

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, June 23, 2005

10:30 AM

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.

Roll Call / Call to Order

Absent: Member Chang

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

COMMITTEE MEMBERSHIP:

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:

Absent; 1 - Member Chang

Aye; 3 - Member Reid, Member Brunner and Chair De La Fuente

The City Attorney scheduled Closed Session For July 19, 2005 At 3:00 P.M.

2

Approval of the Draft Minutes from the Committee meeting of June 9, 2005

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

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

Votes:

Absent; 1 - Member Chang

Aye; 3 - Member Reid, Member Brunner and Chair De La Fuente

3

Determination of Schedule of Outstanding Committee Items

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

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

Votes:

Absent; 1 - Member Chang

Aye; 3 - Member Reid, Member Brunner and Chair De La Fuente

(R&L Item 3 6-23-05)

[View Item.pdf](#)

4

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

meetings of June 28, 2005 (SUPPLEMENTAL)

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

Approve as Amended. The motion carried by the following vote:

Votes:

Absent; 1 - Member Chang

Aye; 3 - 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*

4-1

Subject: Sutter Occupational Health - Contract Extension

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Extend A Contract With Sutter Occupational Health Until September 30, 2005 For

Continued Performance Of Physical Fitness Assessments And Health Testing

Services For Firefighting Personnel In An Amount Not-To-Exceed \$25,000.00 For

A Total Contract Amount Not-To-Exceed \$495,750.00, And Waiving Competitive

RFP Requirements For Award Of The Limited Extension (05-0560)

Scheduled to *Public Safety Committee on 7/12/2005

[View Report.pdf,](#)

[79373 CMS.pdf](#)

4-2

Subject: Oakland Police Department Marine Unit - Equipment Purchases And

Repairs

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her

Designee To Accept A Grant In The Amount Of Twenty-Two Thousand Dollars

(\$22,000), From The State Of California, Department Of Boating And Waterways,

For Use By The Oakland Police Department Marine Unit For Equipment Purchases

And Repairs To Vessels Used For Law Enforcement And Security On City Of

Oakland Waterways (05-0548)

Scheduled to *Public Safety Committee on 7/12/2005

[View Report.pdf,](#)

[79374 CMS.pdf](#)

4-3

Subject: Donald P. McCullum Youth Court - Project Straight Up

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Accept And Appropriate Grant Funds In An Amount Not To Exceed Four Hundred

Fifty Thousand Dollars (\$450,000) From The U.S. Department Of Justice, Office

Of Justice Programs, Office Of Juvenile Justice And Delinquency Prevention

(OJJDP), Juvenile Drug Court Implementation Grant Program, And Authorizing A

Funding Agreement In An Amount Not To Exceed Three Hundred Forty-Five

Thousand Dollars (\$345,000) With The Donald P. McCullum Youth Court And A

Funding Agreement In An Amount Not To Exceed Seventy-Five Thousand Dollars

(\$75,000) With Safe Passages, For Implementation Of Project Straight Up

(05-0549)

Scheduled to *Public Safety Committee on 7/12/2005

[View Report.pdf,](#)

[79375 CMS.pdf](#)

4-4

Subject: In - Car Video Equipment Purchase

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Accept And Appropriate Grant Funds In An Amount Not To Exceed Ninety-Eight

Thousand Six Hundred And Sixty-Four Dollars (\$98,664) From The U.S.

Department Of Justice, Office Of Community Oriented Policing Services

(DOJ/COPS) 2005 Technology Grant Program, For The Purchase Of In-Car Video

Equipment For Use By The Police Department (05-0550)

Scheduled to *Public Safety Committee on 7/12/2005

[View Report.pdf,](#)

[79376 CMS.pdf](#)

4-5

Subject: Justice Assistance Grant (JAG) Program

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Accept And Appropriate Grant Funds In An Amount Not To Exceed Three

Hundred Sixty-One Thousand One Hundred And Eighty-Five Dollars (\$361,185)

From The U.S. Department Of Justice, Office Of Justice Programs, Bureau Of

Justice Assistance, Edward Byrne Memorial Justice Assistance Grant (JAG)

Program, To Supplement Frontline Policing Services By Providing Funding For

DNA Analysts And The Purchase Of Other Criminalistics Division Supplies In

The Police Department (05-0551)

