Meeting Minutes City of Oakland

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	2
Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, Ca	lifornia, 94612
City of Oakland Website: http://www.oaklandne	et.com
Thursday, January 12, 2006	
Roll Call / Call to Order	City Council Chambers - 3rd Floor
The Oakland City Council Rules and Legislation Committee convened at 10:48	
A.M., with Council President De La Fuente presiding as Chairperson.	
COMMITTEE MEMBERSHIP:	
Present: Member Chang, Member Reid, Member Brunner and Chair De La	
Fuente	
1 Closed Session	
A motion was made by Member Chang, seconded by Member Reid, to	
*Approve as Submitted. The motion carried by the following vote:	
Votes:	
Aye; 4 - Member Chang, Member Reid, Member Brunner and Chair De La	
Fuente	
2 There are no Draft Minutes to approve	
3 Determination of Schedule of Outstanding Committee Items	

*Approve as Submitted. The motion carried by the following vote:
Votes:
Aye; 4 - Member Chang, Member Reid, Member Brunner and Chair De La
Fuente
(R&L Item 3 01-12-06) <u>View Item.pdf</u> 4
Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting
of January 17, 2006 (SUPPLEMENTAL)
A motion was made by Member Chang, seconded by Member Brunner, to
*Approve with the following amendments. The motion carried by the
following vote:
Votes:
Aye; 4 - Member Chang, Member Reid, Member Brunner and Chair De La
Fuente 4-01
4-01
Subject: Local Emergency Due To Winter Storms
From: Oakland Fire Department
Recommendation: Adopt A Resolution Renewing And Continuing The Local
Emergency Due To Winter Storms First Proclaimed By The City Of Oakland On
January 5, 2006 (06-0027)

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

Agency/City Council on 1/17/2006 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 is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting.

View Report.pdf,

Scheduled to Concurrent Meeting of the Oakland Redevelopment

79682 CMS.pdf 4-02 Subject: Association Of Bay Area Governments Multi-Jurisdictional Report From: Oakland Fire Department

Recommendation: Adopt A Resolution Making An Urgency Finding And

Multi-Jurisdictional Report "Taming Natural Disasters" As The City Of Oakland's

Scheduled to Concurrent Meeting of the Oakland Redevelopment

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

Approving The Association Of Bay Area Governments (ABAG)

Local Hazard Mitigation Plan (06-0032)

Agency/City Council on 1/17/2006

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 is required to avoid a substantial adverse
impact that would occur if the action were deferred to a subsequent special or
regular meeting.
View Report.pdf,
79683 CMS.pdf 4-03
Subject: Big Valley Aviation - Agreement

From:	Oakland Police Department
Recommend	dation: Adopt A Resolution Authorizing The City Administrator, On
Behalf Of T	The City Of Oakland, To Enter Into A Two-Year Professional Services
Agreement	For The Period July 1, 2005 Through June 30, 2007 With Big Valley
Aviation, Ir	nc. In An Amount Not To Exceed Seven Hundred Thousand Dollars
(\$700,000)	For Maintenance Of Police Department Helicopters (06-0023)
Scheduled	to *Public Safety Committee on 1/24/2006
View Repo	ort.pdf,
View Supp	plemental Report.pdf,
79710 CM	<u>(S.pdf</u>
4-04	

Subject: Oakland Army Base - Land Use Policy	
From: Community And Economic Development Agency	
Recommendation: Action On A Report Forwarding Recommendations On Land	
Use Policy For The Oakland Army Base, Not Including The Land Subject To An	
Agreement With The Fulton Development Corporation (05-0880)	
Scheduled to Special Concurrent Meeting of the Oakland Redevelopment	
Agency/City Council on 1/31/2006	
View Report.pdf,	
View Report.pdf 4-05	
4-05	
4-05 Subject: Retail Land Use Policy	
4-05 Subject: Retail Land Use Policy From: Community And Economic Development Agency	

