



City of Oakland Meeting Minutes

*Rules & Legislation Committee

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

City of Oakland Website: <http://www.oaklandnet.com>

Thursday, September 20, 2007

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Excused: Member Reid and Member Brunner
Present: Vice Mayor Chang and Chair De La Fuente
The Oakland City Council Rules and Legislation Committee was called to order at 10:47 AM, with Council President De La Fuente presiding as Chairperson. No Quorum was present.

1 **Closed Session**

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DUE TO A LACK OF QUORUM, THE OFFICE OF THE CITY ATTORNEY SCHEDULED A CLOSED SESSION FOR TUESDAY, OCTOBER 2, 2007 FROM 4:00 - 6:00 PM PURSUANT TO RULE 28 (A) OF THE COUNCIL'S RULES OF PROCEDURE RESOLUTION 79006 C.M.S.

2 **Approval of the Draft Minutes**

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There was no action necessary for this item

3 **Determination of Schedule of Outstanding Committee Items**

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No Action Taken

[RULES 092007](#)

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4 **Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of September 25, 2007 (SUPPLEMENTAL)**

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No Action Taken

DUE TO A LACK OF QUORUM NO ACTION WAS TAKEN ON THE FOLLOWING ITEMS WITH EXCEPTION TO THOSE ITEMS TO BE SCHEDULED TO THE OCTOBER 2, 2007 CITY COUNCIL AGENDA. THOSE ITEMS WERE PLACED ON THE OCTOBER 2, 2007 CITY COUNCIL AGENDA PURSUANT TO RULE 28 (A) OF THE COUNCIL'S RULES OF PROCEDURE RESOLUTION 79006 C.M.S.

S-4-01 Subject: False Alarm Billing Software Acquisition
From: Oakland Police Department
Recommendation: A Request To Withdraw From The October 9, 2007 Finance And Management Committee Agenda A Resolution Authorizing The City Administrator To Transfer One Hundred Seventy-Seven Thousand Three Hundred Thirty-Four Dollars (\$177,334.00) From The Oakland Police Department Fiscal Year 2006-2007 General Purpose Operating Budget To The Finance And Management Agency's Revenue Division Fiscal Year 2006-2007 General Purpose Operating Budget To Support Continuation Of The Security Alarm Program, And Authorize Waiving The Competitive Bid Process And Authorizing An Increase To The Previously Approved Contract For Software And Maintenance Services With Progressive Solutions, Inc. For The Acquisition Of Additional Software To Administer The Billing And Collection Of False Alarm Permits And Fines In The Amount Of One Hundred Five Thousand Dollars (\$105,000.00) For A Total Contract Amount Not-To-Exceed Seven Hundred Twenty-Two Thousand Dollars (\$722,000.00); And Place On The Pending List No Specific Date

Reason: Significant funding issues surrounding the FARU program as proposed.
[07-0145-1](#)

No Action Taken

S-4-02 Subject: Compensatory Leave For Sworn Personnel
From: Oakland Police Department
Recommendation: Receive An Informational Report On The Oakland Police Department's Intent To Address Compensatory Leave For Sworn Personnel By Exercising Article II Section E.1.C.1 (Overtime Compensation) Of The Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Officers' Association
[07-0652](#)

No Action Taken

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S-4-03 Subject: Emergency Vehicle Operations Course
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On
Behalf Of The City Of Oakland, To Execute An Agreement With The California
Commission On Peace Officer Standards And Training (POST) For The Purpose Of
Permitting The Police Department To Present The POST Certified Emergency
Vehicle Operations Course (EVO) To One Hundred Fifty (150) Police Officer
Trainees, And To Receive Up To Sixty-Six Thousand Seven Hundred Fifty Dollars
(\$66,750) In Reimbursement Funds

[07-0653](#)

No Action Taken

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

- Sanjiv Handa

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[80897 CMS.pdf](#)

S-4-04 Subject: Children's Fairyland Board Of Directors
From: Office of the City Attorney
Recommendation: Action On A Request Of Children's Fairyland, Inc., For
Amendment To City Conflict Of Interest Code

[07-0649](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 10/2/2007**

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

- Sanjiv Handa

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S-4-05 Subject: Ratification Of The Mayor's Actions During 2007 Recess
From: Office of the City Clerk
Recommendation: Adopt A Resolution Ratifying Action Taken By The Mayor
During The Oakland City Council 2007 Annual Recess In Conformance With
Resolution No. 79006 C.M.S., Dated January 4, 2005

[07-0657](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 10/2/2007**

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

- Sanjiv Handa

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[80860 CMS.pdf](#)

