

# 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 19, 2006**

**10:30 AM**

**City Council Chambers - 3rd Floor**

### **Roll Call / Call to Order**

*The Oakland City Council Rules and Legislation Committee convened at 10:44*

*a.m., with 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

*The Office of the City Attorney scheduled a Closed Session for February 7,*

*2006 at 4:00 p.m.*

Approval of the Draft Minutes from the Committee meeting of January 5, 2006

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

**\*Approve the Minutes. The motion carried by the following vote:**

**Votes:**

Aye; 4 - Member Chang, Member Reid, Member Brunner 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 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 01-19-06)

4

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

meetings of January 24, 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

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

*- Sanjiv Handa*

4-01

Subject: PUEBLO Survey Findings - Report

From: Oakland Police Department

Recommendation: Receive A Report Of Survey Findings: City Of Oakland/People

United For A Better Oakland (PUEBLO) On Police Services And The Filing Of

Complaints (06-0056)

**Scheduled to \*Public Safety Committee on 2/14/2006**

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4-02

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 Limit

Organizing Activities By Employees, And: Authorize The Establishment Of A

"Franchise Grantee Workers Rights Board" (TITLE CHANGE) (05-0422-3)

**\*Rescheduled to \*Rules & Legislation Committee on 1/26/2006**

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[View Supplemental Report.pdf,](#)

[View Revised Report.pdf](#)

Subject: Franchise Labor Requirements

From: Office Of The City Attorney

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

Organization That Requests Such An Agreement (06-0016)

**\*Rescheduled to \*Rules & Legislation Committee on 1/26/2006**

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Subject: Comcast Cable Franchise

From: Office of the City Administrator and Office of the City Clerk

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Of The City Of Oakland Amending Chapter 5.16 Of Title 5 Of



The Oakland Municipal Code To Regulate The Occupancy And Use Of Public

Rights-Of-Way By Cable Systems And Open Video Systems, To Provide For

Establishment Of Customer Service Standards; Establishing Franchise And

Licensing Requirements For Operators Of Such Systems And To Prescribe

Minimum Charges, Terms, And Conditions For And Upon The Construction,

Maintenance, And Repair Of Such Systems; And (05-0422)

**\*Rescheduled to \*Rules & Legislation Committee on 1/26/2006**

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2) An Ordinance Of The City Of Oakland Granting A Thirteen Year Cable Franchise To

Comcast Of California/Colorado, LLC To Construct And Operate A Cable System To Provide

Cable Service Within The City Of Oakland; Establishing The Terms And Conditions Of The

Franchise Grant; And Establishing Certain Remedies For The Violation Of The Franchise

(05-0422-1)

**\*Rescheduled to \*Rules & Legislation Committee on 1/26/2006**

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4-05

Subject: Caldecott Tunnel 4th Bore - Status Report

From: Councilmember Reid

Recommendation: Receive A 15 Minute Status Report From Caltrans On The

Draft Environmental Report To Be Released In Early 2006 On The Caldecott

Tunnel 4th Bore; On The February 21, 2006 City Council Agenda (06-0007)

**\*Withdrawn with No New Date**  
4-06

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 1/26/2006**  
4-07

Subject: Jim Ploss - Recognition

From: Councilmember Brunner

Recommendation: Adopt A Resolution Remembering Jim Ploss And

Commemorating Him For His Many, Many Years Of Service To His Community

(06-0050)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment**

**Agency/City Council on 2/7/2006**

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[79692 CMS.pdf](#)

4-08

Subject: Lincoln Elementary School Recognition

From: Councilmembers Kernighan And Chang

Recommendation: Adopt A Resolution Honoring Lincoln Elementary School For

It's Outstanding Achievements And Receipt Of The Title I National Distinguished

School Award (06-0058)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment**

**Agency/City Council on 2/7/2006**

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4-09

Subject: Housing Facility For The Homeless Funding

From: Department Of Human Services

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Allocating \$1 Million Of Community Development Block Grant

Program Income To East Oakland Community Project For Development Of A New

Housing Facility For The Homeless At 7515 International Boulevard; And

(06-0051)

**Scheduled to \*Community & Economic Development Committee on**

**2/28/2006**

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4-10

Subject: Paramount Village - Agreement

From: Community And Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing An Exclusive