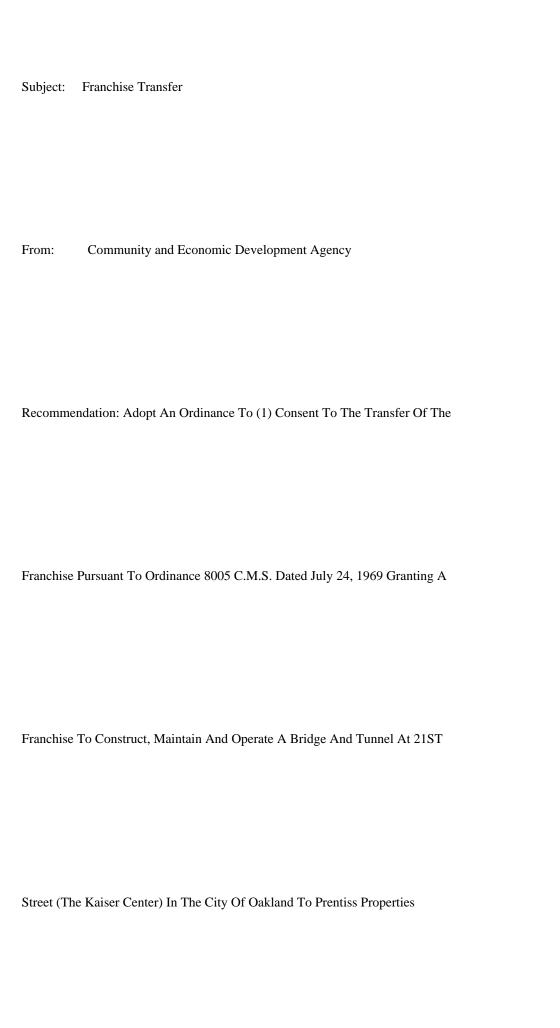
Agency/City Council on 1/31/2006

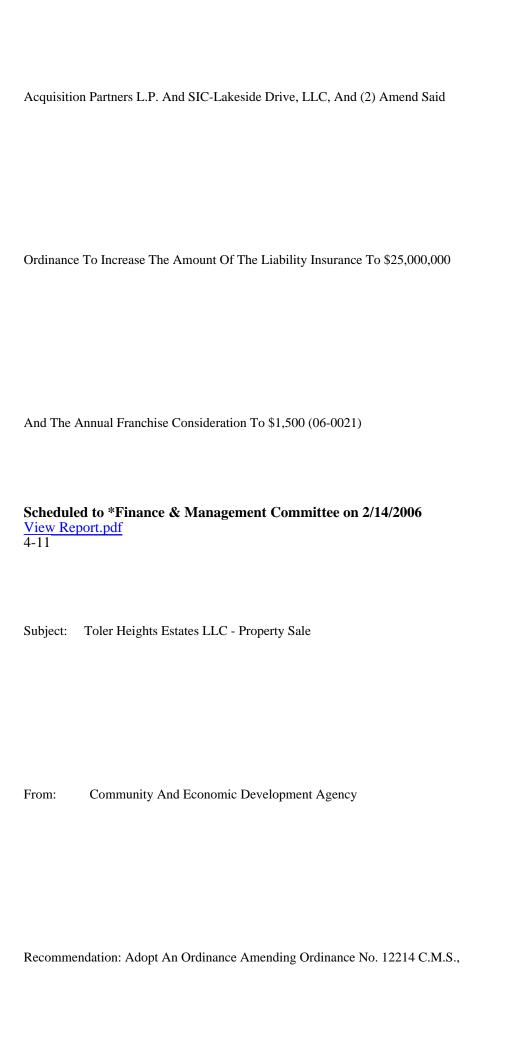
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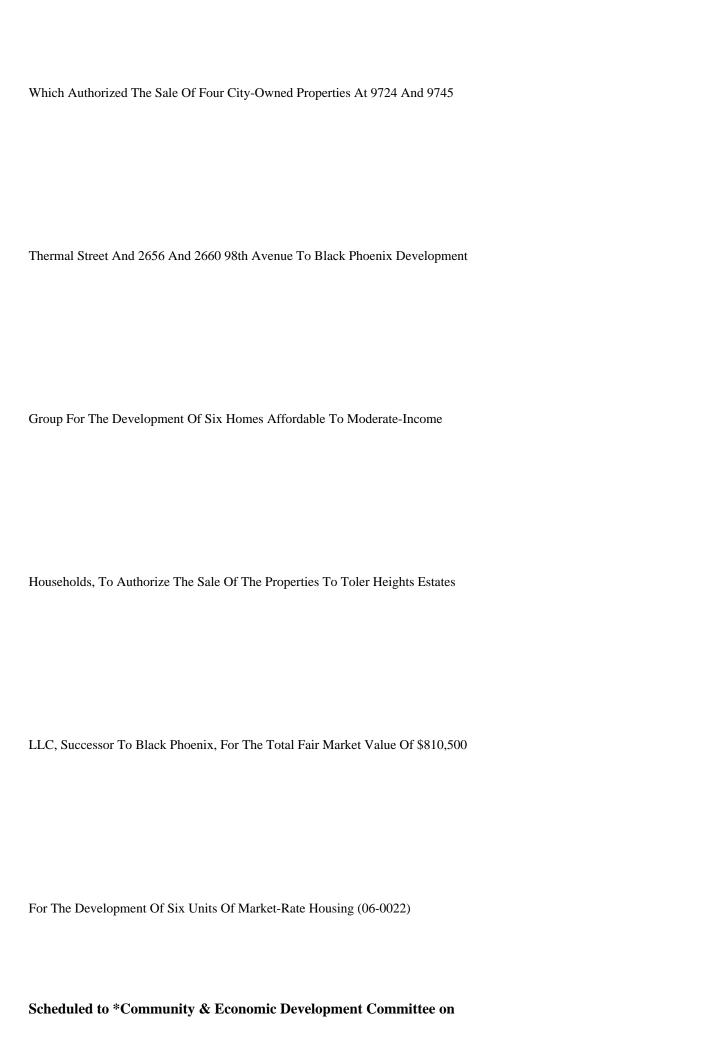
Subject:	Caldecott Tunnel 4th Bore - Status Report
From:	Councilmember Reid
Recomme	ndation: Receive A 15 Minute Status Report From Caltrans On The
Draft Env	ironmental Report To Be Released In Early 2006 On The Caldecott
Tunnel 4tl	h Bore; On The February 21, 2006 City Council Agenda (06-0007)
*Resched 4-07	duled to *Rules & Legislation Committee on 1/19/2006
Subject:	Volunteer Blood Donor Month
From:	Councilmember Nadel
Recomme	ndation: Adopt A Resolution Declaring January As "Volunteer Blood
Donor Mo	onth" In The City Of Oakland (06-0020)
Schedule	ed to Concurrent Meeting of the Oakland Redevelopment
Agency/	City Council on 1/17/2006
The Com	mittee 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 a purely ceremonial or
commendatory action.
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79672 CMS.pdf
4-08
Subject: Leona Quarry Construction Effects
From: Councilmember Nadel
Recommendation: Receive A Report On The Effects Of The Construction At

Leona Quarry On The Down-Stream Property Along Chimes Creek During This
Season's Rainstorm Events; On The March 14, 2006 Public Works Committee
Agenda (06-0228)
*Rescheduled to *Rules & Legislation Committee on 1/19/2006 for scheduling 4-09
Subject: Industrial Land Use Policy Report
From: Community And Economic Development Agency
Recommendation: Action On A Report Forwarding Recommendations On
Industrial Land Use Policy And Proposed Criteria For The Conversion Of
Industrial Land To Non-Industrial Uses (05-0738)
Scheduled to Special Concurrent Meeting of the Oakland Redevelopment
Agency/City Council on 1/31/2006 View Report.pdf 4-10







1/24/2006

View Report.pdf 4-12	
Subject: Forest City - Exclusive Negotiating Agreement	
From: Community And Economic Development Agency	
Recommendation: Adopt An Agency Resolution Authorizing The Agency	
Administrator To Negotiate And Execute A First Amendment To An Exclusive	

Negotiating Agreement Between The Redevelopment Agency And Forest City
Residential West, Inc. Or A Related Entity, For The Development Of A Market
Rate, Mixed-Use Project Consisting Of Housing And Retail On A Parcel Bounded
By William Street In The North, Telegraph Avenue On The East, 19th Street On

The South And A New Public Park On The West In Downtown Oakland In Order
To Extend The Exclusive Negotiating Agreement For An Additional Term Of
Ninety (90) Days, Resulting In A Total Term Of One Hundred Eighty (180) Days
(06-0024)
Scheduled to *Community & Economic Development Committee on 2/14/2006 View Report.pdf 4-13

Subject:	Solid Waste Reduction
From:	Public Works Agenda
Recommer	ndation: Adopt A Resolution Adopting A Strategic Plan For Reduction
And Recyc	cling Of Residential, Commercial, And Industrial Solid Wastes To
Achieve T	he Council Goal Of 75% Solid Waste Diversion In 2010; On The
February 1	4, 2006 Public Works Committee Agenda (05-0965-1)
Schedule 4-14	d to *Public Works Committee on 2/14/2006
Subject:	Landscaping And Lighting Assessment District Property Assessments
From:	Office of the City Administrator - Budget Office