Scheduled to *Public Safety Committee on 7/12/2005

[View Report.pdf,](#)

[79378 CMS.pdf](#)

Subject: Secure Our Schools (SOS) Truancy Prevention Program

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Accept And Appropriate Grant Funds In An Amount Not To Exceed One Hundred

Fifty Thousand Dollars (\$150,000) From The U.S. Department Of Justice, Office

Of Community Oriented Policing Services (DOJ/COPS) For The Secure Our

Schools (SOS) Truancy Prevention Program In The Police Department (05-0552)

Scheduled to *Public Safety Committee on 7/12/2005

[View Report.pdf,](#)

[79377 CMS.pdf](#)

Subject: Truancy Prevention Program Implementation

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Accept And Appropriate Grant Funds In An Amount Not To Exceed Eighty

Thousand Dollars (\$80,000) From The U.S. Department Of Justice, Office Of

Justice Programs, Community Capacity Development Office, Weed And Seed

Support Grant Program To The Police Department, And Authorize A Funding

Agreement In An Amount Not To Exceed Forty Thousand Dollars (\$40,000) With

Safe Passages For Implementation Of The Truancy Prevention Program (05-0564)

Scheduled to *Public Safety Committee on 7/12/2005

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[79424 CMS.pdf](#)

4-8

Subject: Final Passage of Ordinances

From: Office of the City Clerk

Recommendation: A Request From The Office of the City Clerk To Schedule The

Following Final Passages To the June 28, 2005 Special Budget Agenda

(05-0275-2)

Not Accepted
4-9

Subject: Conditional Street Vacation - Various Areas

From: Community and Economic Development Committee Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Approve The

Introduction (First Reading) An Ordinance Conditionally Vacating Portions Of

Thomas L. Berkeley Way, Williams Street, And 19th Street Between San Pablo

Avenue And Telegraph Avenue For The Uptown Oakland Mixed Use

Redevelopment Project And Quit Claiming The Underlying Fee Interests In The

Vacated Rights-Of-Way To The Oakland Redevelopment Agency (05-0276)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/19/2005

[View Report.pdf,](#)

[View Report.pdf,](#)

[12687 CMS.pdf](#)

4-10

Subject: Measure Z

From: Office of the City Attorney/ Councilmember Nadel

Recommendation: Adopt The Following Pieces Of Legislation:

1) Approve The Introduction (First Reading) Of An Ordinance Establishing The

Procedures Of The Community Oversight Committee Created By Measure Z,

Entitled "Oakland Cannabis Regulation And Revenue Ordinance" (Measure Z)

And Providing The Terms And Responsibilities Of The Committee Members

(05-0338)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 7/19/2005**

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[12694 CMS.pdf](#)

4-11

Subject: Designate and Rezone of Uptown

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Approve The

Introduction (First Reading) Of An Ordinance To Rezone A 25,000 Square-Foot

Site Located In the Middle of The Block Bounded By San Pablo Avenue To The

West, Thomas L. Berkley Way To The North, Telegraph Avenue To The East and

19th Street To The South From C-51 Central Business Service District/S-17

Downtown Residential Open Space Combining Zone To OS Open Space

(Neighborhood Park) (05-0359-1)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/19/2005

[View Report.pdf,](#)

[View Report Pt 2.pdf,](#)

[12688 CMS.pdf](#)

4-12

Subject: 5th Avenue Seismic Retrofit

From: Community and Economic Development Agency

Recommendation: Adopt an Ordinance Authorizing The City Administrator To

Enter Into A Sales Agreement With The California Department Of Transportation

(Caltrans) To Sell City Owned Property Located Near Interstate 880 And 5th Ave

(Assessor Parcel Number 000O-0455-010 (Portion)) And Granting Of Temporary

Construction Easements With An Expiration Date Of 1/31/2011 For City Owned

Properties (Assessor Parcel Numbers 000O-0455-090 And 000O-0455-010) For A

Fair Market Value To Be Determined But Not Less Than \$195,100 (05-0398)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/19/2005

[View Report.pdf,](#)

[12689 CMS.pdf](#)

4-13

Subject: Gift Presentation From Nakhodka, Russia

From: Councilmember Nadel

Recommendation: A Presentation Of A Gift From Oakland's Sister City Nakhodka,

Russia (05-0566)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/19/2005

as a Ceremonial item.

