#### 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 Committe   | e                                 |  |  |
| Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, Ca  | alifornia, 94612                  |  |  |
| City of Oakland Website: http://www.oaklandnet.com  |                                   |  |  |
|   |                                   |  |  |
| Thursday, January 26, 2006<br>10:30 AM  | Oite Council Chambana and Floor   |  |  |
| Thursday, January 26, 2006  10:30 AM  Roll Call / Call to Order   | City Council Chambers - 3rd Floor |  |  |
| 10:30 AM  | City Council Chambers - 3rd Floor |  |  |
| Roll Call / Call to Order   | City Council Chambers - 3rd Floor |  |  |
| Roll Call / Call to Order  The Oakland City Council Rules and Legislation Committee convened at 10:45  a.m. with Councilmember Reid presiding as Chairperson.  COMMITTEE MEMBERSHIP:  | City Council Chambers - 3rd Floor |  |  |
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Aye; 3 - Member Chang, Member Reid and Member Brunner

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The Office of the City Attorney scheduled Closed Session for February 7, 2006
at 4:00 p.m.
Approval of the Draft Minutes from the Committee meeting of January 12, 2006
A motion was made by Member Chang, seconded by Member Brunner, 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
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 01-26-06)
View Item.pdf
Scheduling of Agenda Items and revisions to the agenda for the Special ORA/City Council
meeting) of January 31, 2006
A motion was made by Member Brunner, seconded by Member Chang, to
*Approve with the following amendments. The motion carried by the
following vote:
    Votes:
Excused; 1 - Chair De La Fuente
Aye; 3 - Member Chang, Member Reid and Member Brunner
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4-1

| Franchise Grantee Worker Protections                               |
|--|
|  |
| Office of the City Attorney  |
|  |
| ndation: Approve The Introduction (First Reading) Of An Ordinance  |
|  |
| hapter 5.81 Of The Oakland Municipal Code to: Prohibit Franchise   |
|  |
| rom Discriminating Against Employees For Participating In Employee |
|  |

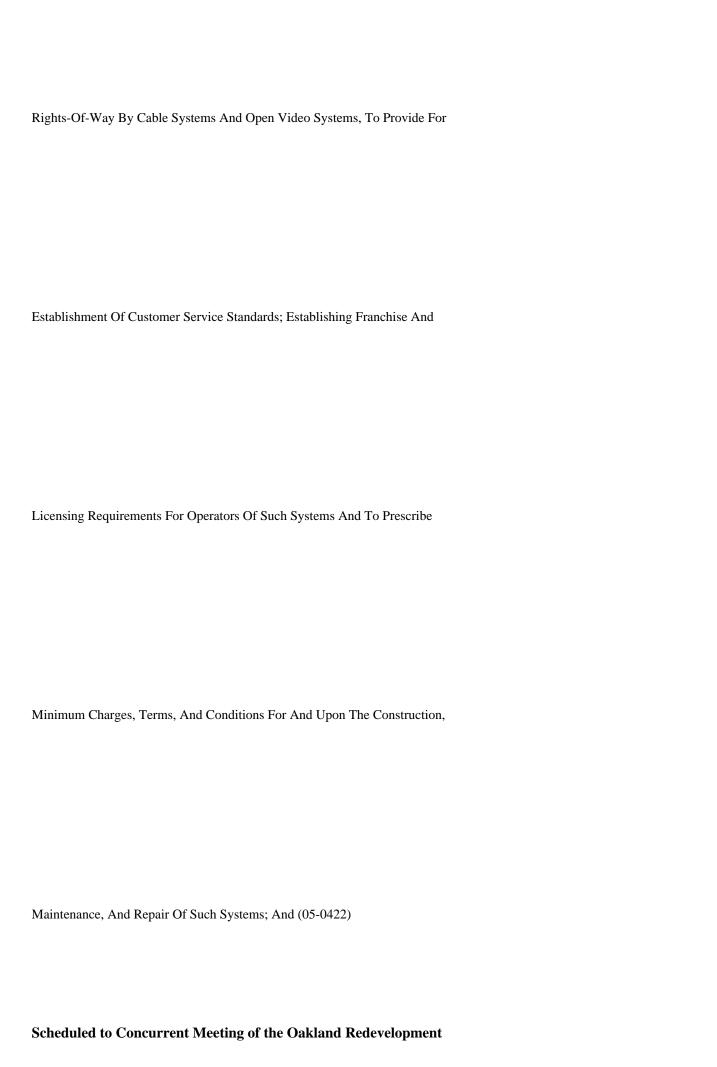
| Organizations; Require Franchise Grantees To Notify Contractors And        |
|--|
| Subcontractors Of Their Labor Obligations; Prohibit Discrimination Against |
| Employees For Speaking Before Or Filing A Complaint With Any Government    |
| Agency Or Court; Ensure That Company Policies Are Not Construed To Limit   |
| Organizing Activities By Employees, And: Authorize The Establishment Of A  |