Recommendation: Adopt A Resolution To (A) Initiate The Fiscal Year 2006-2007
Assessment Process For The City Of Oakland Landscaping And Lighting
Assessment District; (B) Increase Property Assessments For The Landscaping And
Lighting Assessment District Pursuant To Articles XIII C And D Of The California
Constitution; And (C) Authorize The City Administrator To Order The Preparation
Of A Preliminary Engineer's Report Pursuant To The California Streets And

Highways Code (06-0026)
Scheduled to *Finance & Management Committee on 2/14/2006 View Report.pdf 4-15
Subject: 2005-2006 Second Quarter Revenue And Expenditure Results
From: Office Of The City Administrator - Budget Office
Recommendation: Receive A Report On Fiscal Year 2005-2006 Second Quarter
Revenue And Expenditure Results And Year-End Projections For Selected City
Funds (General Purpose, Telecommunications, Contract Compliance, Equipment
And Facilities) (06-0029)
Scheduled to *Finance & Management Committee on 2/28/2006 (R&L Item 4 01-12-06) View Item.pdf 5
A review of the Council Committees' actions from January 10, 2006 and determination of

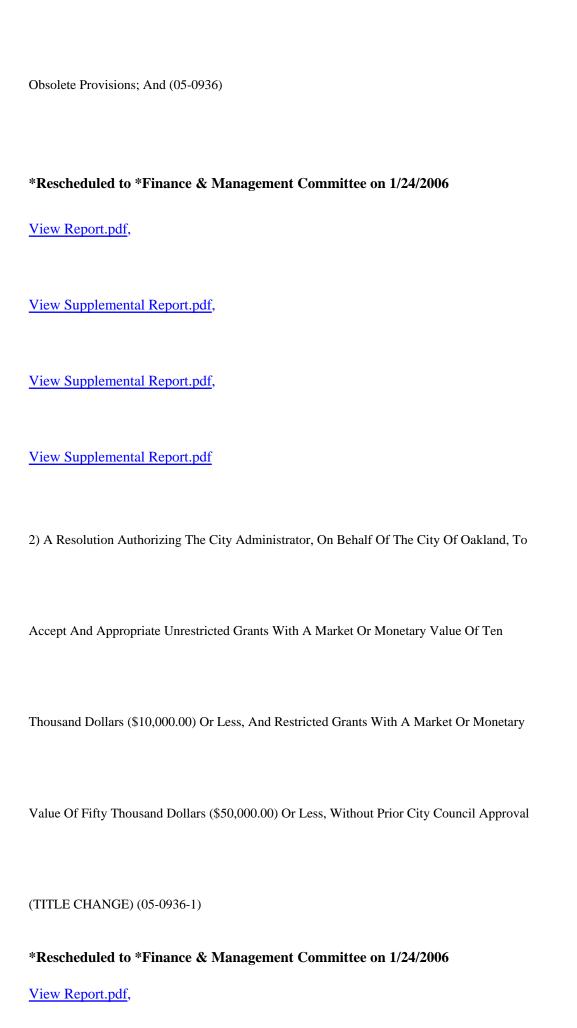
scheduling to the ORA/City Council meeting of January 17, 2006 or future dates

(MATRIX)		
A motion was made by Member Chang, seconded by Member Reid, to		
*Approve with the following amendments. The motion carried by the		
following vote:		
Votes:		
Aye; 4 - Member Chang, Member Reid, Member Brunner and Chair De La		
Fuente		
FROM THE JANUARY 10, 2006 PUBLIC WORKS COMMITTEE AGENDA		
Subject: Hazard Elimination And Safety (HES) Program		
From: Public Works Agency		
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And		
Appropriate State Hazard Elimination And Safety (HES) Program Funds In The Amount Of		
Three Hundred Sixty Thousand Dollars (\$360,000.00) For Tunnel Road Bicycle Safety		
Improvement Project (05-0994)		
*Rescheduled to Concurrent Meeting of the Oakland Redevelopment		

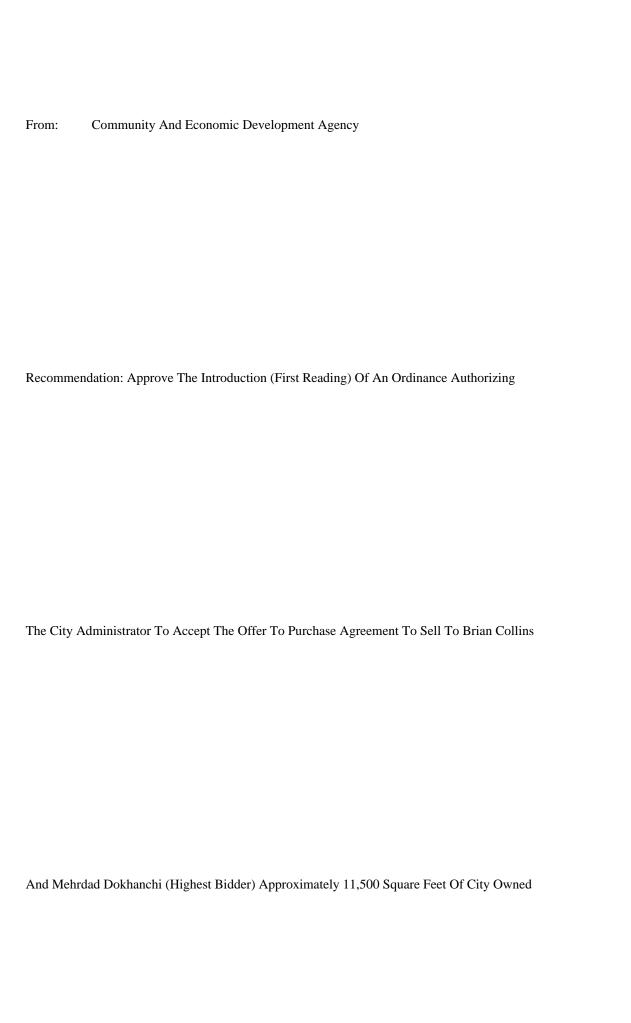
as a Non Consent item.	
View Report.pdf,	
79688 CMS.pdf FROM THE JANUARY 10, 2006 FINANCE AND MANAGEMENT COMMITTEE AGENT	<u>)A</u>
Subject: Amendment To Oakland Municipal Code	
From: Office Of The City Administrator	
Recommendation: Adopt The Following Pieces Of Legislation:	
Recommendation: Adopt The Following Pieces Of Legislation:	

