

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, November 30, 2006

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

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

Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:45

AM with Council President De La Fuente presiding as Chairperson.

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:

Aye; 4 - Member Chang, Member Reid, Member Brunner and Chair De La

Fuente

The office of the City Attorney scheduled a Closed Session for 12:00 PM on

Tuesday, December 5, 2006

2

Approval of the Draft Minutes from the Committee meeting of November 9 and November 16, 2006

A motion was made by Member Reid, 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

3

Determination of Schedule of Outstanding Committee Items

No Action Taken

[11-30 Rules Item 3](#)

[View Item.pdf](#)

4

Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of December 5, 2006 (SUPPLEMENTAL)

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

S-4-1

Subject: John M. Revelli - Settlement

From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing Agency

Counsel To Compromise And Settle The Case Of Oakland Redevelopment Agency

v. John M. Revelli, In The Amount Of \$615,000, As A Result Of An Eminent

Domain Action Commenced By The Redevelopment Agency To Facilitate The

Uptown Project Development

06-0959

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 12/19/2006

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S-4-2

Subject: Communications Technology Cluster Payments

From: Office of the City Auditor

Recommendation: Receive An Informational Report On The Performance Audit

Of Payments Made To An Agreement Entered Into On Behalf Of Communications

Technology Cluster For The Period Covering March 2, 1999 Through October 24,

2006; For Scheduling

[06-0938](#)

Continued to *Rules & Legislation Committee

for scheduling

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

- Sanjiv Handa

S-4-3

Subject: 2007 Legislative Meeting Schedule

From: Office of the City Clerk

Recommendation: A Request For Confirmation Of The 2007 Calendar Year

Legislative Meeting Schedule For City Council And Council Committees

06-0975

Accepted

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

- *Sanjiv Handa*

S-4-4

Subject: Priority Project Funds - District Seven

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Authorizing Immediate Allocation Of

\$10,000 From Councilmember Larry E. Reid's Priority Project Funds To Project

Outreach

06-0960

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 12/19/2006

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S-4-5

Subject: City Auditor's Salary

From: City Council

Recommendation: Action On A Report And Recommendation On The City

Auditor's Salary

06-0968

Scheduled to *Rules & Legislation Committee on 12/14/2006

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

- *Sanjiv Handa*

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[View Supplemental Report.pdf,](#)

[View Supplemental Report.pdf](#)

S-4-6

Subject: Fire Fighting Capacity

From: Councilmember Nancy J. Nadel

Recommendation: Action On A Report And Recommendations From The City Of

Oakland Fire Department Regarding Fire-Fighting Capacity For High-Rise

Buildings, City-Wide, And An Assessment Of Capacity Required For Oak Knoll,

Oakland Army Base, And The Oak To 9th Developments (TITLE CHANGE)

06-0969

Scheduled to *Public Safety Committee on 1/23/2007

The Committe requested that the title be changed

S-4-7

Subject: Kathryn Hughes - Recognition

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Recognizing Kathryn Hughes For Her

Seventeen-And-A-Half Years of Service And Dedication To Improving Bicycling,

Walking, And Air Quality In The City Of Oakland

06-0970

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 12/19/2006

as a Ceremonial item

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S-4-8

Subject: Acquisition Of Properties Located At 1911 Telegraph Avenue

From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing A Change In The

Source Of Agency Funds For The Acquisition Of Properties Formerly Located At

1911 Telegraph Avenue, 2000-2016 Telegraph Avenue, 490 Thomas L. Berkeley

Way, 565 Thomas L. Berkeley Way, 571 Thomas L. Berkeley Way, 1920 San

Pablo Avenue, 1954 San Pablo Avenue, 1972 San Pablo Avenue And 610 William

Street; And Authorizing A Change In The Source Of Agency Funds To Provide

Gap Financing And Pay For Hazardous Materials Remediation Pursuant To A

Lease Disposition And Development Agreement Between The Oakland

Redevelopment Agency, The City Of Oakland And Uptown Housing Partners,

LLC

06-0914

Scheduled to *Finance & Management Committee on 12/12/2006

[View Report.pdf](#)

2) A Resolution Authorizing A Change In The Source Of Agency Funds To Provide Gap

Financing And Pay For Hazardous Materials Remediation Pursuant To A Lease Disposition

And Development Agreement Between The Oakland Redevelopment Agency, The City Of

Oakland And Uptown Housing Partners, LLC

[06-0914-1](#)

Scheduled to *Finance & Management Committee on 12/12/2006

S-4-9

Subject: Oakland Garden Hotel, LLC - Agreement

From: Community and Economic Development Agency

Recommendation: Adopt the Following Pieces Of Legislation:

1) An Agency Resolution Pursuant To Section 4.9.2 And 11.2 Of The Disposition

And Development Agreement Between The Oakland Redevelopment Agency And

Oakland Garden Hotel LLC, Authorizing The Agency Administrator To Approve

The Transfer Of Ownership Of The Oakland Garden Hotel To The CIM Group;

And

06-0961

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 12/19/2006

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2) A Resolution Pursuant To Section 10. Of The Hyatt Regency Oakland Hotel Ground Lease

Between The City Of Oakland And Oakland Renaissance Associates Authorizing The City

Administrator To Approve The Assignment Of The Ground Lease And The Sale Of The

Marriott Hotel To The CIM Group, And To Accept All Payments Due The City

[06-0961-1](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 12/19/2006

as a Non-Consent item

S-4-10

Subject: Oakland School For The Arts

From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing A Grant Not To

Exceed \$1,700,000 To The Oakland School For The Arts (OSA) To Pay For The

Interim Relocation Of A Portion Of The OSA Campus To The San Pablo Avenue

Right-Of-Way To Allow For The Construction Of The Fox Courts Affordable

Housing Project

06-0962

Scheduled to *Community & Economic Development Committee on

12/12/2006

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

- *Sanjiv Handa*

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S-4-11

Subject: Four Unit Residential Project - Appeal

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution On The Appeal Of Planning Commission

Approval Of A Four Unit Residential Project At The East Side Of Crestmont Drive

At Intersection Of Westfield Way; As A Public Hearing On The January 16, 2007

City Council Agenda

[06-0972](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/16/2007

S-4-12

Subject: Service-Enriched Permanent Housing - Appeal

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Denying The Appeal And Sustaining The

Decision Of the Planning Commission Approving The Establishment Of A

Service-Enriched Permanent Housing Residential Activity For 16 Adults Within

An Existing Structure Located At 2815 West Street (Case File Number A06-560;

CM06-245); As A Public Hearing On The January 16, 2007 City Council Agenda

06-0973

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/16/2007

S-4-13

Subject: Rajappan & Meyer - Contract Amendment

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Amend The Contract With Rajappan & Meyer Consulting Engineers Inc. To Add

Additional Design And Engineering Services For The 12th Street Reconstruction

Project And To Increase The Contract From Four Million Seven Hundred

Thousand Dollars (\$4,700,000.00) To A Total Contact Amount Not-To-Exceed

Five Million Five Hundred Thousand Dollars (\$5,500,000.00), And Waive The

RFP Requirement For The New Work

06-0963

Scheduled to *Public Works Committee on 12/12/2006

[View Report.pdf](#)

S-4-14

Subject: Harrison Street/Oakland Avenue Corridor Transportation Plan

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Of Oakland To

Apply For, Accept, And Appropriate Up To One Hundred Eighty-Seven Thousand

And Fifty Dollars (\$187,050.00) In Fiscal Year 2007-2008 California Department

Of Transportation Community-Based Transportation Planning Grant Funds For

The Harrison /Oakland Corridor Community Transportation Plan

[06-0964](#)

Scheduled to *Public Works Committee on 12/12/2006

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S-4-15

Subject: Quality Auto Service - Contract

From: Finance and Management Agency

Recommendation: Adopt A Resolution Awarding A Contract To Quality Auto

Service, A Corporation, For Auto Body Repair And Painting, In An Amount Not

To Exceed Three Hundred Thousand Dollars (\$300,000.00) Per Year For The

Three Year Period Of November 1, 2006 To October 31, 2009, To The City Of

Oakland In Accordance With Specification No. 06-928-01

06-0974

Scheduled to *Finance & Management Committee on 12/12/2006

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

- Sanjiv Handa

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S-4-16

Subject: Project Priority Funds - Mayor

From: Office of the Mayor

Recommendation: Adopt A Resolution Authorizing Immediate Allocation In The

Amount Of \$125,000 From Priority Project Funds Of Oakland Mayor Jerry Brown

For Infrastructure Improvements At Oakland's Longfellow Elementary School

06-0971

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 12/19/2006

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S-4-17

Subject: International Contact Incorporated - Professional Services Contract

From: Office of the City Administrator

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Enter Into A Professional Services Contract With International Contact, Inc. For

The Provision Of Translation And Interpretation Services To The City Of Oakland

For An Initial Two (2) Year Term In The Amount Not To Exceed Two Hundred

Seventeen-Thousand Two Hundred And Fifty Dollars (\$217,250.00) Per Year With

An Option To Extend The Original Contract For Up To A Maximum Of Two (2),

One (1) Year Terms Without Return To Council

06-0966

Scheduled to *Finance & Management Committee on 12/12/2006

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[View Supplemental Report.pdf](#)