| "Franchise Grantee Workers Rights Board" (TITLE CHANGE) (05-0422-3) |  |
|---|--|
| *Withdrawn with No New Date <u>View Report.pdf</u> ,                |  |
| View Supplemental Report.pdf,                                       |  |
| View Supplemental Report.pdf,                                       |  |
| View Revised Report.pdf 4-2   |  |
| Subject: Franchise Labor Requirements                               |  |
| From: Office Of The City Attorney                                   |  |

| Recommendation: Approve The Introduction (First Reading) Of An Ordinance      |
|---|
| Amending Title 5 Of The Oakland Municipal Code To Add Chapter 5.82,           |
| Proprietary Interest Franchise Labor Requirements - Card Check, Procedure For |
| Determining Employee Preference On Representation By Labor Organization,      |
| Which Will Require Franchises In Which The City Has A Proprietary Interest To |
|   |

| Enter Into A Card Check Agreement, A Procedure For Determining Employee     |
|---|
| Preference On The Subject Of Whether Or Not To Be Represented, With A Labor |
| Organization That Requests Such An Agreement (06-0016)                      |
| Scheduled to Concurrent Meeting of the Oakland Redevelopment                |
| Agency/City Council on 2/21/2006  |
| View Report.pdf 4-3   |
| Subject: Comcast Cable Franchise  |
|   |

| From:        | Office of the City Administrator and Office of the City Clerk    |
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| Recommen     | dation: Adopt The Following Pieces Of Legislation:               |
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| 1) An Ordi   | nance Of The City Of Oakland Amending Chapter 5.16 Of Title 5 Of |
| 1) All Olui  | mance of the City of Oakland Amending Chapter 3.10 of Title 3 of |
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| The Oalsless | d Municipal Code To Pagulate The Occupancy And Uce Of Dublic     |
| THE Oakian   | d Municipal Code To Regulate The Occupancy And Use Of Public     |
|              |  |
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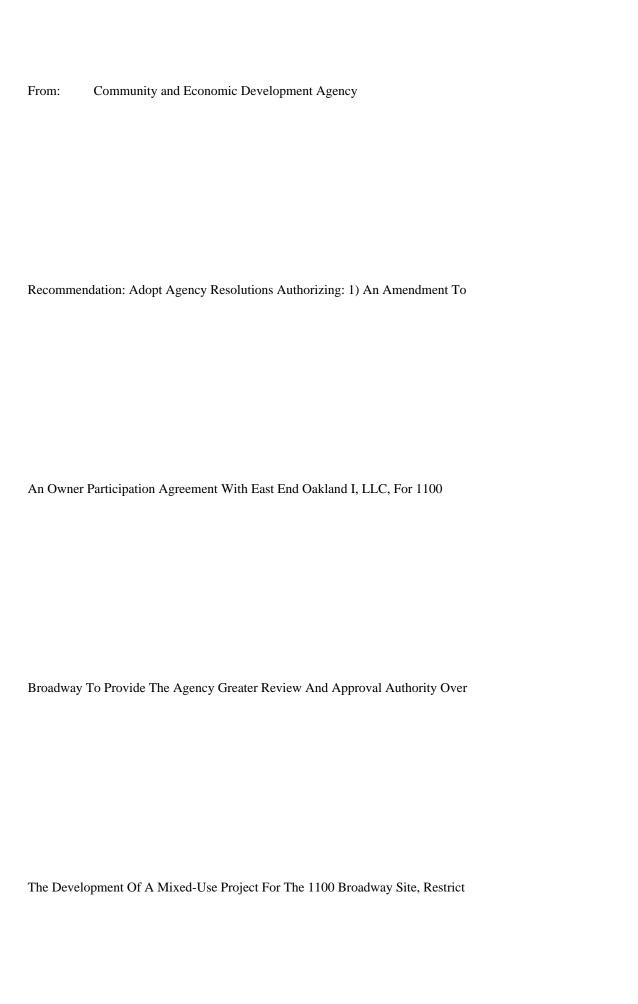
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| 2) An Ordinance Of The City Of Oakland Granting A Thirteen Year Cable Franchise To     |
| Comcast Of California/Colorado, LLC To Construct And Operate A Cable System To Provide |
| Cable Service Within The City Of Oakland; Establishing The Terms And Conditions Of The |