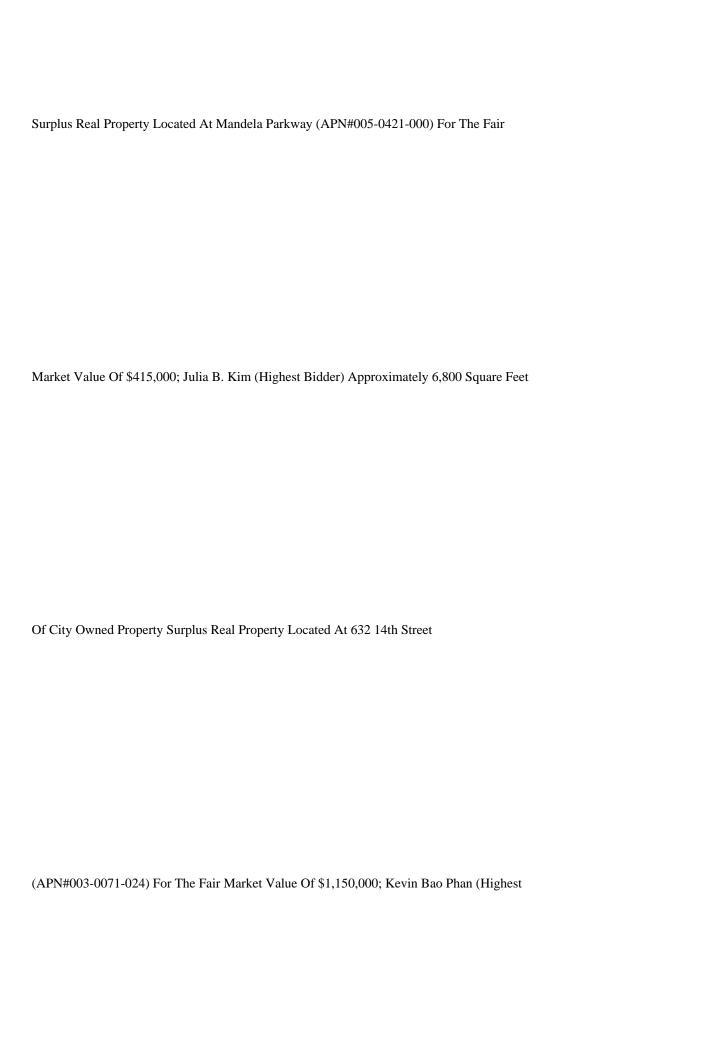
Agency/City Council on 1/17/2006

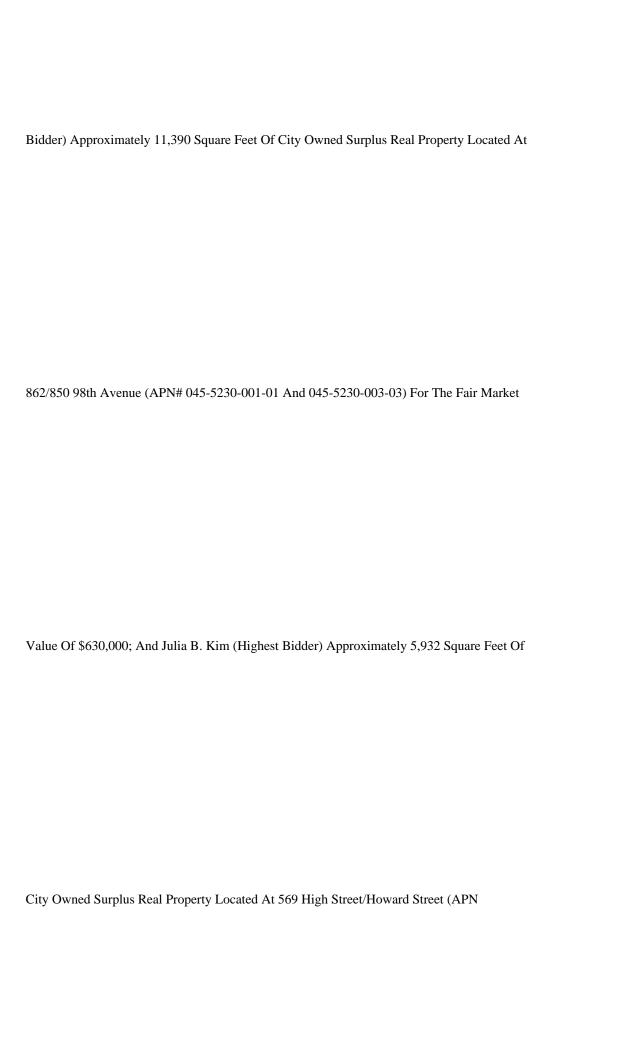
1) An Ordinance Amending Oakland Municipal Code Title 2, Chapter 2.04, Article 2.04.160,
Expenditures From Restricted Gift Proceeds, To Delegate Limited Authority To The City
Administrator To, Without City Council Action, Accept Gifts And Donations And To
Appropriate And Expend Monies Derived From Gifts And Donations, And Repealing Oakland
Municipal Ordinance No. 8144 C.M.S., Adopted June 9, 1970, Which Contains Conflicting,



<u>View Supplemental Report.pdf</u> ,
View Supplemental Report.pdf
Subject: Fiscal Year 2005 - 2006 First Quarter Revenue And Expenditure Results
From: Office Of The City Administrator - Budget Office
Recommendations: Adopt A Resolution To Appropriate \$400,000 For Middle School Sports
Programs From Surplus Vehicle License Fee Loan Repayment From The State Of California
(05-0888)
*Rescheduled to *Finance & Management Committee on 1/24/2006
View Report.pdf,
View Supplemental Report.pdf,
<u>79715 CMS.pdf</u>
Subject: Various Real Properties Sales



