Into A Negotiated Contract With Progressive

Solutions, Inc. For An Automated Local Tax System And Maintenance And Support

Services For A Period Of Three Years In An Amount Not To Exceed Six Hundred

Seventeen Thousand Dollars (\$617,000.00) (06-0586)

Scheduled to *Finance & Management Committee on 7/11/2006

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S-4-10

Subject: Deputy Director Of Police

From: Finance And Management Agency

Recommendation: Adopt A Resolution Recommending To The Civil Service Board

That The Classification Of Deputy Director Of Police (Non-Sworn) Be Exempted

From The Operation Of The Civil Service (06-0590)

Scheduled to *Finance & Management Committee on 7/11/2006

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S-4-11

Subject: Public Financial Management OPOA Negotiations Contract

From: Finance And Management Agency

Recommendation: Adopt A Resolution To Amend The Public Financial

Management-OPOA Negotiations Contract By \$100,100 For A Total Contract

Amount Not To Exceed \$250,000 For Costing Proposals Regarding The Expiring

Memorandum Of Understanding Between The City Of Oakland And The Oakland

Police Officers' Association And Extend The Contract From June 30, 2006 To June

30, 2007 (06-0594)

Scheduled to *Finance & Management Committee on 7/11/2006

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S-4-12

Subject: Public Law Group Negotiations OPOA Contract

From: Finance And Management Agency

Recommendation: Adopt A Resolution To Amend The Public Law Group-OPOA

Negotiations Contract By \$150,100 For A Total Contract Amount Not To Exceed

\$300,000 For Negotiating The Expiring Memorandum Of Understanding Between

The City Of Oakland And The Oakland Police Officers' Association And Extend The

Contract From June 30, 2006 To June 30, 2007 (06-0595)

Scheduled to *Finance & Management Committee on 7/11/2006

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S-4-13

Subject: Knowland Park And Zoo Management Agreement Amendment

From: Office Of The City Administrator

Recommendation: Adopt A Resolution Authorizing Amendment No. 2 To The

Fifteen Year Agreement Between The City Of Oakland And The East Bay

Zoological Society, Inc., For The Management And Operation Of The Knowland

Park And Zoo, Expiring On October 31, 2019, That Substitutes The Requirement Of

"One-Free Admission Day Per Month For Oakland Residents" With The

"Zoo-To-Community: An Urban Outreach Program" (06-0290)

Scheduled to *Life Enrichment Committee on 7/11/2006

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S-4-14

Subject: 2006 Summer Recess

From: Office Of The City Administrator

Recommendation: Adopt A The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Take Action

On Procurement Of The Following Professional Services Contracts Exceeding

\$300,000 During The Agency's 2006 Summer Recess:

a) Agency Resolution Authorizing The Amendment Of Professional Service

Contracts Of Burns & Watry And Keyser Marston Associates From \$53,500 Each

To An Amount Not To Exceed \$153,500 Each For Preparation Of Various Legally

Required Redevelopment Documents Necessary To Support The Merger And Plan

Amendments Of The Oak Knoll And Central City East Project Areas

b) Agency Resolution Amending Resolution No. 2005-0051, Which Authorized The

Preparation Of Fiscal Merger Amendments To The Central City East

Redevelopment Plan And The Oak Knoll Redevelopment Plan, To Authorize The

Preparation Of Further Redevelopment Plan Amendments Increasing The Oak Knoll

Tax Increment Limit And Merging The Affordable Housing Production

Requirements For The Oak Knoll And Central City East Project Areas; And

(06-0587)

Scheduled to *Finance & Management Committee on 7/11/2006

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ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Transient Occupancy Tax-Zoo, Museum And Space And Science Center

From: Vice Mayor Quan And Councilmembers Chang And Reid

Recommendation: Adopt A Resolution Submitting, On The Council's Own Motion, To The

Electors At The November 7, 2006 Election, A Proposed Ordinance Amending The Oakland

Municipal Code In Order To Provide For A Two Percent Surcharge To The City's Transient

Occupancy Tax (Hotel Tax) To Support The Oakland Zoo, Oakland Museum Of California,

Chabot Space And Science Center And The Cultural/Funding Grants Program For Free Or Low

Cost Performing Arts Programs (06-0599)

Scheduled to *Finance & Management Committee on 7/11/2006

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Subject: Neighborhood Library Expansion

From: Oakland Public Library

Recommendation: Adopt A Resolution And Ordinance Submitting, On The Council's Own

Motion To The Electors At The November 7, 2006 Election, A Proposed Ordinance "The

Neighborhood Library Improvement, Expansion, Repair, and Construction Measure" In Order To

Improve Public Libraries In Oakland; Upgrade Existing Branch Libraries And The Main Library,

Installing Adequate Electrical And Plumbing Systems And Public Restrooms; Build New Branch

Libraries In Neighborhoods Lacking Them; And Provide Matching Funds To Qualify For State

And/Or Federal Funds For These Projects (06-0600)

Scheduled to *Rules & Legislation Committee
for scheduling

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Subject: Revenue From Rotunda Partners II

From: Councilmember Reid

Recommendation: Discussion And Action On A Report To Complete A Linked Transaction

Whereby The Technology Cluster Receives Support For A Portion Of Its Rent And The City Of

Oakland Receivers Revenues From Rotunda Partners II (06-0601)

Scheduled to *Community & Economic Development Committee on

7/11/2006

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Subject: Shot Spotter Lease Agreement

From: Oakland Police Department

Recommendation: Adopt A Resolution Waiving The Competitive Bid Process And Local/Small

Business Enterprise Program, And Authorizing The City Administrator To Enter Into A One (1)

Year Lease Agreement For A Gun Shot Location Technology System With ShotSpotter, Inc. In

An Amount Not-To-Exceed Two Hundred Eighty Eight Thousand Five Hundred Nine Dollars

(\$288,509.00) (06-0602)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/27/2006

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5

A review of the Agendas for the Concurrent Meeting of ORA/City Council for the

meeting(s) of July 4, 2006 Cancellation Notice and the July 6, 2006 Rules and Legislation

Committee Cancellation Notice

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

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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

City Council Rules and Legislation Committee adjourned the meeting at 12:10

p.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 - Agenda Management Unit

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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