S-4-06 Subject: Joe Morgan - Recognition
 From: Councilmember Nancy Nadel
 Recommendation: Adopt A Resolution Honoring Joe Morgan For His Four Decades
 Of Service And Generosity To The Youth Of Oakland And Proclaiming November
 15, 2007 As "Joe Morgan Day" In The City Of Oakland
 [07-0637](#)

No Action Taken

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[80902 CMS.pdf](#)

S-4-07 Subject: Access To Reproductive Health Care Facilities
 From: Councilmembers Nancy Nadel, Jane Brunner and Jean Quan
 Recommendation: Adopt An Ordinance Amending Title 8 Of The City Of Oakland
 Municipal Code By Adding A New Chapter, 8.50, Entitled "Access To Reproductive
 Health Care Facilities," And New Sections 8.50.010 Through _____, To
 Protect Access To Reproductive Health Care Facilities And Creating A Private Right
 Of Action For Violations Under This Chapter
 [07-0638](#)

No Action Taken

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

- Sanjiv Handa

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[12849 CMS.pdf](#)

S-4-08 Subject: United Nations Month
 From: Councilmember Nancy Nadel
 Recommendation: Adopt A Resolution Declaring October 2007 'United Nations
 Month' In The City Of Oakland And Authorizing The City Of Oakland To Serve As
 Honorary Sponsor Of The United Nations Association-USA East Bay's Anniversary
 Flag Ceremony
 [07-0639](#)

No Action Taken

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[80879 CMS.pdf](#)

S-4-09 Subject: Henry Linzie - Recognition
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Honoring Henry Linzie For Thirty-Six Years
Of Dedicated And Distinguished Service To The City Of Oakland And
Congratulating Him On His Retirement
[07-0460](#)

No Action Taken

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

- Sanjiv Handa
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[80710 CMS.pdf](#)

S-4-10 Subject: Priority Project Funds - District Seven
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of
\$5,000.00 From Councilmember Larry E. Reid's Priority Project Funds To The
Oakland Black Cowboy Association For Expenses For The 33rd Annual Black
Cowboy Parade
[07-0647](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 10/2/2007**

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[80858 CMS.pdf](#)

S-4-11 Subject: Domestic Violence Awareness Month
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Proclaiming October 2007 Domestic
Violence Awareness Month
[07-0648](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment
Agency/City Council on 10/2/2007**

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

- Sanjiv Handa
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S-4-12 Subject: Request For Proposals - Children And Youth Services
From: Department of Human Services
Recommendation: Action On A Report And Request For Approval Of The Fiscal
Year 2008-2009 Requests For Proposals For The Oakland Fund For Children And
Youth
[07-0650](#)

No Action Taken

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S-4-13 Subject: Oakland Fund For Children And Youth Evaluation Report
From: Department of Human Services
Recommendation: Adopt A Resolution Adopting The Oakland Fund For Children
And Youth Final Evaluation Report For Fiscal Year 2006-2007
[07-0651](#)

No Action Taken

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[81020 CMS.pdf](#)

S-4-14 Subject: Anka Behavioral Health - Winter Shelter Agreement
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1)
Waive The Competitive Process And Enter Into A Six Month Agreement In The
Amount Of \$306,000 With Anka Behavioral Health, Inc. To Operate The Oakland
Army Base Temporary Winter Shelter (OABTWS), And (2) Enter Into A Six Month
Lease For \$1.00 A Year With The Oakland Redevelopment Agency For Use Of
Building 821 At The Army Base, And (3) Accept And Appropriate \$125,000 From
Alameda County, And \$66,000 From The City Of Berkeley To Establish And
Operate The Temporary Winter Shelter At The Oakland Army Base, (4) Allocate
\$15,000 In CDBG Funds For Tenant Improvements To The Winter Shelter; And (5)
Enter Into An Agreement With Anka Behavioral Health, Inc. For \$22,094 For
Purchase And Installation Of Security Cameras At The Henry Robinson
Multi-Service Center
[07-0654](#)

No Action Taken

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[80901 CMS.pdf](#)

S-4-15 Subject: California Model Housing Code Amendment
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Findings Made And Supporting Local Amendments To The
2007 Edition Of The California Housing Law, California Code Of Regulations
(CCR), Title 25, Division 1, Chapter 1, Subchapter 1, Section 32
[07-0273](#)

No Action Taken

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[80954 CMS.pdf](#)

S-4-16 Subject: California Model Building Code Amendment
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Findings Made And Supporting Local Amendments To The 2007 Editions Of The California Model Building Codes, California Code Of Regulations (CCR), Title 24, Part 2 (Building), 3 (Electrical), 4 (Mechanical), And 5 (Plumbing)
[07-0274](#)

