

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, December 15, 2005

10:30 AM

City Council Chambers - 3rd Floor

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

A.M., with Councilmember Reid presiding as Pro-Tem Chairperson.

Roll Call / Call to Order

Excused: Chair De La Fuente

Present: Member Chang, Member Reid and Member Brunner

COMMITTEE MEMBERSHIP:

1

Closed Session

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

2

Approval of the Draft Minutes from the Committee meeting of December 1, 2005

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

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

Votes:

Excused; 1 - Chair De La Fuente

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

3

Determination of Schedule of Outstanding Committee Items

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

(R&L Item 3 12-15-05)

[View Item.pdf](#)

4

Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting

of December 20, 2005 (SUPPLEMENTAL)

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

Approve as Amended. 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*

4-01

Subject: Standardized Emergency Management System - Agreement

From: Oakland Fire Department

Recommendation: Adopt A Resolution Re-Authorizing The Operational Area

Agreement Between The City Of Oakland And Alameda County Creating An

Intermediate Level Of The State Emergency Services Organization To Comply

With California's Standardized Emergency Management System (SEMS) For The

Period From January 1, 2006 Through December 31, 2015 (05-1015)

Scheduled to *Public Safety Committee on 1/24/2006

[View Report.pdf,](#)

[79704 CMS.pdf](#)

4-02

Subject: Todd Blair And John Rogers Professional Services Agreement

From: Cultural Arts And Marketing Division

Recommendation: Adopt A Resolution Authorizing A Professional Services

Agreement Between The City Of Oakland And Todd Blair And John Rogers In An

Amount Not To Exceed \$150,000 For The Creation Of Public Artwork For The

Measure DD 12th Street Reconstruction Project (05-1006)

Scheduled to *Life Enrichment Committee on 1/10/2006
4-03

Subject: Urban Promise Academy After School Program

From: Department Of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Negotiate And Execute A Grant Agreement Between The City Of Oakland And

The Oakland Leaf Foundation For The 2005-2006 Urban Promise Academy After

School Program In An Amount Not To Exceed \$72,500 To Provide Direct Services

For The Oakland Fund For Children And Youth For Fiscal Year 2005-2006

(05-1012)

Scheduled to *Life Enrichment Committee on 1/10/2006

[View Report.pdf,](#)

[79679 CMS.pdf](#)

4-04

Subject: Redevelopment Plan Amendments

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending The Acorn Urban Renewal Plan To Eliminate The

Time Limit On Establishing Debt That Is Paid From The Low And Moderate

Income Housing Fund Or Debt Used To Fulfill Affordable Housing Obligations;

(05-1007)

Scheduled to *Finance & Management Committee on 1/10/2006

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[12723 CMS.pdf](#)

4-05

Subject: Prentiss Properties Webster, LP Disposition And Development

Agreement

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution, Pursuant To Section 11.2(E) Of The

Disposition And Development Agreement ("DDA") Between The Oakland

Redevelopment Agency And Prentiss Properties Webster, LP (The Current Owner

Of 2100 Franklin Street, The Site Of The Former Bermuda Building), Approving

The Transfer Of The Property And DDA To An Entity Created Out Of The Merger

Of Prentiss Properties Trust And Brandywine Realty Trust To Form A New Parent

For Prentiss Properties Webster, LP, And To Amend The DDA To Suspend And

Extend The Agency's Repurchase Rights Under Certain Conditions During

Construction On The Site (05-1013)

Scheduled to *Community & Economic Development Committee on

1/24/2006

[View Report.pdf,](#)

[79703 CMS.pdf](#)

4-06

Subject: Coliseum Area Infill Development Incentives Program

From: Community And Economic Development Agency

Recommendation: Adopt An Agency Resolution Adopting The Coliseum Area

Infill Development Incentives Program To Offer Development Research Grants To

Interested Parties For Residential And Nonresidential Redevelopment Projects,

And Allocating \$60,000 For The Program From Fiscal Year 2005-2006 Coliseum

Redevelopment Project Area Funds (05-1014)

Scheduled to *Community & Economic Development Committee on

1/24/2006

[View Report.pdf,](#)

[2006-0006 CMS.pdf](#)

4-07

Subject: "Phoenix Model" Of Risk Management Cost Allocation

From: Finance And Management Agency

Recommendation: Adopt A Resolution Authorizing The Appropriation Of Monies

From The Self-Insurance General Liability (Fund 1100) To Departments For Fiscal

Year 2006-2007 Allocation Of General Liability Costs Based On Implementation

Of The "Phoenix Model" Of Risk Management Cost Allocation (05-1009)

Scheduled to *Finance & Management Committee on 1/10/2006

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

- Sanjiv Handa

[View Report.pdf,](#)

[79702 CMS.pdf](#)

4-08

Subject: Zero Waste Goal

From: Office Of The Mayor

Recommendation: Adopt A Resolution Adopting A Zero Waste Goal By 2020 For

The City Of Oakland And Directing Public Works Agency Staff, In Concert With

The Mayor's Office, To Develop A Zero Waste Strategic Plan To Achieve The

City's Zero Waste Goal (05-1010)

Scheduled to *Public Works Committee on 2/14/2006

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

- *Sanjiv Handa*

[View Report.pdf](#)

4-09

Subject: Oakland Food Policy And Plan

From: Office of the Mayor

Recommendation: Adopt A Resolution Authorizing The Mayor's Office Of

Sustainability To Develop An Oakland Food Policy And Plan For Thirty Percent

Local Area Food Production, By Undertaking An Initial Food Systems Assessment

Study, Conducted By A Research Team From The Department Of City And

Regional Planning, University Of California At Berkeley, At No Cost To The City

(05-1011)

Scheduled to *Life Enrichment Committee on 1/10/2006

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[79680 CMS.pdf](#)

4-10

Subject: Taxi Medallion Number 303

From: Office of the City Administrator

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A

Resolution Affirming Administrative Hearing Officer's Revocation Of Taxi

Medallion (Vehicle Operating Permit) Number 303 (05-0519-3)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/3/2006

As a Public Hearing.

