

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, January 06, 2005

10:30 AM

City Council Chambers - 3rd Floor

The Oakland City Council Rules and Legislation Committee convened at

10:55 A.M., with President De La Fuente presiding as Chairperson.

Roll Call / Call to Order

Excused: Member Chang

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

COMMITTEE MEMBERSHIP:

1

Closed Session

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

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

Votes:

Excused; 1 - Member Chang

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

2

Approval of the Draft Minutes from the Committee meetings of December 2, 9, and 16,

2004

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

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

Votes:

Excused; 1 - Member Chang

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

3

Determination of Schedule of Outstanding Committee Items

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

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

Votes:

Excused; 1 - Member Chang

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

4

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

meetings of January 11, 2005 (SUPPLEMENTAL)

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

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

Votes:

Excused; 1 - Member Chang

Aye; 3 - 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*

4-1

Subject: Fireman's Fund Heritage Program

From: Fire Department

Recommendation: Adopt a Resolution to accept and appropriate a grant for one

hundred thousand dollars (\$100,000) from the Fireman's Fund Heritage Program to

the Oakland Fire Department Office of Emergency Services for the Citizens of

Oakland Respond to Emergencies (CORE) Program (05-0014)

Scheduled to *Public Safety Committee on 1/25/2005

[View Report.pdf,](#)

[79041 CMS.pdf](#)

4-2

Subject: Emergency Management Board Proceedings

From: Oakland Fire Department

Recommendation: Receive a Semi-annual report on Emergency Management

Board proceedings for the period July - December 2004 (05-0015)

Scheduled to *Public Safety Committee on 1/25/2005

[View Report.pdf](#)

4-3

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)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/11/2005

as a Special City Council meeting

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

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

[79008 CMS.pdf](#)

4-4

Subject: Jim Brown - Dedicated Service

From: Councilmember Larry Reid

Recommendation: Adopt a Resolution honoring and recognizing Jim Brown for

his 27 years of service and dedication to the City of Oakland and congratulating

him on his retirement (05-0003)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/18/2005

as a Ceremonial item

4-5

Subject: Amendment to the Oakland Municipal Code

From: Councilmember Danny Wan

Recommendation: Approve the Introduction and Final Passage of an urgency

Ordinance, pursuant to Government Code Section 65858, imposing a moratorium

on massage service activities (05-0012)

Scheduled to *Public Safety Committee on 1/25/2005

[View Report.pdf](#),

[View Supplemental Report.pdf,](#)

[View Supplemental Rpt.pdf,](#)

[12647 CMS.pdf](#)

4-6

Subject: "Rebuilding Together Oakland"

From: Councilmember Nancy Nadel

Recommendation: A Presentation and adoption of a Resolution in appreciation of

the work of "Rebuilding Together Oakland" (05-0017)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/18/2005

[Council Rpt 8.4 1-18-05.pdf,](#)

[79010 CMS.pdf](#)

4-7

Subject: "Stand Up for Choice Day"

From: Councilmember Nancy Nadel

Recommendation: A Presentation and adoption of a Resolution recognizing

January 22, 2005 as "Stand Up for Choice Day" (05-0018)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/18/2005

[Council Rpt 8.5 1-18-05.pdf](#),

[79011 CMS.pdf](#)

4-8

Subject: Subaru Lot - Promissory Note

From: Community and Economic Development Agency

Recommendation: Adopt the following pieces of Legislation:

1) A Resolution authorizing the City Administrator to elect on behalf of the City

of Oakland to fulfill OBRA's financial obligations under a Promissory Note to

purchase the 16.5-acre Subaru Lot property acquired on November 18, 2004; and

(05-0016)

Scheduled to *Community & Economic Development Committee on

1/25/2005

2) An Agency Resolution authorizing the Agency Administrator to elect on behalf of the

Redevelopment Agency to fulfill OBRA's financial obligations under a Promissory Note to

purchase the 16.5-acre Subaru Lot property acquired on November 18, 2004 (05-0016-1)

Scheduled to *Community & Economic Development Committee on

1/25/2005

4-9

Subject: Mayor's Summer Jobs Program

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to apply

for, accept and appropriate grant funds and contributions from private foundations

and corporations on behalf of the Oakland Workforce Investment Board to fund the

Mayor's Summer Jobs Program (05-0019)