No Action Taken

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[80955 CMS.pdf](#)

S-4-17 Subject: Zoning And General Plan Conformance
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance To Extend The Interim Land Use Controls Governing Zoning And General Plan Conformance; On The October 9, 2007
Community And Economic Development Committee Agenda
[07-0583](#)

No Action Taken

S-4-18 Subject: Transportation Priorities
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Endorsing The Following Transportation Projects As Oakland's Top Priorities For Funding In The 25-Year 2008 Countywide Transportation Plan:
- I-880: 29th / 23rd Avenue Operational Improvements
- I-880: 42nd Avenue / High Street Access Improvements
- Transit Villages
- Citywide Intelligent Transportation System (ITS)
- Army Base Street Reconstruction
- Lake Merritt Roadway Improvements
- Citywide Streetscapes
- Local Street And Road Rehabilitation
[07-0611](#)

No Action Taken

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[81038 CMS.pdf](#)

- S-4-19 Subject: Re-Designation Of The Oakland Enterprise Zone
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Submit An Enterprise Zone Application To The California Department Of Housing And Community Development For The Re-Designation Of The Oakland Enterprise Zone For An Additional 15 Years
[07-0641](#)
No Action Taken
[View Report.pdf](#)
[80891 CMS.pdf](#)
- S-4-20 Subject: Rebuilding Together Oakland
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A \$50,000 Grant From Broadway/MacArthur/San Pablo Redevelopment Funds To Rebuilding Together Oakland To Rehabilitate Houses And/Or Facilities For Low-Income Seniors And/Or Disabled Persons Within The Project Area
[07-0642](#)
No Action Taken
[View Report.pdf](#)
[2007-0078 CMS.pdf](#)
- S-4-21 Subject: Community Redevelopment Unit
From: Community and Economic Development Agency
Recommendation: Receive An Informational Report On The New Community Redevelopment Unit In The Redevelopment Division Of The Community And Economic Development Agency; On The November 13, 2007 Community And Economic Development Committee Agenda
[07-0643](#)
No Action Taken
- S-4-22 Subject: Tract 7753 Final Map - 2130 Mountain Boulevard
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Conditionally Approving A Final Map For Tract 7753 To Convert Twenty Rental Housing Units To Condominium Ownership At 2130 Mountain Boulevard
[07-0644](#)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 10/2/2007
[View Report.pdf](#)
[80859 CMS.pdf](#)

S-4-23 Subject: Revocable And Conditional Permit - 1362 And 1370 East 27th Street
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Bartley And Mary Faherty A
Revocable And Conditional Permit For An Existing Garage And Front Stairs At
1362 And 1370 East 27th Street To Encroach Into The Public Right-Of-Way
[07-0645](#)

No Action Taken

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[80923 CMS.pdf](#)

S-4-24 Subject: New Public Street - Uptown Oakland Project
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Designating A New Public Street As Rashida
Muhammad Street That Will Connect 19th Street, William Street, And Thomas L.
Berkley Way In The Uptown Oakland Project Area
[07-0646](#)

No Action Taken

[View Report.pdf](#)
[80967 CMS.pdf](#)

S-4-25 Subject: Fleet Utilization Report
From: Public Works Agency
Recommendation: A Request To Withdraw From The September 25, 2007 Finance
And Management Committee Agenda An Informational Report On The City's Fleet
Utilization; And Reschedule To The November 13, 2007 Finance And Management
Committee Agenda

Reason: Survey of job classifications incomplete, equipment pool expansion
incomplete.

[07-0296](#)

No Action Taken

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S-4-26 Subject: Workforce Diversity Study
From: Finance and Management Agency
Recommendation: Action On A Report On The Findings And Recommendations Of
Phase II Of The Race And Gender Disparity Study Of The City's Workforce
Diversity In Comparison To The Relevant Labor Pool
[07-0609](#)

No Action Taken

ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Revocable And Conditional Permit - 3701 Broadway
 From: Community And Economic Development Agency
 Recommendation: Adopt A Resolution Granting Kaiser Foundations Hospitals Revocable And Conditional Permits For A New Building At 3701 Broadway To Allow Directional Signs To Encroach On the Public Sidewalk Along Broadway
[07-0548](#)

No Action Taken

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[09-20-07 Rules -4](#)

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5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of October 2, 2007 and the Rules and Legislation Committee for the meeting of October 4, 2007

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No Action Taken

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

- Sanjiv Handa

[09-20-07 Rules - 5](#)

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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 concluded hearing of items at 11:08 AM. No Quorum was present.

NOTE: Americans With Disabilities Act
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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