Negotiating Agreement With Paramount Village, LLC, A Joint Venture Of The

Hahn Family And Toll Brothers, Inc., To Develop Housing Retail Space, And

Public Parking To be Purchased By The City/Agency, On Portions Of The Block

Bounded By Telegraph Avenue, Broadway, 22nd Street, And 21st Street (06-0052)

**Scheduled to \*Community & Economic Development Committee on**

**2/28/2006**

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4-11

Subject: Army Base Memorandum Of Agreement - Amendment



From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Negotiate And Execute

The Oakland Army Base Title Settlement And Exchange Agreement; Approving A

Payment Method From The Port Of Oakland To The Redevelopment Agency For

A Portion Of The Oakland Army Base Commonly Known As The Knight Yard;

And Authorizing The City Administrator To Negotiate And Execute Amendments

To The July 8, 2003 Memorandum Of Agreement For Oakland Army Base; And

(06-0055)

**Scheduled to \*Community & Economic Development Committee on**

**2/14/2006**

*and schedule a Public Hearing on the February 21, 2006 City Council Agenda*

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4-12

2) An Agency Resolution Authorizing The Agency Administrator To Negotiate

And Execute The Oakland Army Base Title Settlement And Exchange Agreement;

Approving A Payment Method From The Port Of Oakland To The Redevelopment

Agency For A Portion Of The Oakland Army Base Commonly Known As The

Knight Yard; And Authorizing The Agency Administrator To Negotiate And

Execute Amendments To The July 8, 2003 Memorandum Of Agreement For

Oakland Army Base (06-0055-1)

**Scheduled to \*Community & Economic Development Committee on**

**2/14/2006**

*and schedule a Public Hearing on the February 21, 2006 City Council Agenda*  
4-13

Subject: Solid Waste Reduction

From: Public Works Agency

Recommendation: Adopt A Resolution Adopting A Strategic Plan For Reduction

And Recycling Of Residential, Commercial And Industrial Solid Wastes To

Achieve The Council Goal of 75% Solid Waste Diversion In 2010 (05-0965-2)

**Scheduled to \*Public Works Committee on 2/28/2006**

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4-14

Subject: Peralta Hacienda Historical Park Landscape Improvement Project

From: Public Works Agency

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

Accept And Express Appreciation For A Donation Of Forty-Eight Thousand

Dollars (\$48,000.00) From Owens-Illinois Glass Container North America For The

Peralta Hacienda Historical Park Phase IIIA Landscape Improvement Project

(Project No. C196710); And 2) Appropriate Said Donation To The Construction

Budget For Project No. C196710; And 3) Accept And Express Appreciating For A

Gift Of Interpretive Exhibit Sculptures With An Estimated Value Of Thirty-Four

Thousand Dollars (\$34,000.00) From The Friends Of Peralta Hacienda Historical

Park (06-0053)

**Scheduled to \*Life Enrichment Committee on 2/14/2006**

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4-15

Subject: Automotive And Equipment Fleet - Report

From: Public Works Agency

Recommendation: Receive A Status Report On The City's Automotive And

Equipment Fleet; On The March 28, 2006 Finance And Management Committee

Agenda (06-0054)

**Scheduled to \*Finance & Management Committee on 3/28/2006**  
4-16

Subject: Flenore Taylor - Recognition

From: Office Of Parks And Recreation

Recommendation: Adopt A Resolution Commending Flenore Taylor For Thirty

Seven Years Of Outstanding And Distinguished Service To The City Of Oakland

(06-0057)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment**

**Agency/City Council on 2/7/2006**

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(R&L Item 4 01-19-06)

[View Item.pdf](#)

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

meeting(s) of January 31, 2006 and Rules and Legislation Committee Meeting of February

2, 2006

**A motion was made by Member Chang, seconded by Member Brunner, 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

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

- *Sanjiv Handa*

(R&L Item 5 01-19-06)

[View Item.pdf](#)

6

A Review Of The Boards and Commissions Vacancy Report

**A motion was made by Member Brunner, 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

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

- *Sanjiv Handa*

(R&L Item 6 01-19-06)

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**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 the meeting at 11:05*

*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

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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*