

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, March 08, 2007

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Excused: Member Brunner

Present: Vice Mayor Chang, Member Reid and Chair De La Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:50

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

1

Closed Session

The Office of the City Attorney scheduled a Closed Session at 4 PM on

Tuesday, March 20, 2007

2

Approval of the Draft Minutes from the Committee meeting of February 22, 2007

A motion was made by Member Reid, seconded by Vice Mayor Chang, to

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

Votes:

Excused; 1 - Member Brunner

Aye; 3 - Vice Mayor Chang, Member Reid and Chair De La Fuente

3

Determination of Schedule of Outstanding Committee Items

A motion was made by Member Reid, seconded by Vice Mayor Chang, to

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

following vote:

Votes:

Excused; 1 - Member Brunner

Aye; 3 - Vice Mayor Chang, Member Reid and Chair De La Fuente

There was no action necessary for this item

[03-08 Rules Item 3](#)

[View Item.pdf](#)

4

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

meetings of March 13, 2007 (SUPPLEMENTAL)

S-4-1

Subject: Risk Assessment And Hazardous Materials Area Plan

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Apply For, Accept And Appropriate A Grant From The United States Department

Of Transportation And The California Governor's Office Of Emergency Services For

The Period January 1, 2007 To September 30, 2007 In The Amount Of Nineteen

Thousand And Four Hundred Dollars (\$19,400.00) To Prepare A Hazardous

Materials Area Plan For The City Of Oakland

07-0053

Scheduled to *Public Safety Committee on 3/27/2007

[View Report.pdf,](#)

[80508 CMS.pdf](#)

S-4-2

Subject: Priority Project Funds - District Seven

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of \$10,000

From Councilmember Larry E. Reid's Priority Project Funds To The Office Of Parks

And Recreation To Assist With The Funding Of Radical Wheels Weekend Event On

March 31, 2007

07-0028

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 3/20/2007

[View Report.pdf,](#)

[80453 CMS.pdf](#)

S-4-3

Subject: Priority Project Funds - District Seven

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of

\$15,000 From Councilmember Larry E. Reid's Priority Project Funds For Operating

Expenses To Secret Place Ministries For Women And Children, A Non-Profit

Organization That Provides, Housing, Counseling And Training

07-0029

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 3/20/2007

[View Report.pdf,](#)

[80454 CMS.pdf](#)

S-4-4

Subject: Travel Authorization - Councilmember Brunner

From: Councilmember Jane Brunner

Recommendation: Adopt A Resolution Authorizing Councilmember Jane Brunner

To Travel To Santa Monica, California, To Attend The Milken Institute's Conference

Workshop: "A Laboratory On The Next Steps In California's Policy On Global

Warming," On Thursday, March 8, 2007, To Return The Same Day

07-0030

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 3/20/2007

[View Report.pdf,](#)

[80455 CMS.pdf](#)

S-4-5

Subject: State-Of-The-Art Education Center

From: Councilmember Pat Kernighan

Recommendation: Adopt A Resolution of City Council Support For The Oakland

Unified School District Board Of Directors' Decision To Plan And Construct A

New, State-Of-The-Art Education Center To House The Five Schools Located On

The School District's 2nd Avenue Properties; On The March 29, 2007 Rules And

Legislation Committee Agenda

07-0031

Continued to *Rules & Legislation Committee on 3/15/2007
S-4-6

Subject: Children's Book Project - Recognition

From: Councilmember Pat Kernighan

Recommendation: Adopt A Resolution Commending The Children's Book Project

East Bay On The Occasion Of Giving Away 120,000 Books To Readers Pre-School

To High School

07-0032

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 4/3/2007

[View Report.pdf,](#)

Subject: Tobacco Shop - Moratorium

From: Councilmember Larry Reid

Recommendation: Adopt An Ordinance To Extend An Existing 45 Day Moratorium,

As Allowed By California Government Code Section 65858, For Six (6) Months On

The Issuance Of Building, Zoning And Other Permits For The Establishment Or

Expansion Of Activities Devoted To The Sale Of Tobacco And Tobacco Related

Paraphernalia With A Square Footage Of Less Than 10,000 Square Feet And A

Power Point Presentation On Smoke Shops In Oakland By The Oakland Police

Department

07-0049

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 3/20/2007

[View Report.pdf,](#)

[12788 CMS.pdf](#)

S-4-8

Subject: Race And Gender Disparity Evaluation Report

From: Council President Ignacio De La Fuente

Recommendation: Receive An Informational Action On A Report On The Findings

And Recommendations Of A Race And Gender Disparity Evaluation(S) And

Study(ies) Conducted By The City Administrator (Per City Council Resolution

No.79138) Of Both (1) The City's Bidding And Awards Of City Contracts

(Commonly Referred To As A "Croson Study") And (2) The City's Workforce

Diversity In Comparison To The Relevant Labor Pool

[07-0057](#)

