

City of Oakland

Meeting Minutes

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 04,	2007	10:30 AM	City Council Chambers - 3rd Floor	
Roll Call /	Call to Order	<u>.</u>			
		Present: Vice Mayor Chang, Member Reid, Member Brunner and Chair De La Fuente The Oakland City Council Rules and Legislation Committee convened at 10:45 AM, with Council President De La Fuente presiding as Chairperson.			
1	Closed Sessi	on			
		The Office of the City October 16, 2007 fro	•	Closed Session for Tuesday,	
2	Approval of	the Draft Minutes from	n the Committee meet	ing of September 20, 2007	
				ig, seconded by Member Reid, to ied by the following vote:	
	Votes:	Aye; 4 - Vice Mayor Fuente	Chang, Member Reid,	Member Brunner and Chair De La	
3	Determination of Schedule of Outstanding Committee Items				
		There was no action	necessary for this item	1	
	RULES 1040	07			
4	-	October 9, 2007(SUPP A motion was made	PLEMENTAL) by Member Reid, see	s) for the Council Committee conded by Vice Mayor Chang, to s. The motion carried by the	
	Votes:	Aye; 4 - Vice Mayor Fuente	Chang, Member Reid,	Member Brunner and Chair De La	

S-4-1	Subject:Emergency Management Board ReportFrom:Oakland Fire Department				
	Recommendation: Receive A Semi-Annual Report On Emergency Management Board Proceedings For The Period January To June 2007 07-0686				
	Scheduled to *Public Safety Committee on 10/23/2007				
S-4-2	 Subject: Emergency Management - Municipal Code Addition From: Oakland Fire Department Recommendation: Adopt An Ordinance Adding Title 8, Chapter 8.50 To The Oakland Municipal Code To Establish The Emergency Management And Disaster Preparedness Council, Establish A Misdemeanor Penalty For Interference With Emergency Operations And Other Violations Of This Ordinance And Repeal Ordinances No. 11467 C.M.S. And No. 11865 C.M.S., Which Established The Original Emergency Management Board 07-0687 				
	Scheduled to *Public Safety Committee on 10/23/2007				
	The following individual(s) spoke and did not indicate a position on this item: -Sanjiv Handa				
S-4-3	Subject:Compensatory Leave For Sworn PersonnelFrom:Oakland Police DepartmentRecommendation:A Request To Withdraw From The October 9, 2007 Finance AndManagement Committee Agenda An Informational Report On The Oakland PoliceDepartment's Intent To Address Compensatory Leave For Sworn Personnel ByExercising Article II Section E.1.C.1 (Overtime Compensation) Of TheMemorandum Of Understanding Between The City Of Oakland And The OaklandPolice Officers' Association				
	Reason: The City Administrator requests to withdraw the report 07-0652				
	*Withdrawn with No New Date				
S-4-4	Subject:Priority Project Funds - District SevenFrom:Councilmember Larry ReidRecommendation:Adopt A Resolution Authorizing An Immediate Grant Of\$5,000.00From Councilmember Larry E. Reid's Priority Project Funds To CenterFor Family Counseling For Operating Expenses07-0674				
	Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /				

City Council on 10/16/2007

S-4-5 Subject: Travel Authorization - Councilmember Brooks From: Councilmember Desley Brooks Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Attend The Inner City Economic Forum, Philadelphia, PA, October 17-18, 2007 07-0675 Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 10/16/2007 S-4-6 Subject: Volunteers For Outdoors - Presentation From: Councilmember Jean Ouan Recommendation: Hear A Presentation By Volunteers For Outdoors California On Their Recent Two-Day Trail Improvement Project In Joaquin Miller Park In Cooperation With The City Of Oakland And The Joaquin Miller Park Working Group 07-0676 Scheduled to *Life Enrichment Committee on 11/13/2007 S-4-7 Subject: Impacts Of Global Climate Change - Presentation From: Councilmember Larry Reid Recommendation: Hear A 10 Minute Presentation On The Impacts Of Global Climate Change On San Francisco Bay By The San Francisco Bay Conservation And Development Commission 07-0677 Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 10/16/2007 S-4-8 Subject: **Tobacco Control Enforcement Project** From: **Oakland Police Department** Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) From The Alameda County Public Health Department, Tobacco Control Program, For Implementation Of The Tobacco Control Enforcement Project For The Period November 1, 2007 Through October 31, 2011, And Authorizing The Department To Enter Into Contract(s) For Service With The Alameda County Public Health Department For Implementation Of This Initiative In The Police Department 07-0678