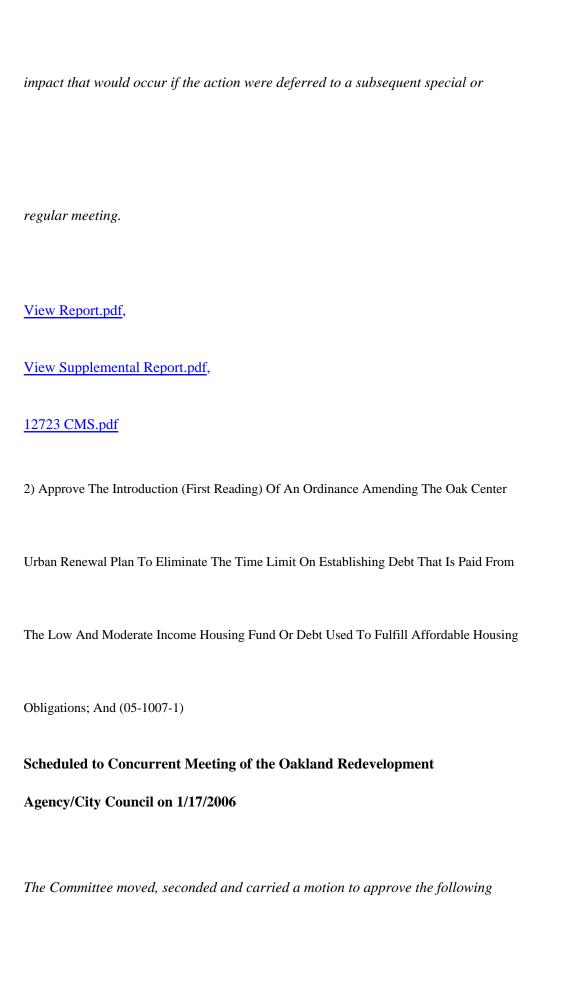




#033-2250-001-04) For The Fair Market Value \$500,000 (05-0997)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 1/17/2006
The Committee moved, seconded and carried a motion to approve the following
urgency finding pursuant to the Sunshine Ordinance Section 2.20.080 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 is required to avoid a substantial adverse

impact that would occur if the action were deferred to a subsequent special or	
regular meeting.	
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<u>12722 CMS.pdf</u>	
Subject: Redevelopment Plan Amendments	
From: Community And Economic Development Agency	
Recommendation: Adopt The Following Pieces Of Legislation:	
1) An Ordinance Amending The Acorn Urban Renewal Plan To Eliminate The Time Limit On	

Establishing Debt That Is Paid From The Low And Moderate Income Housing Fund Or Debt
Used To Fulfill Affordable Housing Obligations; (05-1007)
Scheduled to Concurrent Meeting of the Oakland Redevelopment
Agency/City Council on 1/17/2006
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 is required to avoid a substantial adverse





Agency/City Council on 1/17/2006 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 is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting.

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Scheduled to Concurrent Meeting of the Oakland Redevelopment

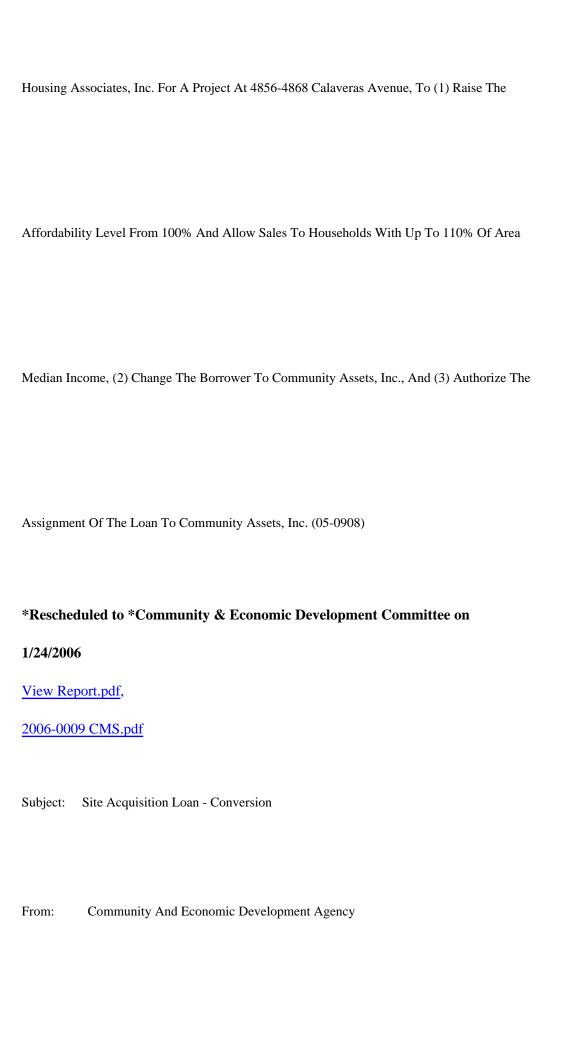
Subject: "Phoenix Model" Of Risk Management Cost Allocation
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing The Appropriation Of Monies From The
Self-Insurance General Liability (Fund 1100) To Departments For Fiscal Year 2006-2007
Allocation Of General Liability Costs Based On Implementation Of The "Phoenix Model" Of
Risk Management Cost Allocation (05-1009)
*Rescheduled to *Finance & Management Committee on 1/24/2006
<u>View Report.pdf</u> ,
<u>79702 CMS.pdf</u>
FROM THE JANUARY 10, 2006 COMMUNITY AND ECONOMIC DEVELOPMENT
COMMITTEE AGENDA

Subject: MacArthur Park Development Associates, LLC - Grant

12725 CMS.pdf

From:	Community And Economic Development Agency
Recommen	edation: Action On A Report And Recommendations Regarding Authorizing A Grant
MacArthur	Park Development Associates, LLC, To Cover Additional Costs For The
Developme	ent Of The Palm Villas Project On MacArthur Boulevard Between 90th And 94th
Avenues (0	05-0942)
*Resched	uled to Concurrent Meeting of the Oakland Redevelopment
Agency /	City Council on 2/7/2006
View Rep	ort.pdf,
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Subject:	MacArthur Park Development Associates, LLC - Grant
From:	Office Of The City Auditor
Recommen	dation: Receive A Report From The City Auditor Regarding Authorizing A Grant