Continued to *Rules & Legislation Committee on 3/15/2007

S-4-9

Subject: Community Action Partnership Funding

From: Department of Human Services

Recommendation: Receive An Informational Report On The Potential Impact To

Oakland's Community Action Partnership If The Federal Community Services

Block Grant (CSBG)Funding Is Eliminated And A Resolution Opposing The

President's 2008 Federal Budget Proposal To Eliminate CSBG Funding; On The

April 24, 2007 Life Enrichment Committee Agenda

[07-0051](#)

Scheduled to *Life Enrichment Committee on 4/24/2007

S-4-10

Subject: Eminent Domain Program

From: Community and Economic Development Agency

Recommendation: Action On A Report And Recommendations On Ordinances

Describing The Eminent Domain Program As Required By The Community

Redevelopment Law For Each Of The Following Redevelopment Project Areas:

Acorn, Broadway/Macarthur/San Pablo, Central City East, Central District,

Coliseum, Oak Center, Oak Knoll, Oakland Army Base, Stanford/Adeline And West

Oakland; On The May 8, 2007 Community And Economic Development Committee

Agenda

07-0043

Scheduled to *Community & Economic Development Committee on

5/8/2007

S-4-11

Subject: Oakland Ice Center Entry - Project

From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Rejecting Bids And Authorizing

The Agency Administrator, Or Her Designee, To Award A Construction Contract

For Modification Of The 17th Street Entry To The Oakland Ice Center In Accord

With Specification No. G84040 To Rockridge Builders In An Amount

Not-To-Exceed Of One Hundred Fifty-Nine Thousand Three Hundred And Ninety

Dollars (\$159,390.00)

07-0044

Scheduled to *Community & Economic Development Committee on

3/27/2007

[View Report.pdf,](#)

[View Supplemental Report.pdf](#)

S-4-12

Subject: Billboard Relocation Agreement

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter

Into A Billboard Relocation Agreement With Clear Channel Outdoor, Inc. ("CCO"):

(1) Allowing CCO To Remove And Waive Its Rights To Compensation, Including

All Real Property And Personal Property Interests, For A Number Of Billboards At

Various Locations In Exchange For: (A) Removal Of A Billboard At 381- 5th Street

And Construction Of A New Billboard At 377-5th Street; And (B) Removal Of A

Billboard At 3420 Louise Street And Construction Of A Billboard On An Adjacent

Lot (APN 007-0620-001-04); And (2) Requiring Mr. Libitzky, Property Owner Of

3420 Louise Street, To Make A One-Time Contribution Of \$100,000 To The Chabot

Space And Science Center And Requiring CCO To Make A One-Time Contribution

Of \$75,000 To A Cause Designated By The City Council

07-0045

Scheduled to *Community & Economic Development Committee on

4/24/2007

[View Report.pdf](#)
S-4-13

Subject: Service-Enriched Permanent Housing

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Upholding The Appeal And Overturning The

Decision Of The Planning Commission Thereby Denying The Establishment Of A

Service-Enriched Permanent Housing Residential Activity For 8 Adults Within An

Existing Structure Located At 2815 West Street

07-0046

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 3/20/2007

[View Report.pdf,](#)

[80456 CMS.pdf](#)

S-4-14

Subject: 2946 International Boulevard - Revocable And Conditional Permit

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Granting Seven Directions Housing, LP, A

Revocable And Conditional Permit To Allow An Electrical Transformer And Vault

For A New Building At 2946 International Boulevard To Encroach Under The

Public Sidewalk

07-0047

Scheduled to *Public Works Committee on 3/27/2007

[View Report.pdf,](#)

[80503 CMS.pdf](#)

S-4-15

Subject: Alameda Avenue, Oakland Waterfront Bay Trail Project

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing the City Administrator, Or Her

Designee, To Award A Construction Contract To McGuire & Hester For the

Alameda Avenue, Oakland Waterfront Bay Trail Project (C243910) In The Amount

Of Four Hundred Ninety One Thousand Eight Hundred Thirty-One Dollars

(\$491,831.00)

07-0005

Scheduled to *Public Works Committee on 3/27/2007

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[80484 CMS.pdf](#)

S-4-16

Subject: Arbor Day 2007 - Recognition

From: Public Works Agency

Recommendation: Adopt A Resolution Proclaiming April 27, 2007, To Be The City

Of Oakland's Arbor Day 2007 And Authorizing An Official Tree Planting Ceremony

At Golden Gate Recreation Center, 1075 - 62nd Street And The California College

Preparatory Academy, 6200 San Pablo Avenue

[07-0036](#)

