



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, May 31, 2012

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Excused: President Pro Tempore De La Fuente

Present: Member Brooks, Member Schaaf and Member Reid

The Oakland City Council Rules and Legislation Committee convened at 10:56 a.m., with Council President Reid presiding as Chairperson.

1 **Determinations of Closed Session**

**A motion was made by Member Schaaf, seconded by Member Brooks, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Excused; 1 - President Pro Tempore De La Fuente

Aye; 3 - Member Schaaf, Member Brooks and Member Reid

2 **Approval of the Draft Minutes from the Committee meeting of May 17, 2012**

**A motion was made by Member Brooks, seconded by Member Schaaf, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Excused; 1 - President Pro Tempore De La Fuente

Aye; 3 - Member Schaaf, Member Brooks and Member Reid

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

**A motion was made by Member Schaaf, seconded by Member Brooks, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Excused; 1 - President Pro Tempore De La Fuente

Aye; 3 - Member Schaaf, Member Brooks and Member Reid

4 **Scheduling of Agenda Items and revisions to the Oakland City Council agenda of June 5, 2012 (SUPPLEMENTAL)**

**A motion was made by Member Brooks, seconded by Member Schaaf, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Excused; 1 - President Pro Tempore De La Fuente

Aye; 3 - Member Schaaf, Member Brooks and Member Reid

S-4.1 Subject: Habitat For Humanity Housing Project
From: Office Of Planning, Building And Neighborhood Preservation
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Conditionally Approving A Final Map For Brookfield Court Tract No. 8056 Located At 9507 Edes Avenue For An Affordable Housing Project For Habitat For Humanity Of The East Bay; and
[11-0533](#)

Scheduled to * Meeting of the Oakland City Council on 6/19/2012

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S-4.2 Subject: Preservation And Rehabilitation Development Loans
From: Department Of Housing And Community Development
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$1,200,000 To Chelsea Investment Corporation For The C.L. Dellums Project Located At 644 14th Street, Oakland And Authorizing Loan Extensions And/Or Changes In Terms For Existing Loans For The Project;
2) A Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$989,000 To East Bay Asian Local Development Corporation For The Madrone Hotel Project Located At 477 8th Street, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Loans For The Project;
3) A Resolution Amending Resolution No. 2011-0020 C.M.S. To Increase The Amount Of An Affordable Housing And Preservation And Rehabilitation Loan To Dignity Housing West, Inc. For The James Lee Court Project Located At 690 15th Street By \$1,105,000 For A Total Loan Amount Of \$3,501,000, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Loans For The Project;
4) A Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$382,000 To East Bay Asian Local Development Corporation For The Marcus Garvey Commons Project Located At 1769 Goss Street And 1766 7th Street And Authorizing Loan Extensions And/Or Changes In Terms Existing Loans For The Project And;
5) A Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$669,000 To East Bay Asian Local Development Corporation For The Slim Jenkins Project Located At 700 Willow Street, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Loans For The Project; On The June 12, 2012 Community And Economic Development Committee Agenda
[11-0534](#)

Scheduled to *Community & Economic Development Committee on 6/12/2012

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S-4.3 Subject: Army Base LDDA
 From: Office Of Neighborhood Investment
 Recommendation: Adopt The Following Pieces Of Legislation:

- 1) A Resolution Approving Amendments To The (Former) Oakland Army Base Final Reuse Plan Relating To A Revised Conceptual Land Use Strategy Emphasizing Warehousing/Logistics, And Authorizing City Staff To Make Any And All Necessary Conforming Changes Without Returning To The City Council;

- 2) A Resolution Authorizing The City Administrator To Negotiate And Execute A Memorandum Of Agreement With The East Bay Municipal Utility District And CCIG Oakland Global, LLC, A California Limited Liability Company And/Or Oakland Bulk Oversized Terminal, LLC, A California Limited Liability Company (Or Their Related Or Affiliated Entities) Relating To Mutual Cooperation In The Development Of The Former Oakland Army Base In A Form And Content Substantially In Conformance With The Attached Documents, Without Returning To The City Council;

- 3) A Resolution Authorizing The City Administrator To Negotiate And Execute An Amended And Restated Cost Sharing Agreement With The Port Of Oakland Pertaining To Infrastructure Improvements At The Former Oakland Army Base; To Reflect The Transfer Of The Property From The Oakland Redevelopment Agency To The City Of Oakland; To Acknowledge An Amendment To The Trade Corridor Improvement Fund (TCIF) Baseline Agreement; To Establish Respective Roles And Responsibilities Between The Port And City As To Grant Funding; To Identify The Funding Sources To Match The TCIF Grant; And To Commit An Additional \$22.5 Million, Resulting In A Total Commitment Of \$54.5 Million, In City Funds To Match The TCIF Grant, In A Form And Content Substantially In Conformance With The Attached Documents, Without Returning To The City Council;

