

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, December 16, 2004

10:30 AM

City Council Chambers - 3rd Floor

The Oakland City Council Rule and Legislation Committee convened at 11:00

a.m., with Councilmember Reid presiding as Pro-Tem Chairperson.

Roll Call / Call to Order

Excused: Chair De La Fuente

Present: Member Chang, Member Reid and Member Wan

COMMITTEE MEMBERSHIP:

1

Closed Session

***Approve as Submitted**

2

Approval of the Draft Minutes from the Committee meeting of December 9, 2004

The minutes of December 9, 2004 will be approved at the January 14, 2005

Rules and Legislation Committee

3

Determination of Schedule of Outstanding Committee Items

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

(R&L Item 3 12-16-04)

[Cmte Item 3 12-16-04.pdf](#)

4

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

meeting of December 21, 2004 (SUPPLEMENTAL)

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

- *Sanjiv Handa*

S-4-1

Subject: Purchase of Urban Search and Rescue Equipment

From: Oakland Fire Department

Recommendation: Adopt a Resolution authorizing the City Administrator to apply

for, accept and appropriate a grant from the Federal Emergency Management

Agency (FEMA) for the period of September 1, 2004 to August 31, 2006 in the

amount of one million three thousand thirty five dollars (\$1,003,035) for training,

personnel and administrative costs and acquisition, storage and maintenance of

equipment for the Fire Department's Urban Search and Rescue (USAR) Team; and,

waiving formal bidding and authorizing the City Administrator to purchase USAR

Team equipment from the General Service Administration (GSA) without return to

Council (04-0992)

Scheduled to *Public Safety Committee on 1/11/2005

[Cmte Rpt Item 4 1-11-05 & Council Rpt S-10.14CC 1-....pdf,](#)

[79023 CMS.pdf](#)

S-4-2

Subject: East Bay Task Force - Overtime Reimbursement Costs

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator to accept

and appropriate fifty-eight thousand six hundred sixty-five dollars (\$58,665) from

the United States Department of Justice, Drug Enforcement Administration (DEA),

to the Oakland Police Department for overtime reimbursement costs of four (4)

police officers assigned to the East Bay Task Force for the period October 1, 2004

through September 30, 2005 (04-0998)

Scheduled to *Public Safety Committee on 1/11/2005

[Cmte Rpt Item 5 1-11-05 & Council Rpt S-10.15CC 1-....pdf,](#)

[79024 CMS.pdf](#)

S-4-3

Subject: Oakland Area Violent Drug Task Force

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator to

accept and appropriate one hundred and two thousand six hundred and sixty-three

dollars and seventy-five cents (\$102,663.75) in Federal funds from the United

States Department of Justice, Drug Enforcement Administration (DEA), to the

Oakland Police Department, for overtime reimbursement costs of six (6) police

officers and one (1) sergeant assigned to the Oakland Area Violent Drug Task

Force, for the period October 1, 2004 through September 30, 2005 (04-1002)

Scheduled to *Public Safety Committee on 1/11/2005

[Cmte Rpt Item 6 1-11-05 & Council Rpt S-10.16CC 1-....pdf,](#)

[79025 CMS.pdf](#)

S-4-4

Subject: Volunteer Blood Donor Month

From: Councilmember Nadel

Recommendation: Hear a Presentation and adopt a Resolution declaring January

2005 as "Volunteer Blood Donor Month" in the City of Oakland (04-0989)

Scheduled to City Council on 1/4/2005

As a Ceremonial item

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

- *Sanjiv Handa*

[Council Rpt Item 8.3 01-04-05.pdf,](#)

[78990 CMS.pdf](#)

4-5

Subject: Sustainable Community Development Initiative

From: Office of the Mayor

Recommendation: Receive an Informational Report on policy recommendations,

priority activity areas, and objectives adopted by the City Council for the City's

Sustainability Programs (TITLE CHANGE) (04-0990)

Scheduled to *Public Works Committee on 1/11/2005

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

- *Sanjiv Handa*

[View Report.pdf](#)

S-4-6

Subject: Renald A. Abellera - Service Recognition

From: Councilmember Reid

Recommendation: Adopt a Resolution commending Renald A. Abellera for 29.5

years of outstanding and dedicated service and congratulating him on his

retirement (04-0991)

Scheduled to City Council on 1/4/2005

As a Ceremonial Item

[Council Rpt Item 8.4 01-04-05.pdf](#),

[78991 CMS.pdf](#)

S-4-7

Subject: Calvin N. Wong - Service Recognition

From: Councilmember Chang

Recommendation: Adopt a Resolution honoring Calvin N. Wong for thirty-two

years of distinguished service to the Citizens of Oakland (04-0993)

Scheduled to City Council on 1/18/2005

As a Ceremonial Item

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

- *Sanjiv Handa*

[Council Rpt 8.2 1-18-05.pdf,](#)

[79009 CMS.pdf](#)

S-4-8

Subject: Beverly Garcia - Service Recognition

From: Councilmember Reid

Recommendation: Adopt a Resolution commending Beverly Garcia for 29 years of

outstanding and dedicated service to the City of Oakland and congratulating her on

her retirement (04-0995)

Scheduled to City Council on 1/4/2005
As a Ceremonial Item

[Council Rpt Item 8.5 01-04-05.pdf,](#)

[78992 CMS.pdf](#)

S-4-9

Subject: Proposed Koi Nation Casino

From: Councilmembers Quan and Nadel and Vice Mayor Brunner

Recommendation: Adopt a Resolution declaring the City Council's opposition to

the establishment of casinos and legalized gambling within its municipal borders

and directing the City Administrator to negotiate a contract with qualified

consultants to advise the City with respect to the establishment of the Lower Lake

Rancheria-Koi Nation Casino in Oakland (04-1003)

A motion was made that this matter be Scheduled to the *Community &

Economic Development Committee, to be heard at the January 11, 2005

meeting. The motion carried unanimously.