4-14

Subject: Stanton Bluiett Contract Restructuring

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

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

Loan Restructuring For Stanton D. Bluiett DBA Pill Hill Printing For Outstanding

Principal Notes Totaling \$240,000; and (05-0555)

Scheduled to *Community & Economic Development Committee on

7/12/2005

[View Report.pdf](#)

Subject: Statnon Bluiett Contract Restructuring

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And

Execute Loan Restructuring Request By Union Street Manufacturing, LLC, DBA Comet

Skateboards For Outstanding Principal Notes Totaling \$225,000 (05-0555-1)

Scheduled to *Community & Economic Development Committee on

7/12/2005

The Committee requested staff to include a list of the loans paid-off and in default.

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[View Supplemental Report.pdf,](#)

Subject: Underground Encroachments

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Approving Underground Encroachments In

Thomas L. Berkley Way, William Street, 19th Street, San Pablo Avenue, And

Telegraph Avenue For Excavation Shoring And Electrical Conduits And

Transformer Vaults For The Uptown Oakland Mixed Use Redevelopment Project;

On The September 13, 2005 Community And Economic Development Committee

Agenda (05-0561)

Scheduled to *Community & Economic Development Committee on

9/13/2005

4-16

Subject: Traffic Stop Signs And Parking Meter Zone For 19th Street And

Thomas L. Berkley Way

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving Traffic Stop Signs; And (05-0562)

Scheduled to *Community & Economic Development Committee on

9/13/2005

2) An Ordinance Approving A Parking Meter Zone Between 19th Street And Thomas L.

Berkley Way For The Uptown Oakland Mixed Use Redevelopment Project; On The

September 13, 2005 On The Community And Economic Development Committee Agenda

(05-0562-1)

Scheduled to *Community & Economic Development Committee on

9/13/2005

4-17

Subject: Public Utilities And Right-Of- Way Improvements For Uptown Project

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Approving A Final Map For Tract 7616

And Approving An Agreement For Construction Of Public Utilities And

Right-Of-Way Improvements For The Uptown Oakland Mixed Use

Redevelopment Project; On The September 13, 2005 Community And Economic

Development Committee Agenda (05-0563)

Scheduled to *Community & Economic Development Committee on

9/13/2005

4-18

Subject: Youth Employment Partnership, Inc.

From: Community And Economic Development Agency

Recommendation: Adopt An Agency Resolution To Authorize The Agency

Administrator To Negotiate And Execute A Contract With The Youth Employment

Partnership, Inc., For The Allocation Of Fifty Thousand Dollars (\$50,000) From

Coliseum Redevelopment Business Development (Fiscal Year 2004-2005) Funds

For Building Repairs To The Youth Employment Partnership, Inc. Building

Located At 2300 International Boulevard (05-0565)

Scheduled to *Community & Economic Development Committee on

7/12/2005

[View Report.pdf,](#)

[2005-0041 CMS.pdf](#)

4-19

Subject: Lake Merritt Master Plan Project - Additional Design Services

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Amendment No. 3 To The

Professional Services Agreement With Wallace Roberts & Todd, Inc., To Provide

Additional Design Services For The Lake Merritt Master Plan Project For An

Amount Not To Exceed Two Hundred Thirty Thousand Dollars (\$230,000),

Bringing The Total Contract Amount To One Million Ninety Four Thousand Eight

Hundred Eighty-Five Dollars (\$1,984,885) (05-0554)

Scheduled to *Life Enrichment Committee on 7/12/2005

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[79370 CMS.pdf](#)

4-20

Subject: Rajappan And Meyer Consulting Engineers Inc.