Agency/City Council on 2/21/2006

| Franchise Grant; And Establishing Certain Remedies For The Violation Of The Franchise |
|---|
| (05-0422-1)   |
| Scheduled to Concurrent Meeting of the Oakland Redevelopment                          |
| Agency/City Council on 2/21/2006  |
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| 4-4   |
| Subject: Leona Quarry Construction Effects  |
| From: Councilmember Nadel   |

| Recommendation: Receive A Report On The Effects Of The Construction At  |
|---|
| Leona Quarry On The Down-Stream Property Along Chimes Creek During This |
| Season's Rainstorm Events; On The March 14, 2006 Public Works Committee |
| Agenda (06-0228)  |
| Scheduled to *Public Works Committee on 3/14/2006<br>4-5                |
| Subject: Conditional Permits Specified Locations                        |
| From: Community And Economic Development Agency                         |
| Recommendation: Adopt The Following Pieces Of Legislation:              |
|   |

| 1) A Resolution Granting PPD Merritt I, LLC, A Revocable And Conditional                 |
|--|
| Permit To Allow Electrical Transformer Vaults For A New Building At 320 23rd             |
| Street to Encroach Under The Public Sidewalk Along 23rd Street And Webster               |
| Street; And (06-0067)  |
| Scheduled to *Public Works Committee on 2/28/2006 View Report.pdf                        |
| 2) A Resolution Granting PPD Merritt I, LLC, A Revocable And Conditional Permit To Allow |
| Oriel Windows For A New Building At 320 23rd Street To Encroach Over The Public          |
| Sidewalk Along 23rd Street And Valdez Street (06-0067-1)                                 |
| Scheduled to *Public Works Committee on 2/28/2006  View Report.pdf 4-6                   |
|  |
| Subject: East End I, LLC Agreement Amendment & Property Sale                             |





| 2/28/2006  |        |
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| 4-7  |        |
| Subject: Approval of Final Tract Map 7548                              |        |
| From: Community and Economic Development Agency                        |        |
| Recommendation: Adopt The Following Pieces Of Legislation:             |        |
|  |        |
| 1) A Resolution Approving The Final Map For Tract 7548 For The Artisan | Walk   |
| Residential Townhouse Project At 6549 San Pablo Avenue And Accepting 6 | Offers |
| Of Dedication For On-Site Public Utility Easements; And (06-0069)      |        |
| Scheduled to Concurrent Meeting of the Oakland Redevelopmen            | ıt     |
| Agency/City Council on 2/21/2006                                       |        |

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| Subject: Revocable And Conditional Permits For The Sienna Hills Subdivision |
|---|
| From: Community And Economic Development Agency                             |
| Recommendation: Adopt A Resolution Granting Hillside Homes Group, Inc.,     |
| Revocable And Conditional Permits For The Sienna Hills Subdivision At 4301  |
| Keller Avenue To Allow A Retaining Wall And Emergency Egress Stairs To      |
| Encroach Into The Public Right-Of-Way (06-0072)                             |
| Scheduled to *Public Works Committee on 2/28/2006<br>4-9                    |
| Subject: Oakland Park Rangers MOU Amendment                                 |
| From: Finance and Management Agency   |
| Recommendation: Adopt A Resolution Amending Resolution No. 76836 C.M.S.     |