There will be a special City Council Meeting on January 11, 2005

This item will go to City Council on January 18, 2005

[Sp Coun Rpt Item 2 1-11-05.pdf](#),

[Sp Council Rpt Item S 2 1-11-05.pdf,](#)

[79008 CMS.pdf](#)

S-4-10

Subject: Opposition to Casinos in Oakland

From: Councilmember Quan

Recommendation: Adopt a Resolution in Opposition to Casinos in Oakland; on the

December 21, 2004 City Council agenda (04-1004)

Scheduled to *Community & Economic Development Committee on

1/11/2005

There will be a Special City Council meeting on January 11, 2005

This item to go to City Council on January 18, 2005

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

- Sanjiv Handa

The following individual(s) spoke against this item:

- *Sylvester Grisby*

There will be a Special City Council meeting on January 11, 2005

This item will go to City Council on January 18, 2005

S-4-11

Subject: Declaration of Property Various Interests - Uptown Project

From: Community and Economic Development Agency

Recommendation: Adopt an Agency Resolution of Necessity declaring certain

property interests at 1920 San Pablo Avenue, Oakland, CA 94612 (Assessor Parcel

Number: 008-0643-006), 1954 San Pablo Avenue, Oakland, CA 94612 (Assessor

Parcel Number: 008-0644-021, 610 William Street, Oakland, CA 94612 (Assessor

Parcel Number 008-0644-020) as necessary for public purposes and authorizing

Agency Counsel to initiate condemnation proceedings for the acquisition of said

property interests for Redevelopment purposes as part of Uptown Project

(04-0996)

Scheduled to *Community & Economic Development Committee on

1/25/2005

[View Report.pdf,](#)

[79059 CMS.pdf](#)

S-4-12

Subject: Surplus City-Owned Real Property - 7th and Castro Streets

From: Community and Economic Development Agency

Recommendation: Adopt an Ordinance authorizing the City Administrator to enter

into an offer to purchase agreement with Tuan Nguyen, Thong Nguyen and Carl

Nguyen (the adjoining property owners) for sale of surplus City real property

located at 7th and Castro Streets for the Fair Market Value of \$191,000 (04-0997)

Scheduled to *Community & Economic Development Committee on

1/25/2005

[View Report.pdf,](#)

[12646 CMS.pdf](#)

S-4-13

Subject: Central District Redevelopment Project Tax Allocation Bonds

From: Finance and Management Agency

Recommendation: Adopt the following pieces of legislation:

1) Adopt a Resolution of the City Council of the City of Oakland approving

issuance by the Redevelopment Agency of the City of Oakland of not to exceed

\$55,000,000 aggregate principal amount of Redevelopment Agency of the City of

Oakland Central District Redevelopment Project Subordinated Tax Allocation

Bonds, Series 2005, the execution of an interest rate swap, and providing other

matters properly relating thereto (04-1000)

Scheduled to *Finance & Management Committee on 1/11/2005

[Cmte Rpt Item 5 1-11-05 & Council Rpt S-18 1-18-05....pdf,](#)

[Council Rpt S-18 1-18-05.pdf,](#)

[79029 CMS.pdf,](#)

[2005-0001 JPFA CMS.pdf,](#)

[2005-0008 CMS.pdf](#)

S-4-14

Subject: Represented Bargaining Unit Members

From: Office of Personnel

Recommendation: Adopt a Resolution approving the tentative agreement between

the City of Oakland and International Federation of Professional and Technical

Engineers, Local 21 to add fair share fee provisions covering Bargaining Units

UH1, UM2 and TM2 to the MOU dated July 1, 2002 to June 30, 2008, that will

require bargaining unit members to pay Local 21 a fee for representing them in

negotiations (04-1001)

Scheduled to City Council on 1/4/2005

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

- *Sanjiv Handa*

[Council Rpt Item 19 01-04-05.pdf](#),

[79002 CMS.pdf](#)

(CMTE Pending 12-16)

[Cmte 4 12-16-04.pdf](#)

5

A review of the Council Committees' actions from December 14, 2004 and determination of scheduling to the ORA/City Council meeting of December 21, 2004 (MATRIX)

***Approve as Submitted**

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

- *Sanjiv Handa*

(CMTE Matrix 12-14)

[12-14-04.pdf](#)

6

A review of the Agendas for the City Council Committee meeting(s) for the week of December 28, 2004

No Action Taken

All Legislative meetings for the week of December 27, 2004 have been

cancelled due to the 2004 holiday recess

(CMTE Agendas 12-28)

[Draft Committees Agendas.pdf](#)

7

Subject: Amendment to the Council Rules and Procedures

From: Councilmember Wan

Recommendation: Adopt a Resolution amending Rule 7 of the Council's Rules of Procedure

Resolution No. 78307 C.M.S. to require a motion and a second to (1) remove an item from the

City Council's Consent Item Calendar and place on the Non-Consent Calendar of the next

Council meeting or (2) place on the agenda of the next Council meeting any action item that

was considered by a subject matter Committee, but was not forwarded to Council and setting

forth the Council's Rules of Procedure, as amended, in their entirety (04-0930)

Accepted

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

- Sanjiv Handa

[Cmte Rpt 7 12-16-04 & Council Rpt S-10.28CC 12-21-....pdf,](#)

[79006 CMS.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

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

- 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 11:46

a.m.

*

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.

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

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City Clerk and Clerk of the Council