

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, October 07, 2004

10:30 AM

City Council Chambers - 3rd Floor

The Oakland City Council Rules and Legislation Committee convened at 10:47

a.m. with Council President De La Fuente presiding as Chairperson.

Roll Call / Call to Order

Excused: Member Reid

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

COMMITTEE MEMBERSHIP:

1

Closed Session

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

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

Votes:

Excused; 1 - Member Reid

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

2

Approval of the Draft Minutes from the Committee meeting of September 23, 2004

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

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

Votes:

Excused; 1 - Member Reid

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

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 - Member Reid

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

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

meetings of October 12, 2004 or future dates (SUPPLEMENTAL)

A motion was made, seconded by Member Chang, to *Approve as

Submitted. The motion carried by the following vote:

Votes:

Excused; 1 - Member Reid

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

The following individual(s) spoke on this item:

- *John Sutter*

S-4-1

Subject: Oakland's Babe Ruth Little League

From: Councilmember Brunner

Recommendation: Adopt a Resolution congratulating Oakland's Babe Ruth Little

League 11 year olds for their exemplary performance in the season's National

Tournament (04-0801)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/19/2004

as a Ceremonial item

[Council 8.5.pdf,](#)

[78846.pdf](#)

S-4-2

Subject: Afterschool Safety and Security - Oakland Technical High School

From: Councilmember Brunner

Recommendation: An update and discussion regarding lunchtime and afterschool

safety and security in and around Oakland Technical High School (04-0802)

Scheduled to *Education Partnership Committee on 10/26/2004

[Committee Report Item 4.pdf](#)

S-4-3

Subject: Amend the General Plan

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution to amend the General Plan (1) to change the

General Plan land use designation of 10900 Edes Avenue, 10800 Edes Avenue, &

732 105th Avenue from Business Mix to Housing and Business Mix (GPA

03-023); and

2) An Ordinance rezoning a portion of 10900 Edes Avenue from the M-20 Light

Industrial zone to the R-40 Garden Apartment Residential zone (04-0807)

Scheduled to *Community & Economic Development Committee on

11/9/2004

S-4-4

Subject: Renaming a portion of Broadway

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution renaming "Broadway" between 5th Street

and 6th Street and under I-580 to "Broadway Auto Row" (04-0808)

***Rescheduled to *Rules & Legislation Committee on 10/14/2004**

for scheduling

[Council Rpt 10.9CC 11-16-04.pdf](#)

S-4-5

Subject: Oakland Army Base Workforce Development Collaborative

From: Oakland Base Reuse Authority

Recommendation: Adopt an Agency Resolution authorizing the Agency

Administrator to 1) consent to the assignment of the rights and obligations of the

Alameda County Homeless Base Conversion Collaborative to the Oakland Army

Base Workforce Development Collaborative ("Workforce Collaborative") under

the 1999 Memorandum of Understanding, and 2) negotiate and enter into an

amended and restated Memorandum of Understanding with the Workforce

Collaborative, Port of Oakland, and Oakland Base Reuse Authority, for an

alternate homeless accommodation for the Oakland Army Base in an amount not to

exceed five million four hundred thousand dollars (\$5,400,000) (04-0810)

Scheduled to *Community & Economic Development Committee on

11/9/2004

[Committee Report 5.pdf](#)

S-4-6

Subject: State of California Environmental Protection Agency - Contract

From: Oakland Base Reuse Authority

Recommendation: Adopt the following pieces of Legislation:

1) a Resolution requesting that the Agency Administrator be authorized to enter

into a letter amendment to the Consent Agreement between the City of Oakland,

Oakland Redevelopment Agency, Oakland Base Reuse Authority and the State of

California Environmental Protection Agency Department of toxic substances

control to add the Oakland Army Base "Subaru Parcel" to the final remedial action

plan for the Oakland Army Base Project and

2) a Resolution requesting that the City Administrator be authorized to enter into a

letter amendment to the Consent Agreement between the City of Oakland, Oakland

Redevelopment Agency, Oakland Base Reuse Authority and the State of California

Environmental Protection Agency Department of Toxic Substances Control to add

the Oakland Army Base "Subaru Parcel" to the final remedial action plan for the

Oakland Army Base Project (04-0811)

Scheduled to *Community & Economic Development Committee on

11/9/2004

[Committee Report 12.pdf](#)

S-4-7

Subject: Status Report on the Oakland Army Base Project

From: Oakland Base Reuse Authority

Recommendation: Receive an Informational Report on the status of the Oakland

Army Base Project (04-0813)

Scheduled to *Community & Economic Development Committee

for scheduling

S-4-8

Subject: Tract Map 7488

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution approving final map of Tract 7488, an eight

(8) lot subdivision locates at 66th Avenue and San Leandro Street; accepting

irrevocable offers for dedication of public rights of way and future maintenance of

public streets; authorizing the City Engineer to enter into an agreement with

Oakland Coliseum Housing Partners, LLP to construct public infrastructure

improvements serving the subdivision; fixing the amount of securities to guarantee

the construction of the improvements and payments of labor and materials; and

adopting plans and specifications for construction the improvements (04-0816)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/19/2004

as a Non-consent item.

[Council Report Item 22 10-19-04.pdf,](#)

[78666.pdf](#)

S-4-9

Subject: MacArthur Boulevard Utility Undergrounding-Public Hearing

From: Public Works Agency

Recommendation: Conduction a Public Hearing and upon conclusion Adopt a

Resolution authorizing award of a construction contract to the responsible low

bidder, Underground Construction Company, Inc., in an amount not to exceed

\$9,606,878.45 for Undergrounding Utility District No. 233, on MacArthur

Boulevard (from 73rd Avenue to the San Leandro City line) using \$1,671,685 in

City of Oakland funds out of a budget of \$2,000,000 for the project and payments

from PG&E, SBC, and Comcast totaling \$7,935,192 (Councilmember Brooks,

District 6) (04-0648)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/19/2004

as a Non-consent item.