Scheduled to *Community & Economic Development Committee on

2/8/2005

[View Report.pdf,](#)

[79058 CMS.pdf](#)

4-10

Subject: Wood Street Development - West Oakland

From: Community and Economic Development Agency

Recommendation: A Request to schedule a Public Workshop - Review and

consideration of major policy issues associated with the proposed Wood Street

("Central Station") Development, West Oakland: the construction of

approximately 1,570 residential units, including 186 live-work units in converted

warehouses; 13,000 square feet of neighborhood-serving commercial uses; plus

14,487 square feet of public/community uses associated with the historic 16th

Street Train Station, and restoration of the signal tower and main hall of the 16th

Street Station; on the February 22, 2005 Community and Economic Development

Committee agenda (05-0021)

***Rescheduled to *Rules & Legislation Committee on 1/20/2005**
for scheduling
4-11

Subject: Risk Management Activities

From: Public Works Agency

Recommendation: Receive an Informational Report on the Public Works Agency

Risk Management Activities (05-0009)

Scheduled to *Finance & Management Committee on 1/25/2005
[View Report.pdf](#)
4-12

Subject: Asbestos Management Group of California, Inc., - Agreement

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the City Administrator, or her

designee, to award a construction contract to Asbestos Management Group of

California, Inc., for the Municipal Boathouse renovation - Selective Demolition

Phase (Project No. C241910) in the amount of seventy six thousand three hundred

dollars (\$76,300) (05-0010)

Scheduled to *Public Works Committee on 1/25/2005

[Cmt Rpt 4 1-25-05 & Council Rpt S-10.4CC 2-01-05.p....pdf,](#)

[79037 CMS.pdf](#)

4-13

Subject: Donation of One Surplus GMC Fleetwood Vehicle

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the donation of one surplus

1990 GMC Fleetwood command post vehicle to the East Bay Regional Park

District (05-0011)

Scheduled to *Public Works Committee on 2/8/2005

[View Report.pdf,](#)

[79054 CMS.pdf](#)

4-14

Subject: Ester S. Concepcion - Dedicated Service

From: Finance and Management Agency

Recommendation: Adopt a Resolution commending Esther S. Concepcion for 34

years of devoted and dedicated service and congratulating her on her retirement

(04-0956)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/18/2005

[Council Rpt 10.3CC 1-18-05.pdf,](#)

[79014 CMS.pdf](#)

4-15

Subject: Iona Young - Dedicated Service

From: Finance and Management Agency

Recommendation: Adopt a Resolution commending Iona Young for 10 years of

outstanding dedicated service to the City of Oakland (05-0001)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/18/2005

[Council Rpt 10.5CC 1-18-05.pdf,](#)

[79016 CMS.pdf](#)

4-16

Subject: Michael T. McBride - Dedicated Service

From: Finance and Management Agency

Recommendation: Adopt a Resolution commending Michael T. McBride for 27

years of outstanding dedicated service to the City of Oakland (05-0002)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/18/2005

[Council Rpt 10.6CC 1-18-05.pdf,](#)

[79017 CMS.pdf](#)

4-17

Subject: Workers' Compensation Report

From: Finance and Management Agency/Risk Management

Recommendation: Receive an Annual Workers' Compensation Report for

2003-2004 (05-0005)

Scheduled to *Finance & Management Committee on 1/25/2005

[View Report.pdf](#)

4-18

Subject: Self-Insurance General Liability Fund (Fund 1100)

From: Finance and Management Agency/Risk Management Division

Recommendation: Adopt a Resolution authorizing the budgetary appropriation of

monies from the Self-Insurance General Liability Fund (Fund 1100) to departments

for Fiscal Year 2005/06 and 2006/07 allocation of general liability costs based on

implementation of the "Phoenix Model" of risk management cost allocation

(05-0006)

Scheduled to *Finance & Management Committee on 1/25/2005

[View Report .pdf,](#)

[View Supplemental Report.pdf,](#)

[79065 CMS.pdf](#)