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Negotiate And Enter Into A Professional Services Agreement With Rajappan &

Meyer Consulting Engineers Inc. For Design Services For The 10th Street Bridge

Project At The Lake Merritt Channel For An Amount Not To Exceed One Million

Two Hundred Thousand Dollars (\$1,200,000.00) (05-0556)

Scheduled to *Community & Economic Development Committee on

7/12/2005

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[View Supplemental Report.pdf,](#)

[79414 CMS.pdf](#)

4-21

Subject: Rajappan And Meyer Consulting Engineers Inc. - 7th Street Flood

Control Station

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Negotiate And Enter Into A Professional Services Agreement With Rajappan And

Meyer Consulting Engineers Inc. For Design Services For The Lake Merritt

Channel Improvement Project At The 7th Street Flood Control Station For An

Amount Not To Exceed One Million Fifty Thousand Dollars (\$1,050,000.00)

(05-0557)

Scheduled to *Public Works Committee on 7/12/2005

[View Report.pdf,](#)

[79415 CMS.pdf](#)

4-22

Subject: Animal Control And Shelter Manager Classification

From: Finance And Management Agency

Recommendation: Adopt An Ordinance Amending The Salary Schedule Of

Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Add the Classification Of

Director Of Animal Services (05-0553)

Scheduled to *Finance & Management Committee on 7/12/2005

[View Report.pdf](#)

4-23

Subject: Supplies, Services And Contracts During Agency/Council Recess

From: Office Of The City Administrator

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Take Action On Procurement Of The Following Supplies And Services Exceeding

\$500,000 And Professional Services Contracts Exceeding \$300,000 During The

Agency/Council Summer 2005 Recess:

a) Resolution Authorizing The City Administrator To Enter Into A Service

Agreement With The Oakland Unified School District In An Estimated Amount Of

\$510,862.00 To Fund Measure Y Violence Prevention Programs, Specifically

Conflict Resolution Programs And Second Step Curriculum Implementation,

During The 2005-2006 School Year With Two One Year Options To Renew At An

Estimated Amount Of \$510,862 Plus Cost Of Living Adjustment Annually Without

Further Council Approval, And

b) Resolution Authorizing The Award Of A Contract To Lovett And Lovett

Roofing Company, The Lowest Responsible Bidder, In An Amount Of Not To

Exceed Five Hundred Sixty Eight Thousand Four Hundred Seventy Seven Dollars

(\$568,477.00) For A One-Year Term Contract In Accordance With Specifications

Dated November 5, 2004 For Roofing And Waterproofing Installation At Various

City-Owned Facilities, Rejecting All Other Bids And Authorizing A 1-Year

Extension Under The Same Terms And Conditions In An Amount Not-To-Exceed

Five Hundred Sixty Eight Thousand Four Hundred Seventy Seven Dollars

(\$568,477.00) Without Further Council Approval (TITLE CHANGE) (05-0567)

Scheduled to *Finance & Management Committee on 7/12/2005

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[View Supplemental Report.pdf,](#)

[79418 CMS.pdf](#)

(R&L Item 4 06.23.05)

[View Item.pdf](#)

FROM THE JUNE 28, 2005 SPECIAL BUDGET MEETING:

Subject: Jail Booking Fees

From: Office of the City Attorney

Recommendation: Consideration Of A Motion To Direct Staff To Contribute To The County

Any City Of Oakland Booking Fee Reimbursement For Fiscal Year 2005-2006 Booking Fees.

(05-0569)

***Withdrawn with No New Date**

5

A review of the Agendas for the ORA/ City Council Meeting of July 5, 2005 and Rules and

Legislation Committee of July 7, 2005 (OAKLAND REDEVELOPMENT AGENCY/CITY

COUNCIL AND RULES AND LEGISLATION COMMITTEE MEETINGS ARE

CANCELLED DUE TO JULY 4TH RECESS)

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

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

Votes:

Absent; 1 - Member Chang

Aye; 3 - Member Reid, Member Brunner and Chair De La Fuente

(R&L Item 5 06.23.05)

[View Item.pdf](#)

6

Subject: Preferential Voting

From: Office of the City Clerk

Recommendation: Receive an Informational Report on Preferential Voting and its use in the

City of Oakland's Special Elections (05-0092)

A motion was made by Member Brunner, seconded by Member Reid, that

this matter be *Received and Filed. The motion carried by the following

vote:

Votes:

Absent; 1 - Member Chang

Aye; 3 - Member Reid, Member Brunner and Chair De La Fuente

The following individual(s) spoke against this item:

- Dave Kaldecek

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

- John Morton

- *Judy Cox*

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

- *Sanjiv Handa*

[View Report.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual(s) spoke under Open Forum:

- *Sanjiv Handa*

- *Toya Jackson*

- *Sennet Williams*

- *Susie Goldmaker*

Adjournment

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

City Council Rules and Legislation Committee adjourned the meeting at 11:29

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