[Cmte Rpt 9-14-04/9-28-04,](#)

[Council Rpt 9-21-04 & 10-5-04.pdf,](#)

[Council Rpt 10-5-04 & Council Rpt 11-16-04.pdf,](#)

[Council Rpts 10-19-04 & 11-16-04.pdf](#)

S-4-10

Subject: Camron-Stanford House

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to reject

all bids for the Camron-Stanford house restoration, waive the competitive bid

process, and negotiate and award a contract for a not to exceed amount of one

hundred seventy five thousand dollars (\$175,000) without return to Council

(Project No. C198910) (04-0809)

Scheduled to *Public Works Committee on 11/9/2004

[Committee Report 4.pdf](#)

S-4-11

Subject: Park Capital Improvement Projects

From: Public Works Agency

Recommendation: Action on a Report on unfunded park and recreational facility

capital improvement projects and a recommendation for prioritization criteria for

future park capital improvement projects (04-0824)

Scheduled to *Life Enrichment Committee

for scheduling

S-4-12

Subject: Piedmont Hills Underground Assessment District

From: Finance and Management Agency

Recommendation: Adopt a Resolution of the City Council of the City of Oakland

granting consent to the City of Piedmont to conduct proposed special assessment

proceedings for proposed Piedmont Hills Underground Assessment District

(04-0812)

Scheduled to *Finance & Management Committee on 10/26/2004

[Council Rpt 10.10CC 11-16-04.pdf](#)

S-4-13

Subject: Measure CC

From: East Bay Regional Park District

Recommendation: Adopt a Resolution declaring the Oakland City Council's

support of Measure CC - Park access, wildfire protection, public safety, and

environmental maintenance measure (04-0803)

Scheduled to *Rules & Legislation Committee on 10/14/2004

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: that there is a need to take immediate action

which came to the attention of the local body after the agenda was posted, and

that the need to take immediate action relates to federal or state legislation

[Council Report Item S-8 10-19-04.pdf](#)
S-4-14

Subject: Amendment to the Oakland Municipal Code

From: Oakland Public Ethics Commission

Recommendation: Action on a Report from the Public Ethics Commission to

amend Chapter 3.13 of the Oakland Municipal Code (aka "The Limited Public

Financing Act") to provide, among other things, that 1) matching funds be

available only to candidates for City Council and the Oakland School Board; 2) the

maximum amount which a candidate may receive in matching funds be raised from

15 percent to 25 percent of the voluntary expenditure limit; 3) require candidates to

collect eligible contributions only from sources located within the City of Oakland;

4) candidates may receive an initial grant of matching funds upon a determination

of eligibility; and 5) run-off candidates shall be limited in the receipt of matching

funds (04-0760)

Scheduled to *Rules & Legislation Committee on 11/18/2004

[Cmte Rpt 6 11-18-04.pdf](#)

(Cmte Pending 10-7-04)

[Committee Pending Lists.pdf](#)

ADDITIONAL REQUEST SUBMITTED UPON THE DIAS

Subject: Pay-go Account

From: Office of the City Attorney

Recommendation: Approve the Introduction (First Reading) of an Ordinance confirming

procedures for grants from the Pay-go account to noncity entities (04-0825)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/19/2004

as a Non-consent item.

[Council Report Item 23 10-19-04.pdf](#)

5

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

of October 19, 2004

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 - Member Reid

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

(Draft 10-19-04 CC)

[Draft Agenda for 10-19-04.pdf](#)

Subject: Tree Removal Permit Appeal - Grizzly Peak Boulevard

From: Public Works Agency

Recommendation: Conduct a Public Hearing and upon conclusion adopt a Resolution denying

the appeal filed by Dr. Joseph Whitehouse against the decision of the Office of Parks and

Recreation approving the issuance of a tree removal permit for a vacant lot on Grizzly Peak

Boulevard (Councilmember Brunner, District 1) (04-0823)

***Withdrawn with No New Date**

Subject: Purchasing System Amendments

From: Finance and Management Agency

Recommendation: Adopt an Ordinance amending Ordinance No. 7937 C.M.S., adopted

February 6, 1969, and amendments thereto, codified at Oakland Municipal Code Title 2,

Chapter 2.04, Purchasing System, Article I, Bidding, Contracting and Purchasing, to increase

the City Manager's contract approval limits, revise City Council approval limits accordingly,

revise the local business preference, make necessary corrections, clarifications, delete obsolete

provisions and codify current procedures (03-0289)

***Withdrawn with No New Date**

[Cmte Rpt.pdf](#),

[Cmt Rpt 5-11-04.pdf](#),

[Cmte Rpt 7-13-04.pdf](#),

[Cmte Rpt 9-28-04 & Council Rpt 18 11-16-04.pdf](#)

**AT THE REQUEST OF COUNCILMEMBER WAN THE FOLLOWING ITEM WILL BE
ADDED**

3) Adopt a Resolution authorizing the City Administrator to apply for, accept and appropriate

grant funds for the State Urban Parks and Healthy Communities Program under the California

Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for

Coliseum Gardens Park for \$1,000,000 (04-0583a-3)

[Council Report Item 18 10-19-04.pdf](#),

[78864.pdf](#)

**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 at 11:10 a.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

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