



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, June 14, 2007

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

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 Session**

**A motion was made by Member Brunner, seconded by Member Reid, 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 office of the City Attorney scheduled a Closed Session for Tuesday, June 19, 2007 from 1:30 - 3:30 PM.

2 **Approval of the Draft Minutes from the Committee meeting of May 31, 2007**

**A motion was made by Member Reid, seconded by Member Brunner, to
*Approve the Minutes. The motion carried by the following vote:**

Votes: Aye; 4 - Vice Mayor Chang, Member Reid, Member Brunner and Chair De La Fuente

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

There was no action necessary for this item

[Rules 06-14 Item 3](#)

[View Item.pdf](#)

4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of June 19, 2007 (SUPPLEMENTAL)

A motion was made by Member Brunner, seconded by Vice Mayor Chang, to *Approve with the following amendments. 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*

S-4-1 Subject: Self Contained Breathing Apparatus Upgrade
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate A Grant Of Two Hundred And Thirty-Two Thousand Three Hundred And Thirty Dollars (\$232,330.00), As Part Of The Fiscal Year 2006 Sub-Grantee Metropolitan Medical Response System (MMRS) From The Homeland Security Grant Program (HSGP), To Fund The Upgrade Of Existing Self-Contained Breathing Apparatus (SCBA) In A Department Wide Effort To Meet Newly Established National Safety Standards
[07-0401](#)

Scheduled to *Public Safety Committee on 7/10/2007

[View Report.pdf](#)
[80767 CMS.pdf](#)

S-4-2 Subject: Capital Improvements, Repairs And Rehabilitation - Oakland Ice Center
From: Council President Ignacio De La Fuente
Recommendation: Adopt An Agency Resolution Approving Allocation Of Agency Funds In The Amount Of \$300,000 As Funds For Necessary Capital Improvements, Repairs And Rehabilitation To The Oakland Ice Center; On The June 19, 2007 City Council Agenda
[07-0396](#)

Scheduled to *Community & Economic Development Committee on 6/26/2007

- S-4-3 Subject: Priority Project Funds - District Six
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing A Grant Of \$5,000.00 From Councilmember Desley Brooks' Priority Project Funds To HIV Education And Prevention Project Of Alameda County (HEPPAC) To Purchase A Van To Transport Clients
[07-0398](#)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 7/3/2007
[View Report.pdf](#)
[80680 CMS.pdf](#)
- S-4-4 Subject: Jerry Reginald Varnado - Recognition
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution For Jerry Reginald Herring Varnado, A Recent U.S. Military Academy At West Point Graduate Who Won An Appointment After His Graduation From Skyline High School, Oakland, California
[07-0399](#)
Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/19/2007
[View Report.pdf](#)
[80631 CMS.pdf](#)
- S-4-5 Subject: Head Start Family Child Care Services
From: Department of Human Services
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute Grant Agreement With Martha Rebollo For Head Start Family Child Care Servies In An Amount Not To Exceed \$53,750; And Contingent Upon Receipt Of Head Start Funding And Satisfactory Grantee Performance, Authorizing The City Administrator To Execute A One-Year Extension For An Amount Not To Exceed \$53,750, With The Two-Year Total Not To Exceed \$107,500
[07-0397](#)
Scheduled to *Life Enrichment Committee on 7/10/2007
[View Report.pdf](#)
[80753 CMS.pdf](#)

S-4-6 Subject: Speech Language And Mental Health Services
From: Department of Human Services
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute One-Year Grant Agreement In An Amount Not To Exceed \$25,000 Between The City And Asian Community Mental Health Services To Provide Mental Health Services For The Oakland Head Start Program, And Contingent Upon Receipt Of Head Start Grant Funding And Grantee's Satisfactory Performance, Authorizing The City Administrator To Execute A One-Year Extention For An Additional Not To Exceed \$25,000 For A Two-Year Total Of \$50,000

[07-0409](#)

Scheduled to *Life Enrichment Committee on 7/10/2007

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[80758 CMS.pdf](#)

S-4-7 Subject: Child Development And Family Literacy Services
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate The California State Preschool Expansion Grant From The California Department Of Education In An Estimated Amount Of \$1,092,302 For Program Year 2007-2008, And Authorizing A Grant Agreement With The Unity Council For The Estimated Amount Of \$114,979 To Fund Child Development And Family Literacy Services In Accord With Said Grants

[07-0410](#)

Scheduled to *Life Enrichment Committee on 7/10/2007

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S-4-8 Subject: Even Start Program
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept The Even Start Family Literacy Grant For Program Year 2007-2008 From The State Of California Department Of Education In The Amount Of \$172,500 For The City Of Oakland Even Start Program

[07-0411](#)

Scheduled to *Life Enrichment Committee on 7/10/2007

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[80763 CMS.pdf](#)

S-4-9 Subject: Head Start Program Nutritious Meals
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On
Behalf Of The City Of Oakland, To Apply For, Accept And Appropriate The Child
Care Food Program (CCFP) Grant From The California Department Of Education In
An Estimated Amount Of \$375,000 To Provide Funding For Nutritious Meals For
The City Of Oakland's Head Start Program For Program Year 2007-2008
[07-0412](#)

Scheduled to *Life Enrichment Committee on 7/10/2007

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[80764 CMS.pdf](#)

S-4-10 Subject: Revocable And Conditional Permit - 1700 Broadway
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The June 26, 2007 Public Works
Committee Agenda A Resolution Granting Robison Family Trust A Revocable And
Conditional Permit For A Building At 1700 Broadway To Allow An Existing
Basement To Encroach Under The Public Sidewalk

Reason: Applicant has provided a recorded copy of a previously granted
encroachment permit.