S-4-18

Subject: Smoking Ordinance Amendment

From: Office of the City Administrator

Recommendation: Action On A Report And Proposal For Amendments To

Oakland Municipal Code Chapter 8.30, Oakland's Smoking Ordinance, As

Requested By The Public Safety Committee, And Request For Direction From The

City Council Whether To Proceed With The Proposed Ordinances For City

Council Consideration

[06-0967](#)

Scheduled to *Public Safety Committee on 12/12/2006

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[11-30 Rules Item 4](#)

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ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Rent Adjustment Program Amendment

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) Approve The Introduction (First Reading) Of An Ordinance Amending O.M.C. Chapter

8.22, Rent Adjustment Program, To Provide A Set Date For Implementing The Consumer Price

Index (CPI) Based Rent Adjustment And New Procedures For Rental Property Owners To

Obtain A Certificate Of Exemption; And,

06-0788

***Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

Redevelopment Agency / City Council on 12/19/2006

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2) A Resolution Approving Amendments To The Rent Adjustment Regulations To Clarify How

Rental Property Owners May Take Banked Rent Increases And To Implement The Certificate

Of Exemption Process

06-0788-1

***Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

Redevelopment Agency / City Council on 12/19/2006

Subject: Domestic Violence Advocates

From: Oakland Police Department

Recommendation: Receive An Informational Report From The Office Of Chief Of Police

Detailing The Benefits And Disadvantages Of Contracting The Services Of Domestic Violence

Advocates Within The Oakland Police Department Youth And Family Violence Division

06-0976

Scheduled to *Public Safety Committee on 2/27/2007

Subject: Off-Leash Dog Area

From: Councilmember Nancy Nadel

Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Title 6, Chapter

6.04 Article 6.04.080 Dogs At Large In Parks, To Allow Dogs To Be Off-Leash, Under

Specific Conditions, In Designated Off-Leash Areas As Authorized In A Written Resolution

By The Parks & Recreation Advisory Committee Such That An Off-Leash Dog Play Area May

Be Installed In Lakeview Park

06-0852

***Withdrawn and Rescheduled to *Life Enrichment Committee on
1/23/2007**

Subject: Oakland General Strike - Recognition

From: Councilmember Jane Brunner

Recommendation: Adopt A Resolution Honoring The 60th Anniversary Of The Oakland

General Strike

06-0977

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 12/5/2006

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Subject: Ellis Act Ordinance

From: Council President De La Fuente And Councilmembers Brooks And Chang

Recommendation: Adopt An Ordinance Amending O.M.C. Chapter 8.22.400 (Ellis Act

Ordinance) To Increase Relocation Payments To Displaced Tenants And Amend Notice

Requirements

06-0978

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 12/5/2006

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5

A review of the Council Committees' actions from November 28, 2006 and determination of scheduling to the ORA/City Council meeting of December 5, 2006 (MATRIX)

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:

Excused; 1 - Chair De La Fuente

Aye; 3 - Member Chang, Member Reid and Member Brunner

The following individual(s) spoke in favor of this item:

- *Helen Hutchison*

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

- *Sanjiv Handa*

- *William H. Mayo*

- *Gary Knecht*

[11-30 Rules Item 5](#)

[View Item.pdf](#)

2006 and the Rules and Legislation Committee Meeting of December 14, 2006

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

***Approve with the following amendments. The motion carried by the**

following vote:

Votes:

Excused; 1 - Chair De La Fuente

Aye; 3 - Member Chang, Member Reid and Member Brunner

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

- *Sanjiv Handa*

[11-30 Rules Item 6](#)

[View Item.pdf](#)

7

Subject: Lobbyist Report

From: City Council

Recommendation: Receive An Informational Year End Report From Townsend Public Affairs,

The City's State Lobbyist, Regarding Oakland's 2006 State Legislative Agenda

[06-0902](#)

Accepted and forwarded to Concurrent Meeting of the Oakland

Redevelopment Agency / City Council on 12/5/2006

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

- *Sanjiv Handa*

[View Item.pdf](#)

8

Subject: Legislative Priorities

From: City Council

Recommendation: Action On A Report And Recommendations From Townsend Public Affairs,

State Lobbyist For The City Of Oakland, To Adopt The City's State Legislative Priorities For

2007

06-0903

***Approve the Recommendation of Staff, and Forward to Concurrent**

Meeting of the Oakland Redevelopment Agency / City Council on

12/5/2006

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

- *Holly Alonso*

- *Sanjiv Handa*

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OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual(s) spoke under Open Forum:

- *Sanjiv Handa*

- *William H. Mayo*

Adjournment

There being no further business, and upon the motion duly made, the Oakland

City Council Rules and Legislation Committee adjourned the meeting at 12:35

PM.

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.

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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