- 4) An Ordinance: (1) Authorizing The City Administrator To Negotiate And Execute A Lease Disposition And Development/Billboard Franchise Agreement, Ground Leases, Property Management Agreement, And Related Documents (Collectively "LDDA") Between The City Of Oakland, And Prologis CCIG Oakland Global, LLC, A Delaware Limited Liability Company (Or Their Related Entities Or Affiliates), For The Development Of A Mixed-Use Industrial (Warehousing And Logistics), Commercial, Including Billboard, Maritime, And Open Space Project On Approximately 130 Acres In The Central, East And West Gateway Areas Of The Former Oakland Army Base ("Project"); (2) Amending In Part The City's Employment And Contracting Programs For The Army Base Project; And (3) Waiving The Advertising And Request For Proposal Process For A Design-Build Contract For The Construction Of Public Improvements As Described In The LDDA ("Public Improvements") And Authorizing The City Administrator To Enter Into A Contract For The Design-Build Of The Public Improvements With CCIG Oakland Global, LLC, In An Amount To Be Determined Pursuant To The Terms Of The LDDA; All Of The Forgoing Documents To Be In A Form And Content Substantially In Conformance With The Attached Documents, Without Returning To The City Council;

- 5) A Resolution Authorizing The City Administrator To Negotiate And Execute A Cooperation Agreement Between The City Of Oakland And A Coalition Of Community Groups Relating To The Application Of Specified Job, Contracting And Environmental

Community Benefits Regarding The Development Of The Former Oakland Army Base, In A Form And Content Substantially In Conformance With The Attached Documents, Without Returning To The City Council; And

6) A Resolution Authorizing The City Administrator To Negotiate And Execute An Environmental Review Funding And Indemnity Agreement With Prologis Property, LP, A Delaware Limited Partnership And CCIG Oakland Global, LLC, A California Limited Liability Company (Or Their Related Or Affiliated Entities) (Collectively "Developer") Regarding The Proposed Mixed-Use Project On The Former Oakland Army Base ("Project") With Respect To: (1) Allocating Responsibility For Environmental Review Costs Between The City And The Developer And (2) Defining The Procedure For Defending And Indemnifying The City Of Oakland For The Initial Project Approvals In A Form And Content Substantially In Conformance With The Attached Documents, Without Returning To City Council; On The June 12, 2012 Community And Economic Development Committee Agenda And As A Public Hearing On The June 19, 2012 City Council Agenda
[11-0536](#)

Scheduled to *Community & Economic Development Committee on 6/12/2012

And as a public hearing on the June 19, 2012 City Council agenda.

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S-4.4 Subject: Coast Landscape Management Contract

From: Finance And Management Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Coast Landscape Management, A Corporation, For The Maintenance Of The Mandela Parkway Landscape In The City Of Oakland For An Annual Amount Not To Exceed One Hundred Seven Thousand, Eight Hundred Thirty Two Dollars (\$107,832.00), For The Period Of July 1, 2012 To July 31, 2013, Per Request For Quotation 1825-02, Specification No. 11-988-36-02, And The General Conditions Therefore On File In The Purchasing Section According To Its Bid Filed With The City On August 3, 2011, And To Reject All Bids Received In Response To RFQ 1825.

[11-0532](#)

Scheduled to *Finance & Management Committee on 6/12/2012

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Items Submitted on the Dais

#1 Subject: Non-Owner-Occupied Ordinance
From: Councilmember Desley Brooks
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Establish A New Chapter 8.58 Requiring The Registration Of And Inspection Of Improved Residential Real Property Which Is Not Occupied By The New Owner And The Abatement Of Health And Safety Violations
[11-0541](#)

Scheduled to *Community & Economic Development Committee on 6/26/2012

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#2 Subject: Performance Audits - Public Works And Residential Permit Parking Program
From: Office Of The City Auditor
Recommendation: Receive Follow-Up Reports: (1) Public Works Agency Performance Audit, "Administration" Category And (2) Residential Permit Parking Program Performance Audit
[11-0539](#)

Scheduled to * Meeting of the Oakland City Council on 6/19/2012

As a Consent item.

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#3 Subject: Portable Restroom Rentals
From: Councilmember Patricia Kernighan
Recommendation: Adopt A Resolution Approving A Transfer Of \$2,100.00 From Councilmember Patricia Kernighan's District Two Special Priority Funds To The Public Works Agency For Rental Of A Portable Restroom With Damage Waiver For Madison Square Park For Fiscal Year 2012 - 2013
[11-0537](#)

Scheduled to * Meeting of the Oakland City Council on 6/19/2012

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5 A review of the Agendas for the Council Committees for the meetings of June 12, 2012 and the Rules and Legislation Committee Meeting of June 14, 2012.

A motion was made by Member Brooks, seconded by Member Schaaf, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - President Pro Tempore De La Fuente
Aye; 3 - Member Schaaf, Member Brooks and Member Reid

[rules053112](#)

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6 Subject: Safe Medication Disposal Support
From: Councilmembers Brunner And Brooks
Recommendation: Adopt A Resolution Of Support For Extended Producer Responsibility And The Alameda County Safe Medication Disposal Ordinance, Which Would Require Producers Selling Pharmaceutical Drugs In Alameda County To Participate In A Drug Stewardship Program
[11-0490](#)

A motion was made by Member Brooks, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the * Meeting of the Oakland City Council, due back on June 5, 2012. The motion carried by the following vote:

Votes: Excused; 1 - President Pro Tempore De La Fuente
Aye; 3 - Member Schaaf, Member Brooks and Member Reid
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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 11:22 a.m.

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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