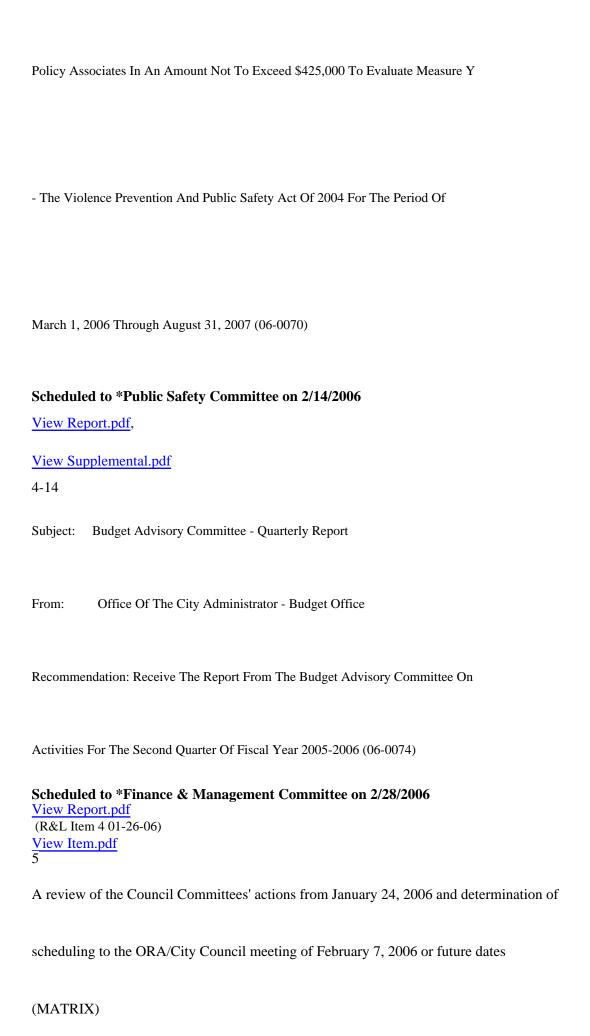
| To Amend The Memorandum Of Understanding Between The City And The              |  |
|--|--|
| Oakland Park Rangers Association By Adding Self-Improvement Compensation       |  |
| To The Agreement (06-0071)   |  |
| Scheduled to *Finance & Management Committee on 2/14/2006 View Report.pdf 4-10 |  |
| Subject: Zero Waste Goal   |  |
| From: Office Of The Mayor  |  |
| Recommendation: A Request To Withdraw From The February 14, 2006 Public        |  |
| Works Committee Agenda The Adoption Of 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; And Reschedule To The February 28, 2006   |
| Public Works Committee Agenda (05-1010)                                       |
| Accepted View Report.pdf 4-11   |
| Subject: Airport Security Section Budget - Proposed Increase                  |
| From: Office of the City Administrator  |

| Recommendation: Adopt A Resolution Authorizing The City Administrator, Or |
|---|
| Her Designee, To Increase Oakland Police Department Appropriations In The |
| Amount Of One Hundred And Sixty Thousand Dollars (\$160,000) For The      |
| Purchase Of Canine Related Equipment For The Police Department Airport    |
| Security Section Canine Unit, And To Accept Reimbursement Of Said Vehicle |
| Expenditure From The Transportation Security Administration (06-0065)     |
| Scheduled to *Public Safety Committee on 2/28/2006 View Report.pdf 4-12   |

| Subject: R   | eimbursement of Police Overtime                                     |
|--------------|---|
| From: C      | Office of the City Administrator                                    |
| Recommenda   | ation: Adopt A Resolution Authorizing The City Administrator, Or    |
| Her Designee | e, To Accept And Appropriate Ten Thousand One Hundred               |
| Twenty-Four  | Dollars And Seventy-Four Cents (\$10,124.74) In Federal Funds From  |
| The Transpor | rtation Security Administration To The Oakland Police Department In |

| Overtime Reimbursement Costs For Four (4) Police Officer Canine Teams        |
|--|
| Assigned To The Secure Automobile Inspection Lanes II Larkspur Ferry Project |
| From August 29, 2005 Through September 9, 2005 (06-0066)                     |
| Scheduled to *Public Safety Committee on 2/28/2006 View Report.pdf 4-13      |
| Subject: Evaluation Of Measure Y Enacted In 2004                             |
| From: Office of the City Administrator                                       |
| Recommendation: Adopt A Resolution Authorizing The City Administrator To     |
| Negotiate And Execute A Contract Between The City Of Oakland And Berkeley    |



#### FROM THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

| Subject: Public Trust Agreement At Oakland Army Base                                  |
|---|
| From: Community And Economic Development Agency                                       |
| Recommendation: Action On A Report On The Public Trust Agreement For Property At The  |
| Oakland Army Base Among The State Of California Acting By And Through The State Lands |
| Commission, The City Of Oakland, The Oakland Redevelopment Agency, The Oakland Base   |
| Reuse Authority, And The Port Of Oakland (05-0913-2)                                  |
| *Approve the Recommendation of Staff, and Forward to Concurrent                       |
| Meeting of the Oakland Redevelopment Agency/City Council on 2/7/2006                  |
| as a Non Consent item View Report.pdf   |
| Subject: Annual Performance and Evaluation Report                                     |

