

# 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 26, 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 10:49*

*AM with Council President De La Fuente presiding as Chairperson.*

1  
Closed Session

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

*October 31, 2006 at 3:00 PM*

2  
Approval of the Draft Minutes from the Committee meeting of October 12, 2006

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

*There was no action necessary for this item*

[10-24 Item 3](#)

[View Item.pdf](#)

4

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

meeting of October 31, 2006 (SUPPLEMENTAL)

**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

S-4-1

Subject: Lease And Sell Of City Property

From: Office of the City Attorney and Community and Economic

Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Resolution Adopting A General Policy To Lease, Rather Than Sell, City

Property; And

[06-0851](#)

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

**11/28/2006**

2) An Agency Resolution Adopting A General Policy To Lease, Rather Than Sell, Property For

Redevelopment Purposes

[06-0851-1](#)

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

**11/28/2006**

S-4-2

Subject: Travel Authorization For Councilmember Nadel

From: Councilmember Nadel

Recommendation: Adopt A Resolution Authorizing Councilmember Nancy Nadel

To Travel To Reno, Nevada To Attend The National League Of Cities 83rd

Congress Of Cities & Exposition, December 7-9, 2006; On The December 5, 2006

City Council Agenda

[06-0895](#)

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

**City Council on 12/5/2006**

S-4-3

Subject: Priority Project Funds - District Six

From: Councilmember Brooks

Recommendation: Adopt A Resolution Authorizing For Immediate Allocation of

Councilmember Desley Brooks' Priority Project Funds; On The December 5, 2006

City Council Agenda

[06-0896](#)

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

**City Council on 12/5/2006**

S-4-4

Subject: Wildfire Prevention Assessment District - Appointment

From: Councilmember Brooks

Recommendation: Adopt A Resolution Appointing Lilah Greene To The Oakland

Wildfire Prevention Assessment District Citizen Advisory Committee; On The

December 5, 2006 City Council Agenda

[06-0897](#)

**\*Withdrawn with No New Date**  
S-4-5

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](#)

**Scheduled to \*Rules & Legislation Committee on 11/16/2006**

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

- *Sanjiv Handa*

S-4-6

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](#)

**Scheduled to \*Rules & Legislation Committee on 11/16/2006**

S-4-7

Subject: Oakland Youth's Alcohol Use

From: Councilmember Nancy Nadel

Recommendation: Action On A Report Presented By The Environmental

Prevention In Communities (EPIC) And Alameda County Public Health

Department Regarding A Survey Of Oakland Youth's Alcohol Use Completed

With A Grant From The California Office Of Traffic Safety

06-0907

**Scheduled to \*Public Works Committee on 11/28/2006**

S-4-8

Subject: California Highway Patrol Policy On Medical Marijuana Arrests

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Urging Oakland Law Enforcement To

Adopt The California Highway Patrol Policy On Medical Marijuana Arrests And

Seizures With Regards To Qualified Patients And Designated Primary Caregivers

06-0908

**Scheduled to \*Public Safety Committee on 11/28/2006**

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

- *Sanjiv Handa*

S-4-9

Subject: Priority Project Funds - District Three

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Authorizing Immediate Allocation of

\$5,000 Of Councilmember Nancy J. Nadel's Priority Project Funds To The Martin

Luther King 2007 Celebration Hosted by The Attitudinal Healing Connection of

Oakland; On The December 5, 2006 City Council Agenda

[06-0909](#)

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

**City Council on 12/5/2006**

S-4-10

Subject: Oakland Base Reuse Authority Projects



From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To: (1) Accept

And Appropriate \$29,750,471 In Funds From The Oakland Base Reuse Authority

(OBRA) Budget; And (2) Create Sub-Projects And Take All Other Actions

Necessary To Implement The Fiscal Transfer And Implementation Of The Projects

Identified In The OBRA Budget; And

06-0901

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

**12/12/2006**

2) Resolution Authorizing The City Administrator To Accept Funds From The Redevelopment

Agency For Reimbursement Of Expenses Related To The Implementation Of OBRA Projects;

And To Create Sub-Projects And Take All Other Fiscal Actions Necessary To Implement The