4-19

Subject: Designation of State Financial Assistance Representatives

From: Finance and Management Agency - Accounting

Recommendation: Adopt a Resolution designating the Director of Finance and

Management Agency, Controller and Assistant Controller as authorized

representatives for the purpose of receipt, processing and coordination of all

inquiries and requirements necessary to obtain available Federal Financial

Assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance

Act of 1988, and State Financial Assistance under the Natural Disaster Assistance

Act (05-0007)

Scheduled to *Finance & Management Committee on 1/25/2005

[View Report.pdf](#),

[79055 CMS.pdf](#)

4-20

Subject: Enterasys, Inc. - Agreement

From: Finance and Management Agency/Information Technology

Recommendation: Adopt a Resolution authorizing the City Administrator or her

designee to execute a seven year contract for the lease of data network equipment

and services with Enterasys Inc., for an amount not to exceed \$215,000 annually or

\$1,500,000 over the term of the contract without return to Council (05-0008)

Scheduled to *Finance & Management Committee on 1/25/2005

[View Report.pdf,](#)

[79067 CMS.pdf](#)

4-21

Subject: ShoreTel - Agreement

From: Finance and Management Agency

Recommendation: Adopt a Resolution approving the successful completion of the

Voice Over IP Pilot Project and authorizing the City Administrator or her designee

to execute a seven year contract for the lease of telephone equipment and services

with ShoreTel (formerly Shoreline) Communications Inc., for an amount not to

exceed \$275,000 annually or \$1,650,000 over the term of the contract without

return to Council (05-0020)

Scheduled to *Finance & Management Committee on 1/25/2005

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

4-22

Subject: Police Services Agency - Performance Audit

From: Finance and Management Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to enter

into a professional services contract with Public Financial Management, Inc. to

conduct a performance audit of the Oakland Police Service Agency overtime and

related staffing issues for an amount not to exceed \$180,000 (05-0022)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 1/18/2005**

[Council Rpt 10.7CC 1-18-05 & Cmte Rpt 10 1-25-05.p....pdf,](#)

[Council Rpt 16 1-18-05 & Cmte Rpt 10 1-25-05.pdf,](#)

[Cmt Rpt Item S-10 1-25-05 & Council Rpt 21 2-01-05....pdf,](#)

[79046 CMS.pdf](#)

4-23

Subject: Ponce G. Flores - Devoted and Dedicated Service

From: Finance and Management Agency

Recommendation: Adopt a Resolution commending Ponce G. Flores for 31 years

of devoted and dedicated service and congratulating him on his retirement

(04-0958)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/18/2005

[Council Rpt 10.4CC 1-18-05.pdf,](#)

[79015 CMS.pdf](#)

4-24

Subject: Francisco & Associates - Contract

From: City Administrator's Budget Office

Recommendation: Adopt a Resolution authorizing the City Administrator to

execute a contract with Francisco & Associates for a two-year amount not to

exceed \$31,339 to perform district engineering services for the Violence

Prevention and Public Safety Act of 2004 (Measure Y) for Fiscal Years 2005-06

and 2006-07 (05-0004)

Scheduled to *Finance & Management Committee on 1/25/2005

[Cmt Rpt 7 1-25-05 & Council Rpt S-24 2-01-05..pdf,](#)

[79047 CMS.pdf](#)

ADDITIONAL REQUEST SUBMITTED ON THE DIAS

Subject: Vacancy of District Two City Council Office

From: Councilmember Danny Wan

Recommendation: Adopt a Resolution declaring a vacancy in the District Two City Council

Office as of January 18, 2005 (05-0023)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/18/2005

[Council Rpt 15 1-18-05.pdf,](#)

[79026 CMS.pdf](#)

Subject: Special Election to Fill Vacancy in District Two

From: Councilmember Danny Wan

Recommendation: Adopt a Resolution calling a Special Election to fill the vacancy in the

District 2 City Council Office and directing the City Administrator and City Clerk to prepare

and conduct the Special Election consistent with State and Local Requirements including the

possibility of an all Mail Ballot Election (05-0024)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/18/2005

[Council Rpt 15.1 1-18-05.pdf,](#)

[79027 CMS.pdf](#)

5

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

meeting(s) of January 18, 2005

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

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

Votes:

Excused; 1 - Member Chang

Aye; 3 - 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

(Item 5 1-6-05)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual(s) 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 at 11:34 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

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451 (TDD)

*

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