

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, October 21, 2004

10:30 AM

City Council Chambers - 3rd Floor

The Oakland City Council Rules and Legislation Committee convened at 11:18

A.M., with Pro Tempore Reid presiding as Chairperson.

Roll Call / Call to Order

Excused: Chair De La Fuente

Present: Member Chang, Member Reid and Member Wan

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 - Chair De La Fuente

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

2
Approval of the Draft Minutes from the Committee meeting of October 7, 2004

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 - Chair De La Fuente

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

3

Determination of Schedule of Outstanding Committee Items

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 - Chair De La Fuente

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

4

Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council

meetings of October 26, 2004 (SUPPLEMENTAL)

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 - Chair De La Fuente

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

The following individual(s) spoke on this item:

- Sanjiv Handa

(CMTE PENDING 10-21)

[Item 4 10-21-04.pdf](#)

S-4-1

Subject: Metropolitan Medical Response System

From: Oakland Fire Department

Recommendation: Adopt a Resolution authorizing the City Administrator to accept

and appropriate five hundred thousand dollars (\$500,000.00) from the U.S.

Department of Homeland Security/FEMA - Metropolitan Medical Response

System (MMRS) to fund the Oakland Fire Department MMRS Program and

Enhance Integrated, Systematic Mass Casualty Preparedness, with primary focus

on terrorist events involving radiological, nuclear, chemical, biological, or

explosive agents (04-0864)

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

[Committee Report 4.pdf](#),

[Council Report S-10.33CC 11-16-04.pdf](#),

[78905.pdf](#)

S-4-2

Subject: Emergency Response Services for Oakland

From: Oakland Fire Department

Recommendation; Adopt a Resolution authorizing the City Administrator to: 1)

accept and appropriate a payment of two hundred and eighty thousand dollars

(\$280,000.00) from the U.S. Department of Homeland Security/FEMA -

Metropolitan Medical Response System (MMRS) to pay for emergency response

coordination services by the Oakland Fire Department MMRS Program, and, 2)

enter into a contract with the U.S. Department of Homeland Security/FEMA

MMRS to provide emergency response services in Oakland and surrounding

jurisdictions for a period of one (1) year (04-0865)

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

[Committee Report 5.pdf](#),

[Council Report S-10.34CC 11-16-04.pdf](#),

[Council Report S-10.34CC 11-16-04.pdf](#),

[78906.pdf](#)

S-4-3

Subject: Oakland's Elementary Schools - Critical Incident Response Plan

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator to enter

into a professional services agreement with and accept and appropriate a maximum

of thirteen thousand eight hundred and seventy-seven dollars (\$13,877) from the

Oakland Unified School District (OUSD), for use by the Police Department, to

cover the overtime costs of a Sergeant of Police to prepare and implement a

Critical Incident Response Plan for Oakland's Elementary Schools for the period of

July 1, 2004 through June 30, 2005 (04-0862)

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

[Committee Report 6.pdf,](#)

[78907.pdf](#)

S-4-4

Subject: Pathways to Change Juvenile Repeat Offender Program

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator to enter

into a funding agreement between the City of Oakland and the East Bay

Community Foundation (Safe Passages) in an amount not to exceed two hundred

thousand dollars (\$200,000) for the period of July 1, 2004 through June 30, 2005

for services associated with the "Pathways to Change" Juvenile Repeat Offender

Program (04-0863)

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

[Committee Report 7.pdf,](#)

[78908.pdf](#)

S-4-5

Subject: 2004 Forensic Casework DNA Backlog Reduction Program

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator to accept

and appropriate grant funds in the amount of ninety-eight thousand three hundred

and forty-four dollars (\$98,344) from the U.S. Department of Justice, National

Institute of Justice (USDOJ/NIJ) for the 2004 Forensic Casework DNA Backlog

Reduction Program (04-0868)

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

[Committee Report 8.pdf,](#)

[78909.pdf](#)

S-4-6

Subject: 2004 DNA Capacity Enhancement Program

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator the

accept and appropriate grant funds in the amount of eighty-two thousand seven

hundred and twenty-seven dollars (\$82,727) from the U.S. Department of Justice,

National Institute of Justice (USDOJ/NIJ) for the 2004 DNA Capacity

Enhancement Program (04-0869)

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

[Committee Report 9.pdf](#),

[78910 CMS.pdf](#)

S-4-7

Subject: Oakland Health Profile 2004

From: Councilmember Nadel/Department of Public Health

Recommendation: A Presentation from the Department of Public Health on their

"Oakland Health Profile 2004" (04-0854)

Scheduled to *Life Enrichment Committee on 12/14/2004

[View Report.pdf](#)

S-4-8

Subject: Afterschool Initiative of 2004

From: Councilmember Wan

Recommendation: Adopt a Resolution honoring the Oakland Fund for Children

and Youth Staff and Board Members of the Planning and Oversight Committee for

their outstanding work on the Afterschool Initiative of 2004 (04-0855)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 11/16/2004

[Council Rpt 8.3 11-16-04.pdf,](#)

[78877.pdf](#)

S-4-9

Subject: Municipal Improvement Fund "Pay-Go Funds"

From: Council President Ignacio De La Fuente/Councilmember Quan

Recommendation; Adopt a Resolution directing the Oakland City Attorney to

pursue amendments to the 1982 Trust Agreement with Bank of America in order to

clarify that the Mayor and individual City Councilmembers have the option of

providing the funds related to that agreement (commonly referred to as Municipal

Improvement Fund "Pay-Go Funds") to projects at public schools in Oakland

(04-0856)

Scheduled to *Finance & Management Committee on 11/9/2004

[11-9-04 Cmte 7 and 11-16-04 Council 34.pdf,](#)