Projects Identified In The OBRA Budget; On The November 28, 2006 Community And

Economic Development Committee Agenda

06-0901-1

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

**12/12/2006**

S-4-11

Subject: Fruitvale Business Improvement District

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Allocating \$88,000 To The Fruitvale

Business Improvement District From Central City East (\$29,334) And Coliseum

(\$56,666) Redevelopment Area Funds For The Continuation Of Services For A

Five Month Period Beginning July 1, 2006 And Ending December 31, 2006

06-0910

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

**11/28/2006**

S-4-12

Subject: Fidelity Roof Company

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Award A Contract To Fidelity Roof Company For A Not To Exceed Amount Of

Five Hundred Sixty Two Thousand Two Hundred Thirty Three Dollars

(\$562,233.00) For Roofing And Waterproofing Installation And Repairs At

Various City-Owned Facilities

[06-0898](#)

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

**11/28/2006**

S-4-13

Subject: Geotechnical Engineering Services - Agreements

From: Public Works Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing A Professional Services Agreement With Ninyo And

Moore For As-Needed Geotechnical Engineering Services For A Contract Amount

Not To Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00); And

[06-0899](#)

**Scheduled to \*Public Works Committee on 11/14/2006**

[View Report.pdf](#)

S-4-14

Subject: Landscape Architectural Design Services

From: Public Works Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing A Professional Services Agreement With Golden

Associates For As-Needed Landscape Architectural Design Services For An

Amount Not To Exceed Four Hundred Thousand Dollars (\$400,000.00); And

06-0900

**Scheduled to \*Public Works Committee on 11/14/2006**

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

- *Sanjiv Handa*

[View Report.pdf](#)

S-4-15

Subject: Miscellaneous Cable Wiring, Installation and Repairs

From: Finance and Management Agency

Subject: Adopt A Resolution Awarding A Contract For Miscellaneous Cable (Low

Voltage Communications) Wiring, Installation And Repairs To AEKO Consulting,

Inc. For A One-Year Period Not To Exceed \$400,000 Per Year, With An Option

To Extend The Contract For An Additional One - Year Term Upon Successful

Performance, Without Return To Council; On The November 14, 2006 Finance

and Management Agency

06-0906

**Scheduled to \*Finance & Management Committee on 11/14/2006**

S-4-16

Subject: Food Policy Council

From: Office of the Mayor

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Allocate \$50,000 From The Williams Energy Settlement Within The City Facilities

Energy Conservation Fund (4450) To Provide Startup Funding For The

Establishment Of A Food Policy Council For Oakland; On The December 12, 2006

Life Enrichment Committee Agenda

[06-0904](#)

**Scheduled to \*Life Enrichment Committee on 12/12/2006**

S-4-17



Subject: First Quarter Revenue And Expenditure Results

From: Office of the City Administrator

Recommendation: Receive An Informational Report On Fiscal Year 2006-2007

First Quarter Revenue And Expenditure Results And Year-End Projections For

Selected City Funds (General Purpose, Telecommunications, Equipment And

Facilities); On The November 28, 2006 Finance And Management Committee

Agenda

06-0905

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

**City Council on 11/17/2006**

*Budget retreat*

**FROM THE NOVEMBER 14, 2006 COMMUNITY AND ECONOMIC DEVELOPMENT**

## **COMMITTEE AGENDA**

Subject: Freeway Auto Mall

From: Community And Economic Development Agency

Recommendation: Receive An Informational Report Recommending The Creation Of A

Freeway Auto Mall Within The North Gateway Area Of The Former Oakland Army Base And

Adopt The Following Pieces Of Legislation:

1) Resolution Authorizing A Disposition And Development Agreement With Sojitz Motors,

Incorporated For The Development Of A BMW Dealership On Approximately 5 Acres Within

The Former Oakland Army Base;

[06-0349](#)

**\*Withdrawn and Rescheduled to \*Community & Economic Development**

**Committee on 11/28/2006**

2) Resolution Authorizing A Disposition And Development Agreement With Sojitz Motors,

Incorporated For The Development Of A Mercedes-Benz Auto Dealership On Approximately 5