Scheduled to *Public Safety Committee on 11/13/2007

- S-4-9 Subject: Jena Six From: Councilmember Larry Reid Recommendation: Adopt A Resolution For The City Council Of Oakland, California To Go On Record Opposing The Unfair Treatment By The Criminal Justice System In Jena, Louisiana Against, The "Jena Six" Youths 07-0684
 Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 10/16/2007
 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 For Operating Expenses To Civic Pride, A Youth-Centered Non-Profit Organization That Provides Increased Opportunities For School Success, College Preparation, Career Readiness And Development Of Responsible Citizenship Skills 07-0688

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 10/16/2007

S-4-11 Subject: Measure Y Fund Report

From: Councilmember Pat Kernighan

Recommendation: Receive An Informational Report On The Status Of The Measure Y Fund, Including A Comparison Of The Amount Of Unspent, Accrued Funds With The Projected Annual Cost Of The Measure Y Mandated Police Positions Over The 10-Year Term Of Measure Y; On The November 27, 2007 Public Safety And Finance And Management Committee Agendas 07-0689

Scheduled to *Public Safety Committee on 11/27/2007

S-4-12 Subject: Debt Cancellation - Impoverished African Countries
 From: Councilmember Desley Brooks
 Recommendation: Adopt A Resolution Urging U.S. Support Of Debt Cancellation
 For Impoverished Countries In Africa
 07-0690
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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 10/16/2007

S-4-14

 S-4-13 Subject: Comprehensive Affordable Housing Strategy - Workshop From: Councilmember Jane Brunner
 Recommendation: Action On A Request To Schedule A 5th Tuesday Workshop On A Comprehensive Affordable Housing Strategy For Oakland, On Tuesday, October 30, 2007 07-0691

Not Accepted

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

-Sanjiv Handa

Subject: OUSD Informational Reports
From: Vice Mayor Chang
Recommendation: Receive Informational Reports On The Following Topics:
1) School Link And After School Programs; 2) Enforcement Strategies For Children
To Go Home When School Is Out; 3) Truancy Report; 4) Analyze The Behavior Of
Students After School; 5) Land Use: Partnership Development Discussion On 2nd
Avenue Property; And The Possibilities Of Relocation Of OUSD Administration
Building To Downtown And Use Of The Same Cable Services; And 6)
State-Of-The-Art Oakland Education Complex; On The October 23, 2007 Education
Partnership Committee Agenda
07-0692

*Withdrawn with No New Date

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

S-4-15 Subject: Oakland Small Schools
 From: Vice Mayor Chang
 Recommendation: Receive An Informational Report On The Oakland Small Schools
 Foundation; On The October 23, 2007 Education Partnership Committee Agenda
 07-0693

*Withdrawn with No New Date

S-4-16 Subject: Request For Proposals - Children And Youth Services
 From: Department of Human Services
 Recommendation: Action On A Report On The Oakland Fund For Children And
 Youth Request For Proposals For Services For Children And Youth For Fiscal Year
 2008-2009; On The November 13, 2007 Life Enrichment Committee Agenda
 07-0650
 Scheduled to *Life Enrichment Committee on 11/12/2007

Scheduled to *Life Enrichment Committee on 11/13/2007

S-4-17 Subject: Estuary Policy Plan Update
 From: Community And Economic Development Agency
 Recommendation: Action On A Report And Recommendations For A City Funded
 Specific Plan Process For The Area From 19th Avenue To 54th Avenue And
 Between Interstate 880 And The Estuary Encompassing The Tidewater, Kennedy
 Tract And Brooklyn Basin Areas
 07-0430-1

*Withdrawn and Rescheduled to *Community & Economic Development Committee on 11/13/2007

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

S-4-18 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

*Withdrawn with No New Date

S-4-19 Subject: Ancillary Maritime Support Uses From: Community and Economic Development Agency Recommendation: Adopt The Following Pieces Of Legislation:

> 1) Adopt A Resolution Authorizing The Agency Administrator To Negotiate And Enter Into A 180-Day Exclusive Negotiating Agreement With Oakland Maritime Support Services (OMSS) To Develop 15 Acres Of Ancillary Maritime Support (AMS) Uses In The Former Oakland Army Base; And 07-0679

Scheduled to *Community & Economic Development Committee on 10/23/2007

2) Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate A Disposition And Development Agreement With Bay Area Kenworth To Develop A Truck Dealership On Four Acres In The Former Oakland Army Base 07-0679-1