[78929.pdf](#)

S-4-10

Subject: Joseph T. Yew - Service Recognition

From: Councilmember Wan

Recommendation: Adopt a Resolution honoring Joseph T. Yew, Jr. for five years

of outstanding service to the City of Oakland (04-0857)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 11/16/2004

[Council Rpt 8.4 11-16-04.pdf,](#)

[78878.pdf](#)

S-4-11

Subject: Chief Richard L. Word - Service Recognition

From: Councilmember Reid

Recommendation: Adopt a Resolution honoring Chief Richard L. Word for his 20

years of dedication and service to the City of Oakland (04-0860)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 11/16/2004

[78876.pdf,](#)

[Council Rpt 8.2 11-16-04.pdf,](#)

[78931.pdf](#)

S-4-12

Subject: Mandela Gateway Public Artwork - Robert Ellison

From: Cultural Arts and Marketing Department

Recommendation: Adopt a Resolution authorizing a professional services

agreement between the City of Oakland and Robert Ellison in an amount not to

exceed forty three thousand dollars (\$43,000) for the creation of public artwork for

Mandela Gateway (04-0867)

Scheduled to *Life Enrichment Committee on 11/9/2004

[Committee Report 9.pdf](#),

[78904.pdf](#)

S-4-13

Subject: Sausal Creek Townhomes Project - Increase of Area Median Income

From: Community and Economic Development Agency

Recommendation: Adopt an Agency Resolution to amend Resolution No. 2004-11

C.M.S. to increase the maximum income limit for qualified purchasers to 100% of

Area Median Income for Sausal Creek Townhomes Project located at 2464 26th

Avenue (04-0866)

Scheduled to *Community & Economic Development Committee on

12/14/2004

[Cmt Rpt Item 8 12-14-04 & Council Rpt S-25 12-21-0....pdf,](#)

[2004-72 CMS.pdf](#)

S-4-14

Subject: Pavement Management Technical Assistance Program

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing an application to the

Metropolitan Transportation Commission for up to \$25,000 in consulting services

through the Pavement Management Technical Assistance Program and payment of

local matching funds in the amount of \$2,867.50 from Measure B Funds

(04-0861)

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

[11-9-04 CMTE Rpt 5 and 10-26CC 11-16-04.pdf,](#)

[78898.pdf](#)

S-4-15

Subject: Improvements to the City's Contracting Process

From: Office of the City Administrator

Recommendation: Receive a Special Report from the Budget Advisory Committee

(BAC) on certain improvements to the City's contracting process (04-0859)

Scheduled to *Finance & Management Committee on 11/9/2004
ADDITIONAL REQUEST SUBMITTED ON THE DIAS

Subject: Amendment to the Oakland Municipal Code

From: President of the Council De La Fuente

Recommendation: An Ordinance adding Chapter 10.28__ to Title 10, vehicles and traffic, of

the Oakland Municipal Code, regulating the parking of noncommercial buses, campers, camp

trailers, semitrailers, trailers, trailer coaches, trailer buses, fifth-wheel travel trailers,

factory-built housing, house cars, mobilehomes, motorhomes, recreational vehicles or RV's, or

vehicles built or modified for domicile of persons or animals on city streets, portions thereof or

city thoroughfares throughout the city (04-0684)

***Rescheduled to *Public Safety Committee on 11/9/2004**
[Committee Report Item 10.pdf](#)

Subject: 2004 City Council Retreat

From: Office of the City Administrator

Recommendation: A request to schedule the date and time, Friday, November 19, 2004, from

9:00am until 5:00pm

LOCATION: Joaquin Miller Conference Center

AGENDA ITEMS:

9:15 am - 10:30 am

Financial Outlook & Budget

- Overview of budget revenues, projections and limitations, including discretionary vs.

non-discretionary funding

- Financial forecast for FY 2005-07

- Highlight of major budget-related issues for FY 2005-07, discussion and Council input /

direction

- Overview of the Capital Improvement Program status & future projects

- Overview of the Oakland Redevelopment Agency budget and major projects

10:30 am - 11:30am

Council Questions and Discussion

11:30 am - 12:30 pm: LUNCH BREAK

12:30 pm - 2:30 pm

Council Goals / Priorities

- Establishing a short list of Mayor & Council budget priorities for FY 2005-07

- Discussion of how the Mayor, City Administrator and Council see City's progress and

short/long term goals

2:30 pm - 3:45 pm

Strategic Planning

- Discussion of City's legislative lobbying agenda, particularly a strategy on state prison

reform

- Capital maintenance / deferred maintenance

3:45 pm - 4:45 pm

Public Input / Open Forum

4:45 pm - 5:00 pm: NEXT STEPS, WRAP-UP (04-0746)

***Rescheduled to Special Concurrent Meeting of the ORA and City Council**

Retreat on 11/29/2004

[Item 1 '05-'07 Budget 11-29-04.pdf](#)

5

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

of November 2, 2004.

No Action Taken

(CMT RULES ITEM 5)

[Item 5 10-21-04.pdf](#)

S-6

Subject: BART - Earthquake Safety Program

From: Citizens for BART Earthquake Safety

Recommendation: Adopt a Resolution endorsing the November 2, 2004 Ballot Measure

regarding the BART Earthquake Safety Program and Measure AA (04-0726)

No Action Taken

The following individual(s) spoke on this item:

- Sanjiv Handa

S-7

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)

No Action Taken

The following individual(s) spoke on this item:

- Sanjiv Handa

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

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual(s) spoke under Open Forum:

- Sanjiv Handa

Adjournment

The Oakland City Council Rules and Legislation Committee convened at 11:47

A.M., with Pro Tempore Reid presiding as Chairperson.

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

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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