Acres Within The Former Oakland Army Base;

[06-0349-1](#)

**\*Withdrawn and Rescheduled to \*Community & Economic Development**

**Committee on 11/28/2006**

3) Resolution Authorizing A Disposition And Development Agreement With Sojitz Motors,

Incorporated For The Development Of A Chrysler-Jeep-Dodge Dealership On Approximately 5

Acres Within The Former Oakland Army Base; And

[06-0349-2](#)

**\*Withdrawn and Rescheduled to \*Community & Economic Development**

**Committee on 11/28/2006**

4) Resolution Authorizing A Disposition And Development Agreement With Sojitz Motors,

Incorporated For The Development Of A General Motors Dealership On Approximately 7

Acres Within The Former Oakland Army Base

06-0349-3

**\*Withdrawn and Rescheduled to \*Community & Economic Development**

**Committee on 11/28/2006**

**FROM THE NOVEMBER 28, 2006 COMMUNITY AND ECONOMIC DEVELOPMENT**

**COMMITTEE AGENDA**

Subject: Fiscal Year 2005-2006 Performance Results

From: Office of the City Administrator

Recommendation: Receive An Informational Report On Fiscal Year 2005-2006 Community

And Economic Development Agency Performance Results

06-0885

**\*Withdrawn and Rescheduled to \*Community & Economic Development**

**Committee on 12/12/2006**

**FROM THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE PENDING**

**LIST NO SPECIFIC DATE**

Subject: 1100 Broadway - Mixed Use Development Site

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing An Amendment To The Owner Participation Agreement

With East End Oakland I, LLC, For 1100 Broadway To Provide The Agency Greater Review

And Approval Authority Over The Development Of A Mixed-Use Project For The 1100

Broadway Site, Restrict Transfer Of The Project Property Prior To Completion Of The

Development, And Expand The Agency's Remedies In The Event East End Oakland Defaults

On Its Obligations To Develop The Project; And

06-0457

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

**11/28/2006**

[View Report.pdf,](#)

[View Report.pdf](#)

2) An Agency Resolution Authorizing The Sale Of The Public Parking Garage At 1111

Franklin Street By The Agency To East End Oakland I, LLC, For A Price Of \$4,350,000

06-0457-1

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

11/28/2006

[View Report.pdf](#)

RULES 10-26 ITEM 4

[View Item.pdf](#)

5

A review of the Council Committees' actions from October 24, 2006 and determination of

scheduling to the ORA/City Council meeting of October 31, 2006 or future dates

(MATRIX)

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

## **FROM THE OCTOBER 24, 2006 COMMUNITY AND ECONOMIC DEVELOPMENT**

### **COMMITTEE AGENDA**

Authorizing The Allocation Of The Required Local Match From A Combination Of

Transportation Measure B, West Oakland Redevelopment, and Council District 3 (Pay-Go)

Discretionary Funds

06-0768-1

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

**City Council on 10/31/2006**

Subject: Metropolitan Transportation Commission Grant

From: City Auditor

Recommendation: Receive An Informational Report On A Resolution 1) Authorizing The City

Administrator To Accept A Grant In The Amount Of \$1,900,000.00 From The Metropolitan

Transportation Commission-Federal Surface Transportation Program (STP) And/Or Congestion

Management And Air Quality Improvements (CMAQ)Program For The West Oakland Transit



Village Streetscape Project, 2) Appropriating The Grant; 3) Stating The Assurance Of The City

Of Oakland To Complete The Project If Funded, and 4) Authorizing A Local Match In The

Amount Of \$380,000.00

06-0893

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

**City Council on 10/31/2006**

[View Report.pdf](#)

RULES 10-26 ITEM 5

[View Item.pdf](#)

6

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

of November 7, 2006 - Cancellation Notice and the Rules and Legislation Committee

meeting of November 9, 2006

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

[RULES 10-26 ITEM 6](#)

[View Item.pdf](#)

7

A Review of the Boards and Commission Directory and Vacancies

**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

[Item 7 Rules 10-24](#)

[View Item.pdf](#)

**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 11:45*

*AM*

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 - Agenda Management Unit

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TDD  
\*

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*