Scheduled to *Rules & Legislation Committee on 10/23/2007

 S-4-20 Subject: Ninth Avenue Terminal Reuse - Final Determination Report From: Community and Economic Development Agency Recommendation: Action On A Report On The Final Determination Of A Proposal For The Adaptive Reuse Of The Ninth Avenue Terminal, Per Condition Of Approval No. 25 Of The Oak To Ninth Development, To Create A Vintner's Hall, Including A Winemaking Center, A Tasting Room, A Waterfront Restaurant, And A Water-Oriented Recreation Retail Facility Within 90,000 Square Feet Of The Ninth Avenue Terminal Building 07-0680

Scheduled to *Community & Economic Development Committee on 11/27/2007

and as a Public Hearing on December 4, 2007

 S-4-21
 Subject:
 Coliseum Commercial Façade Program

 From:
 Community and Economic Development Agency

 Recommendation:
 Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Allocating An Additional \$100,000 From Coliseum Redevelopment Funds For A Total Allocation Of \$225,000 For Fiscal Year 2007-2008 To The Coliseum Commercial Façade Program; And 07-0681

Scheduled to *Community & Economic Development Committee on 11/13/2007

2) An Agency Resolution Allocating An Additional \$100,000 From Coliseum Redevelopment Funds For A Total Allocation Of \$350,000 For Fiscal Year 2007-2008 To The Coliseum Commercial Tenant Improvement Program

07-0681-1

Scheduled to *Community & Economic Development Committee on 11/13/2007

S-4-22 Subject: Mandela Parkway Project

From: Community and Economic Development Agency Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The Oakland Bay Trail: Mandela Parkway Project In Accord With Specification No. G199010 To Mcguire And Hester In The Amount Of One Million Seventy-Four Thousand Four Hundred Twenty-Two Dollars (\$1,074,422.00) 07-0682

Scheduled to *Public Works Committee on 10/23/2007

 S-4-23 Subject: Public Facilities And Parks - Various Redevelopment Project Areas From: Community and Economic Development Agency Recommendation: Adopt City And Agency Resolutions Appropriating And Allocating Redevelopment Agency Funding For Public Facilities And Parks In The Central District (\$1,350,000), Central City East (\$640,000), Coliseum (\$1,000,000), And West Oakland Redevelopment Project Areas (\$1,574,910) For Fiscal Year 2007-2008 07-0683

Scheduled to *Life Enrichment Committee on 11/27/2007

and as a Public Hearing on December 4, 2007

S-4-24 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

Scheduled to Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 10/30/2007

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

 S-4-25 Subject: Police And Fire Retirement System Quarterly Report From: Finance and Management Agency Recommendation: A Request To Withdraw From The October 9, 2007 Finance And Management Committee Agenda An Informational Report On The Police And Fire Retirement System (PFRS) And Oakland Municipal Employees' Retirement System (OMERS) 07-0633

> *Withdrawn and Rescheduled to *Finance & Management Committee on 10/23/2007

S-4-26 Subject: Business Tax Ordinance Amendment From: Finance and Management Agency Recommendation: Adopt An Ordinance Amending Chapter 5.04 Of The Oakland Municipal Code In Order To Correct And Clarify Various Provisions Of The Business Tax Ordinance, To Establish A Late Filing Fee, To Remove Provisions From The Business Tax Ordinance That Are Obsolete Or Repealed By Operation Of Law Or Court Action, To Exempt Owners Of Low Income Housing Tax-Credit Financed Affordable Housing Developments From The Business Tax, To Grant The Director Of Finance Exclusive Discretionary Authority To Waive Penalties, And To Codify Certain Previously Adopted Business Tax Procedural Matters 07-0664

*Withdrawn and Rescheduled to *Finance & Management Committee on 10/23/2007

ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Instant Runoff Voting - Implementation

From: Office of the City Attorney

Recommendation: Hear A Presentation By Alameda County Registrar Dave Macdonald Regarding The Implementation Of Instant Runoff Voting In Alameda County 07-0658

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 10/16/2007

Subject: Family And Friends Of Murder Victims - Report

From: Councilmember Larry Reid

Recommendation: Receive An Informational Report From "Family And Friends Of Murder Victims" Detailing The Groups Function, Providing Resource Information To Other Families Of Homicide Victims, And Discussing The State Of The Oakland Police Department's Investigative And Crime Laboratory Resources

07-0698

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 11/6/2007

Item 4 10-04

A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of October 16, 2007 and for the Rules and Legislation Committee for the meeting of October 18, 2007

A motion was made by Member Reid, seconded by Vice Mayor Chang, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Vice Mayor 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

5

Item 5 10-04

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual(s) spoke under open forum: -Sanjiv Handa

<u>Adjournment</u>

*

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at _11:50 AM

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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