Scheduled to *Public Works Committee on 3/27/2007

[View Report.pdf,](#)

[80498 CMS.pdf](#)

S-4-17

Subject: Sheffield Village Recreation Center - Construction Contract

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her

Designee, To Award A Construction Contract For The Sheffield Village Recreation

Center ADA Improvements Project In Accord With Specification No. C259410 To

Rockridge Builders In The Amount Of Four Hundred Ninety-Eight Thousand Three

Hundred Fifty-One Dollars (\$498,351.00)

[07-0037](#)

Scheduled to *Public Works Committee on 3/27/2007

[View Report.pdf,](#)

[80499 CMS.pdf](#)

S-4-18

Subject: Waterfront Trail Project At Cryer Site

From: Public Works Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Apply

For, Accept And Appropriate Grant Funds In An Amount Not To Exceed Two

Hundred Thousand Dollars (\$200,000.00) From The State Of California Department

Of Parks And Recreation Land And Water Conservation Fund Program For The

Waterfront Trail Project At Cryer Site; And

Scheduled to *Life Enrichment Committee on 3/27/2007

[View Report.pdf,](#)

[80506 CMS.pdf](#)

S-4-19

Subject: Installation Of Stops Signs At Various Locations

From: Public Works Agency

Recommendation: Adopt A Resolution Approving Installation Of Stop Signs On: 1)

North Street At Dana Street; 2) Cavour Street At Miles Avenue; 3) East 12th Street

At 39th Avenue; And 4) 6th Street And Franklin Street

07-0039

Scheduled to *Public Works Committee on 3/27/2007

[View Report.pdf,](#)

[80500 CMS.pdf](#)

S-4-20

Subject: Establishment Of Various Parking Zones

From: Public Works Agency

Recommendation: Adopt A Resolution Approving: 1) The Establishment Of A "No

Parking Between 3:00 A.M. And 6:00 A.M." Zone On Embarcadero (South Side)

Between 10th Avenue And 16th Avenue, And On Stanford Avenue (South Side)

Between Los Angeles Street And Lowell Street; 2) The Removal Of A Two-Hour

Parking Zone On Vicente Street Between Highway 24 And 57th Street; And 3) The

Establishment Of A "Two-Hour Parking" Zone On The North Side Of 10th Street

Between Jefferson Street And Martin Luther King, Jr. Way

07-0040

Scheduled to *Public Works Committee on 3/27/2007

[View Report.pdf,](#)

[80501 CMS.pdf](#)

S-4-21

Subject: Bushrod Park Streetscape Improvements

From: Public Works Committee

Recommendation: Adopt A Resolution Rejecting All Bids And Authorizing The City

Administrator To Award A Negotiated Construction Contract To Beliveau

Engineering Contractors, Inc. For The Bushrod Park Streetscape Improvements

(Project No. B00520) For An Amount Not To Exceed Three Hundred Thirty

Thousand Dollars (\$330,000.00)

[07-0042](#)

Scheduled to *Public Works Committee on 3/27/2007

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[80502 CMS.pdf](#)

S-4-22

Subject: Lake Chabot Golf Course

From: Office of Parks and Recreation

Recommendation: Adopt A Resolution To Reject All Submissions Received For The

Operation And Management Of Lake Chabot Golf Course And Close The Current

Request For Qualifications (RFQ) Process; To Issue A New Request For Proposals

(RFP) In Nine Months; To Waive The RFP Requirements For A Temporary

Management Agreement And To Authorize The City Administrator To Negotiate

And Execute A Temporary Management Agreement With Touchstone Golf, LLC

For Operation And Management Of Lake Chabot Golf Course For The Interim

Period

07-0052

Scheduled to *Life Enrichment Committee on 3/27/2007

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[80514 CMS.pdf](#)

S-4-23

Subject: Melanie Fong - Recognition

From: Office of The City Administrator

Recommendation: Adopt A Resolution Commending Melaine Fong For Over

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

07-0050

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 3/20/2007

[View Report.pdf,](#)

[80457 CMS.pdf](#)

Subject: Francisco & Associates - LLAD Engineering Services

From: Office of the City Administrator

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Renew And Execute The Contract With Francisco & Associates, Inc. For An

Amount Not To Exceed \$153,340 To Perform Engineering Services For The

Landscape And Lighting Assessment District, The Wildfire Prevention Assessment

District, The Emergency Services Retention Act Of 1997 (Measure M), The

Paramedic Services Act Of 1997 (Measure N), The Library Services Retention And

Enhancement Act Of 1994 (Measure Q), The Violence Prevention And Public

Safety Act Of 2004 (Measure Y) And The Rockridge Library Community Facilities

District Of 1992 For Fiscal Years 2007-2008 And 2008-2009

[07-0054](#)