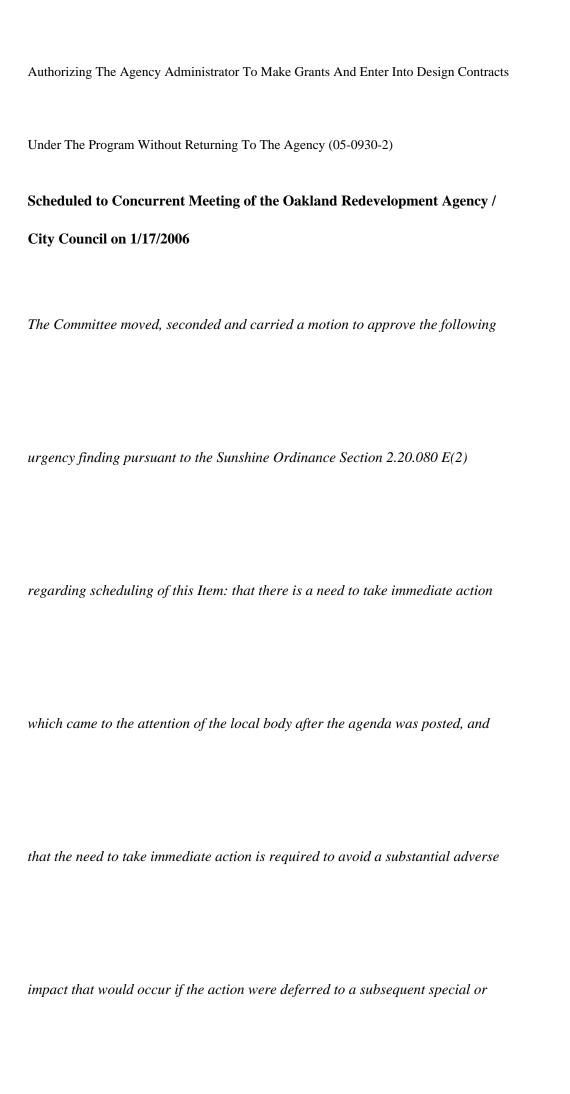
MacArthur Park Development Associates, LLC, To Cover Additional Costs For The
Development Of The Palm Villas Project On MacArthur Boulevard Between 90th And 94th
Avenues (05-0942-1)
*Rescheduled to Concurrent Meeting of the Oakland Redevelopment
Agency / City Council on 2/7/2006
View Report.pdf
Subject: Amendment To Resolution 2004-08
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Amending Resolution No. 2004-08 C.M.S.,
Which Authorized An Affordable Housing Development Loan Of \$3,858,424 To Affordable

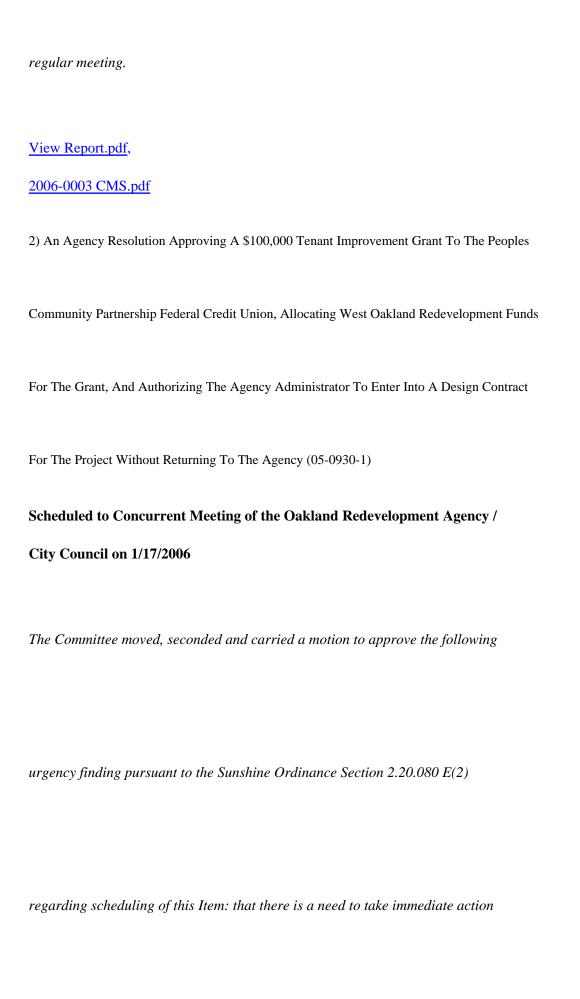


Recommendation: Adopt An Agency Resolution Authorizing The Conversion Of A \$127,327		
Site Acquisition Loan To The Community Development Corporation Of Oakland For The		
1574-1590 7th Street Project To A Forgiveable Affordable Homeownership Development Loan		
(05-0909)		
*Rescheduled to Concurrent Meeting of the Oakland Redevelopment		
Agency / City Council on 2/7/2006		
<u>View Report.pdf</u> ,		
2006-0008 CMS.pdf		
Subject: West Oakland Commercial Improvement Program		
From: Community And Economic Development Agency		
Recommendation: Adopt The Following Pieces Of Legislation:		

1) An Agency Resolution Adopting The West Oakland Commercial Façade Improvement
Program, Allocating \$100,000 For The Program From West Oakland Redevelopment Funds,
And Authorizing The Agency Administrator To Make Grants And Enter Into Design Contracts
Under The Program Without Returning To The Agency (05-0930)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 1/17/2006
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 is required to avoid a substantial adverse
impact that would occur if the action were deferred to a subsequent special or
regular meeting.
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2006-0001 CMS.pdf
3) An Agency Resolution Adopting The West Oakland Tenant Improvement Program,
Allocating \$125,000 For The Program From West Oakland Redevelopment Funds, And

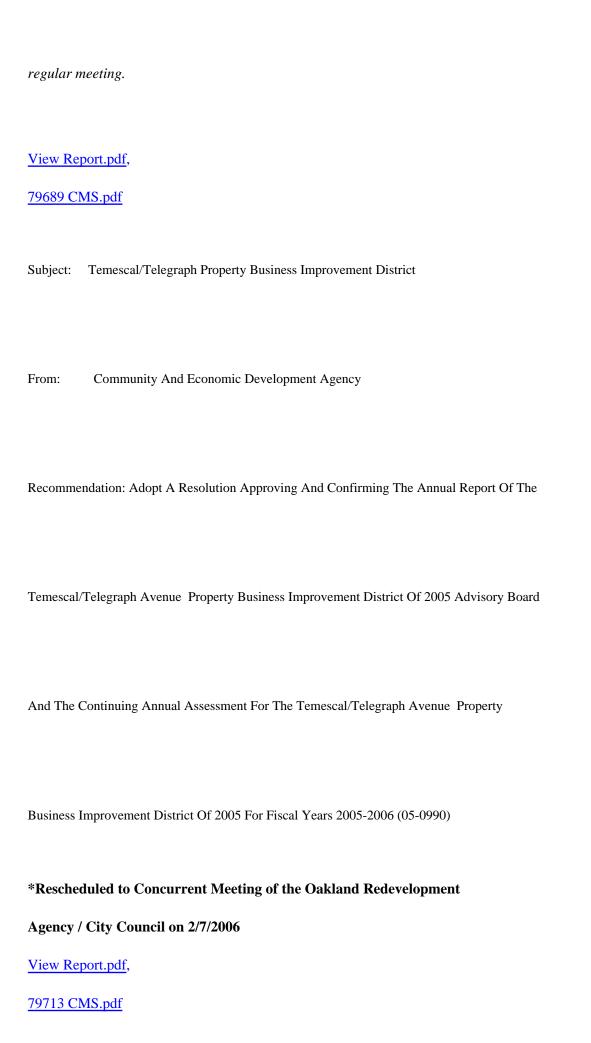




which came to the attention of the local body after the agenda was posted, and		
that the need to take immediate action is required to avoid a substantial adverse		
impact that would occur if the action were deferred to a subsequent special or		
regular meeting.		
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2006-0002 CMS.pdf		
Subject: Transportation For Livable Communities Program		
From: Community And Economic Development Agency		