[View Report.pdf](#)

4-11

Subject: Public Art Annual Plan

From: Cultural Arts & Marketing Division

Recommendation: Adopt A Resolution On The Public Art Annual Plan For

Calendar Year 2006 (05-1005)

Scheduled to *Life Enrichment Committee on 2/14/2006

4-12

Subject: Cork Marcheschi - Agreement

From: Cultural Arts and Marketing Division

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Negotiate And Execute A Professional Services Agreement With Cork Marcheschi

To Create A Public Art Project At Studio One Art Center In An Amount Not To

Exceed One Hundred Thousand Dollars (\$100,000) (05-1008)

Scheduled to *Life Enrichment Committee on 1/10/2006

[View Report.pdf,](#)

[View Supplemental Item.pdf,](#)

[View Supplemental Report.pdf,](#)

[79712 CMS.pdf](#)

ADDITIONAL REQUEST SUBMITTED ON THE DIAS:

Subject: Amendment To Assembly Bill 1121 - A Moratorium On Executions

From: Councilmember Brooks

Recommendation: Adopt A Resolution Supporting AB 1121, Sponsored By Assembly

Member Koretz, Which Would Place A Moratorium On The Carrying Out Of Any Executions

In The State Of California Until Certain Criteria Are Met, Or, Failing That, Until January 1,

2009. The Bill Would Also Make Findings And State Declarations Of The Legislature Relative

To The California Commission On The Fair Administration Of Justice (05-1017)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 1/3/2006

As a Non-consent item.

[View Report.pdf](#),

[79664 CMS.pdf](#)

(R&L Item 4 12-15-05)

[View Item.pdf](#)

5

A review of the Council Committees' actions from December 13, 2005 and determination of

scheduling to the ORA/City Council meeting of December 20, 2005 or future dates

(MATRIX)

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

Approve as Amended. 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*

(R&L Item 5 12-15-05)

[View Item.pdf,](#)

[View Updated Item.pdf](#)

Subject: T.Y. Lin International/Earthtech - Contract

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Amendment No. 1 To The Contract With

T.Y. Lin International/Earthtech, Joint Venture (Previously Known As CCS Planning And

Engineering/J. Muller International, Joint Venture) For The Lake Merritt Channel Bridge

Replacement Project (Project No. G121810) To Extend The Contract And Increase The Scope

Of Work The And Contract Amount By Two Hundred Forty-Five Thousand Dollars

(\$245,000.00) For A Total Amount Not-To-Exceed One Million Three Hundred Forty-Five

Thousand Dollars (\$1,345,000.00), And To Appropriate To The Project An Additional Three

Hundred Four Thousand Dollars (\$304,000.00) In Federal Highway Funds (05-0919)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 12/20/2005

As a Non-consent item.

[View Report.pdf,](#)

[79650 CMS.pdf](#)

Subject: Live Oak Pool Deck Replacement Project

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To Reject All Bids,

To Waive Further Competitive Bidding And To Negotiate And Award A Construction Contract

To Bay Construction Company In An Amount Not-To-Exceed Three Hundred And Thirty

Seven Thousand Dollars (\$337,000.00) For The Live Oak Pool Deck Replacement Project

(Project No. G251110) (05-0911)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 12/20/2005**

The Public Works Committee took no action on the recommendations, but

passed a motion expressing its desire that the item be forwarded to the

December 20th City Council meeting. Rule 5(4)(b) of the Council's Rules of

Procedure provides that if the Committees does not approve any recommended

action, the item shall not be forwarded to the full Council. However, the Rules

Committee has the authority to place the item on the full Council agenda.

As a Non-consent item.

[View Report.pdf,](#)

[79651 CMS.pdf](#)

Subject: Fruitvale Business Improvement Management District

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Approving And Confirming The Annual Report Of The

Fruitvale Business Improvement Management District Advisory Board And The Continuing

Annual Assessment For The Fruitvale Business Improvement Management District For Fiscal

Year 2005-2006 (05-0882)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 12/20/2005

As a Consent item.

[View Item.pdf,](#)

[79635 CMS.pdf](#)

Subject: Retail Land Use Policy

From: Community And Economic Development Agency

Recommendation: Action On A Report Regarding Retail Development Strategy Report

Presented For Discussion And Direction (05-0881)

***Rescheduled to *Rules & Legislation Committee on 1/5/2006**

For scheduling.

[View Report.pdf](#)

Subject: MacArthur Park Development Associates, LLC - Grant

From: Office Of The City Auditor

Recommendation: Receive A Report From The City Auditor Regarding Authorizing A Grant

MacArthur Park Development Associates, LLC, To Cover Additional Costs For The

Development Of The Palm Villas Project On MacArthur Boulevard Between 90th And 94th

Avenues (05-0942-1)

***Rescheduled to *Community & Economic Development Committee on**

1/10/2006

[View Report.pdf](#)

6

A review of the Agendas for the Council Committees for the meeting(s) of December 27,

2005 and the Rules and Legislation Committee of December 29, 2005

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

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

- Sanjiv Handa

(R&L Item 6 12-15-05)

[View Item.pdf](#)

7

A Review of the Boards and Commissions Vacancies Report

(THIS ITEM IS SCHEDULED FOR THE THIRD THURSDAY OF EACH MONTH)

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

***Received and Filed. 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*

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 11:35 A.M.

NOTE:

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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