Scheduled to *Finance & Management Committee on 3/27/2007

[View Report.pdf,](#)

[80504 CMS.pdf](#)

ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Referendum Signatures

From: Office of the City Attorney

Recommendation: Receive An Informational Report Regarding City Attorney's Recommendation

To Amend State Law To Insure Potential Referendum Petitioners Receiver A Full Thirty (30)

Days To Obtain Signatures

[07-0059](#)

Scheduled to *Rules & Legislation Committee on 3/29/2007

[View Item.pdf](#)

Subject: Oakland Police Department Reorganization

From: Councilmember Pat Kernighan

Recommendation: Receive An Informational Report On The Proposed Oakland Police

Department Reorganization For Geographic Accountability Based On The Harnett Report

07-0060

Scheduled to *Public Safety Committee on 3/27/2007

[View Report.pdf](#)

Subject: Stopwaste.Org

From: Councilmember Jean Quan

Recommendation: Adopt A Resolution Welcoming To Oakland Stopwaste.Org, A Joint Powers

Agency That Provides Strategic Planning, Research And Technical Assistance To The Public,

Local Governments And Businesses And Innovative Programs And Facilities To Maximize

Waste Prevention, Recycling And Economic Development Opportunities

07-0061

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 3/20/2007

[View Report.pdf,](#)

[80449 CMS.pdf](#)

03-08 Rules Item 4

[View Item.pdf](#)

5

A review of the Agenda for the ORA/City Council meeting of March 20, 2007 and the Rules

and Legislation Committee meeting of March 22, 2007

A motion was made by Vice Mayor Chang, seconded by Member Reid, to

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

Votes:

Excused; 1 - Member Brunner

Aye; 3 - Vice Mayor Chang, Member Reid and Chair De La Fuente

[03-08 Rules Item 5](#)

[View Item.pdf](#)

6

Subject: Assembly Bill 77 - Analysis

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution In Support Of Assembly Bill 77 (Lieber) Requiring The

Secretary Of California Department Of Corrections And Rehabilitation To Appoint A Working

Group To Develop An Action Plan For Reforming The State's Parole System, And Providing

State Funding For The Development Of Local Infrastructure That Provides Comprehensive

06-1112

A motion was made by Vice Mayor Chang, seconded by Member Reid,

that this matter be *Approve the Recommendation of Staff, and Forward

to the Concurrent Meeting of the Oakland Redevelopment Agency / City

Council, due back on March 20, 2007. The motion carried by the following

vote:

Votes:

Excused; 1 - Member Brunner

Aye; 3 - Vice Mayor Chang, Member Reid and Chair De La Fuente

[View Item.pdf,](#)

[View Supplemental Report.pdf,](#)

[80458 CMS.pdf](#)

Subject: Townsend Public Affairs - Contract Extension

From: City Council

Recommendation: Adopt A Resolution Waiving The Competitive Request For

Proposal/Qualifications Process And Authorizing The City Administrator To Extend The

Agreement With Townsend Public Affairs, Inc., The City's State Legislative Representative From

April 5, 2006-January 5, 2007 To December 5, 2007, And To Increase The Contract By An

Amount Not To Exceed One Hundred And Ten Thousand Dollars (\$110,000.00) For The

Additional Eleven Month Period For A Total Contract Amount Of Two Hundred Thousand

Dollars (\$200,000.00)

[06-1143](#)

A motion was made by Member Reid, seconded by Vice Mayor Chang,

that this matter be *Approve the Recommendation of Staff, and Forward

to the Concurrent Meeting of the Oakland Redevelopment Agency / City

Council, due back on March 6, 2007. The motion carried by the following

vote:

Votes:

Excused; 1 - Member Brunner

Aye; 3 - Vice Mayor Chang, Member Reid and Chair De La Fuente

[View Item.pdf,](#)

[80459 CMS.pdf](#)

8

Subject: Support Of Assembly Bill 21

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution In Support Of Assembly Bill 21 (Jones) Establishing

State Earned Income Tax Credit (EITC)

06-1151

A motion was made by Vice Mayor Chang, seconded by Member Reid,

that this matter be *Approve the Recommendation of Staff, and Forward

to the Concurrent Meeting of the Oakland Redevelopment Agency / City

Council, due back on March 6, 2007. The motion carried by the following

vote:

Votes:

Excused; 1 - Member Brunner

Aye; 3 - Vice Mayor Chang, Member Reid and Chair De La Fuente

[View Item.pdf,](#)

[80460 CMS.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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

City Council Rules and Legislation Committee adjourned the meeting at 11:46

AM.

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 - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451

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