Recommendation: Adopt A Resolution Authorizing The Filing Of Applications For Federal
Service Transportation Funds Through The Metropolitan Transportation Commission's
Transportation For Livable Communities Program For The MacArthur Transit Village, West
Oakland Transit Village, And Coliseum Transit Village Projects, Assuring That The City Of
Oakland Will Complete The Projects If Awarded The Grant Funds, And Authorizing
Acceptance And Appropriation Of Grant Funds From This Program For These Three Projects

In An Amount Not To Exceed \$6.5 Million (05-0991)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 1/17/2006
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 is required to avoid a substantial adverse
impact that would occur if the action were deferred to a subsequent special or



Subject: Public Trust Agreement At Oakland Army Base	
From: Community And Economic Development Agency	
Recommendation: Action On A Report On The Public Trust Agreement For Property At 7	Гће
Oakland Army Base Among The State Of California Acting By And Through The State L.	ands
Commission, The City Of Oakland, The Oakland Redevelopment Agency, The Oakland B	ase
Reuse Authority, And The Port Of Oakland (05-0913-2)	
*Rescheduled to *Community & Economic Development Committee on	
1/24/2006	
View Report.pdf	
Subject: Annual Performance and Evaluation Report	

From:	Community and Economic Development Agency
Recommen	dation: Adopt A Resolution (1) Modifying The Home Maintenance And
Improveme	ent Program (HMIP) To Change The Interest Rate From 3% to 0% for Owners With
Income At	Less Than 50% Area Median Income (AMI) And From 6% To 3% For Owners With
Income Be	tween 51% And 80% AMI; (2) Changing The Repayment Provisions On HMIP

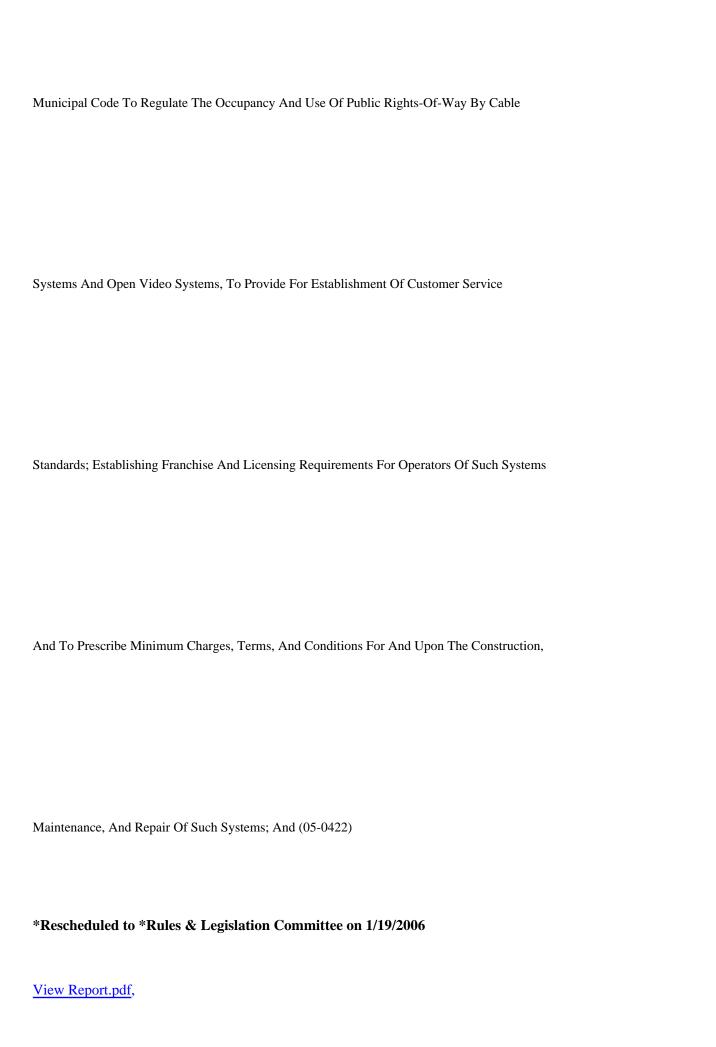
Loans To Provide For Deferred Loans For Borrowers With Incomes Between 51% And 80%
AMI; And (3) Modifying The Emergency Home Repair Program (EHRP) To Increase The
Maximum Loan From \$7,500 To \$15,000 And To Permit Loans Throughout The Entire City
(05-0466-2-1)
*Rescheduled to *Community & Economic Development Committee on
1/24/2006
<u>View Report.pdf</u> ,
79716 CMS.pdf
Subject: Commercial Loan Programs

From:	Community And Economic Development Agency
Recomme	endation: Receive A Semi-Annual Report Regarding The Status Of The City's And
Redevelo	pment Agency's Commercial Loan Programs Including Job Creation Resulting From
Commerc	ial Lending (04-0057)
*Resche	duled to *Community & Economic Development Committee on
1/24/200	6
View Re	port.pdf,
View Su	pplemental Report.pdf
Subject:	Rent Adjustment Program - Report
From:	Community And Economic Development Agency
Recomme	endation: Receive A Follow-up Report On The Annual Report Regarding Rent
Adjustme	nt Program Income, Costs And Operations For Fiscal Year 2004-2005 And

Anticipated Costs For Fiscal Year 2005-2006, Recommendations To Extend The Current Fee	
At \$24 Per Unit, And Information On Programs To Address Outreach To Tenants That Will	
Inform Them Of Their Rights (05-0705)	
*Rescheduled to Concurrent Meeting of the Oakland Redevelopment	
Agency / City Council on 2/7/2006	
View Report.pdf (R&L Item 5 01-12-06) View Item.pdf FROM THE JANUARY 17, 2006 CITY COUNCIL AGENDA	
Subject: Cantonese Speaking Citizens' Academy Graduation	
From: Office Of The City Administrator	
Recommendation: Receive A 15-Minute Presentation From The City Administrator For The	
City Of Oakland Cantonese Speaking Citizens' Academy Graduation Class Of Fall 2005	
(05-0972)	

Scheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/Cit	y Council on 1/17/2006
Subject: Co	omcast Cable Franchise
From: C	Office of the City Administrator and Office of the City Clerk
Recommenda	ation: Adopt The Following Pieces Of Legislation:
1) An Ordina	ance Of The City Of Oakland Amending Chapter 5.16 Of Title 5 Of The Oakland



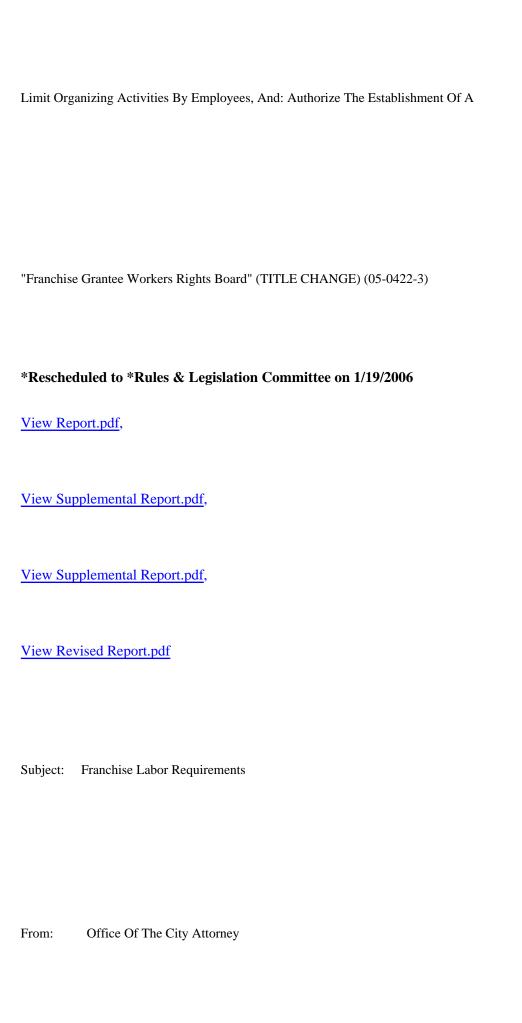


*Rescheduled to *Rules & Legislation Committee on 1/19/2006

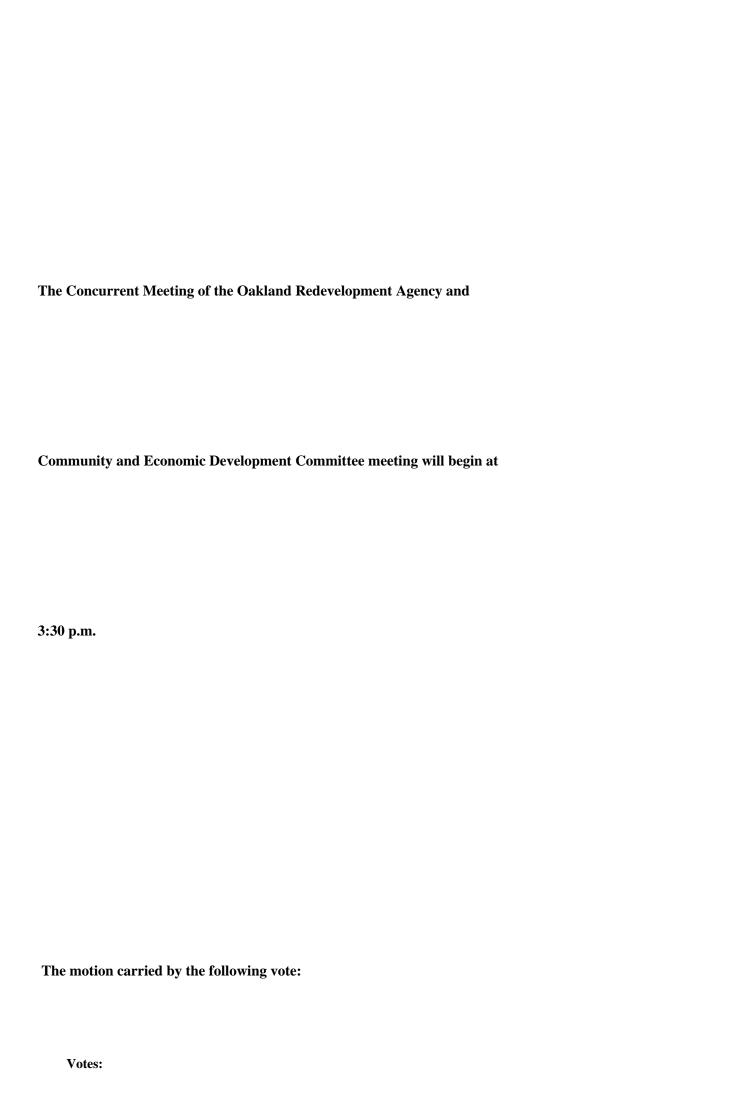
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View Supplemental Report.pdf,	
View Supplemental Report.pdf	
Subject: Franchise Grantee Worker Protections	
From: Office of the City Attorney	

Recommendation: Approve The Introduction (First Reading) Of An Ordinance Creating

Chapter 5.81 Of The Oakland Municipal Code to: Prohibit Franchise Grantees From
Discriminating Against Employees For Participating In Employee Organizations; Require
Franchise Grantees To Notify Contractors And Subcontractors Of Their Labor Obligations;
Prohibit Discrimination Against Employees For Speaking Before Or Filing A Complaint With
Any Government Agency Or Court; Ensure That Company Policies Are Not Construed To



Recommendation: Approve The Introduction (First Reading) Of An Ordinance Amending
Title 5 Of The Oakland Municipal Code To Add Chapter 5.82, Proprietary Interest Franchise
Labor Requirements - Card Check, Procedure For Determining Employee Preference On
Representation By Labor Organization, Which Will Require Franchises In Which The City Has
A Proprietary Interest To Enter Into A Card Check Agreement, A Procedure For Determining
Employee Preference On The Subject Of Whether Or Not To Be Represented, With A Labor



Α	ye; 4 - Member Chang, Member Reid, Member Brunner and Chair De La
F	fuente
T	The following individual(s) spoke and did not indicate a position on this item:
-	Sanjiv Handa
V	R&L Item 6 01-12-06) View Item.pdf DPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)
	The following individual(s) spoke under Open Forum:
-	Sanjiv Handa
A	<u>adjournment</u>
Τ	there being no further business, and upon the motion duly made, the Oakland
C	City Council Rules and Legislation Committee adjourned the meeting at 11:20
a	.m.
N	IOTE:
A	mericans 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