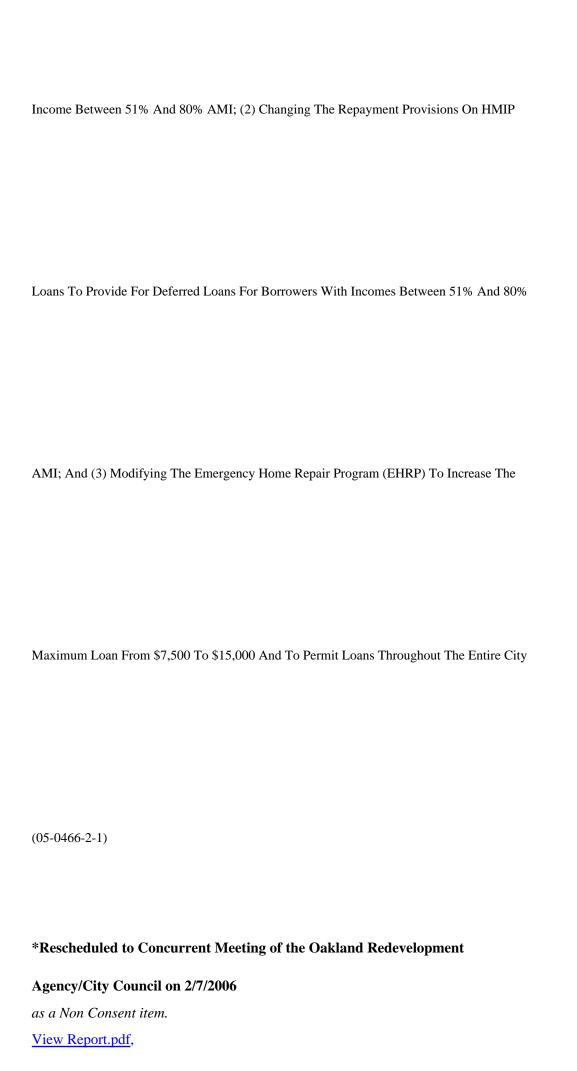
| From: Community and Economic Development Agency                                       |  |
|---|--|
| Recommendation: Action On A Follow-up Report To The Report Presenting The Review Of   |  |
| Oakland's Consolidated Annual Performance And Evaluation Report (CAPER) For Community |  |
| Development Block Grant, Home, Housing Opportunities For People With AIDS And         |  |
| Emergency Shelter Grant Programs Performance For The Year 2004-2005 (That Includes A  |  |
| Chart That Shows What Was Actually Budgeted for These Program And The Expenditure     |  |
| Including Recommendations) (05-0466-2)  |  |

### \*Rescheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/City Council on 2/7/2006

as a Non Consent item.
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| Subject:  | Annual Performance and Evaluation Report                                     |
|-----------|--|
| From:     | Community and Economic Development Agency                                    |
| Recommen  | ndation: Adopt A Resolution (1) Modifying The Home Maintenance And           |
| Improvem  | ent Program (HMIP) To Change The Interest Rate From 3% to 0% for Owners With |
| Income At | Less Than 50% Area Median Income (AMI) And From 6% To 3% For Owners With     |



# 79716 CMS.pdf (R&L Item 5 01-26-06) View Item.pdf A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of February 7, 2006 and Rules and Legislation Committee Meeting of February 9, 2006 A motion was made by Chair De La Fuente, seconded by Member Chang, to Approve as Amended. The motion carried by the following vote: Votes: Aye; 4 - Member Chang, Member Reid, Member Brunner and Chair De La Fuente FROM THE FEBRUARY 7, 2006 CITY COUNCIL AGENDA Subject: 2400 Filbert Street - Public Hearing From: Community And Economic Development Agency Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal And Sustaining The Decision Of The City Planning Commission In Approving The Application For A Conditional Use Permit And Design Review To Construct A

55 Unit Residential Project At 2400 Filbert Street, Oakland (05-0992)

## \*Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 2/21/2006

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| (R&L Item 6 01-26-06)  |
|--|
| View Item.pdf<br>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 11:00                  |
| 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.  |  |
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| 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.  |  |
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Office of the City Clerk

Phone: (510) 238-7370

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451 (TDD)

\*

be taken.

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

City Clerk and Clerk of the Council