[07-0307](#)

***Withdrawn with No New Date**

S-4-11 Subject: Wayans Brothers-Pacifica Capital Oakland Partnership - ENA
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The Agency Administrator To
Negotiate And Enter Into A Four-Month Exclusive Negotiating Agreement With
Wayans Brothers-Pacifica Capital Oakland Partnership, LLC For The Development
Of Portions Of The Central And Western Gateway Areas Of The Former Oakland
Army Base
[07-0404](#)

**Scheduled to *Community & Economic Development Committee on
7/10/2007**

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- S-4-12 Subject: Hill-Elmhurst Plaza Development
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With Hills Elmhurst Plaza LLC And Strategic Urban Development Alliance, LLC, For Hills-Elmhurst Plaza, A Mixed-Use Project On International Boulevard Between 94th And 96th Avenues
[07-0405](#)
Scheduled to *Community & Economic Development Committee on 7/10/2007
[View Report.pdf](#)
[2007-0063 CMS.pdf](#)
- S-4-13 Subject: Purchase Of 3233 Market Street
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Purchase And Sale Agreement With Olivet Institutional Missionary Baptist Church For The City's Purchase Of 3233 Market Street A Special Use Building, For The Fair Market Value Of Eight Hundred Fifty Thousand Dollars (\$850,000) Plus Real Estate Closing Costs
[07-0406](#)
Scheduled to *Finance & Management Committee on 7/10/2007
[View Report.pdf](#)
[12823 CMS.pdf](#)
- S-4-14 Subject: Property Rights On Butters Drive
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate, Execute And Acquire Property Rights In An 11,960 Square Foot Parcel Of Land, Located On Butters Drive Between Robinson And Brunell Drives, For Open Space From The Butters Land Trust For The Amount Of One Hundred Eighty-Five Thousand Dollars (\$185,000) Plus Closing Costs Not To Exceed Five Thousand Dollars (\$5,000) For The Measure DD Watershed Acquisition Project
[07-0407](#)
Scheduled to *Finance & Management Committee on 7/10/2007
[View Report.pdf](#)
[12824 CMS.pdf](#)

S-4-15 Subject: Purchase Of 5818 International Boulevard
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Authorizing The Purchase Of Real Property At 5818 International Boulevard (Apn 038-3234-012-03 And 038-3234-013-01) From A. Essabhoy, Trustee Of The Essabhoy Trust, For \$790,000, Plus Customary Real Estate Closing Costs, For Redevelopment As A Teen Youth Center, And Accepting And Appropriating A Contribution Of \$790,000, Plus Customary Real Estate Closing Costs, From The Redevelopment Agency Under The Cooperation Agreement For The Purchase Of The Property; And
[07-0408](#)

Scheduled to *Finance & Management Committee on 7/10/2007

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[12825 CMS.pdf](#)

2) Adopt An Agency Resolution Authorizing The Contribution Of \$790,000 Plus Customary Real Estate Closing Costs To The City Under The Cooperation Agreement For The Acquisition Of 5818 International Boulevard
[07-0408-1](#)

Scheduled to *Finance & Management Committee on 7/10/2007

[2007-0068 CMS.pdf](#)

S-4-16 Subject: Fleet Utilization Report
From: Public Works Agency
Recommendation: A Request To Withdraw From The June 26, 2007 An Informational Report On The City's Fleet Utilization; And Place On The September 25, 2007 Finance And Management Committee Agenda

Reason: Survey Of Job Classifications Incomplete, Equipment Pool Expansion Incomplete, Utilization Management Committee Has Not Met
[07-0296](#)

Scheduled to *Finance & Management Committee on 9/25/2007

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[View Supplemental Report.pdf](#)

S-4-17 Subject: 7th Street (West Oakland BART)
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Of Oakland To Apply For, Accept, And Appropriate Up To Four Hundred Thousand Dollars (\$400,000.00) In Fiscal Year 2007-2008 Transportation Fund For Clean Air (TFCA) Funds For The 7th Street (West Oakland BART) Streetscape Project; And
[07-0400](#)

Scheduled to *Public Works Committee on 6/26/2007

[View Report.pdf](#)
[80690 CMS.pdf](#)

S-4-18 Subject: Handrails For Woodminster Amphitheater
From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Express Appreciation For A Gift Of Handrails For Woodminster Amphitheater, Located Within Joaquin Miller Park, From Producers Associates, With An Estimated Value Of Five Thousand Dollars (\$5,000.00), And Authorizing The City Administrator To Enter Into A Contract With A Construction Contractor Selected By Producers Associates For An Amount Not-To-Exceed One Dollar (\$1) To Install The Handrails

[07-0402](#)

Scheduled to *Life Enrichment Committee on 7/10/2007

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ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Travel Authorization - Councilmember Brooks
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Attend The United States Crime Prevention Through Environmental Design Conference From July 30th - August 1, 2007
[07-0413](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/19/2007

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[80649 CMS.pdf](#)

Subject: Youth Ventures Joint Powers Authority - Appointments
From: Councilmember Jane Brunner
Recommendation: Adopt A Resolution Appointing Councilmember Jane Brunner, Councilmember Jean Quan, Wayne Tucker, Andrea Youngdahl, And Victor Ochoa As Board Of Trustees Of The Youth Ventures Joint Powers Authority For Initial Four Year Terms Beginning July 1, 2007 And Ending June 30, 2011
[07-0421](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 7/3/2007

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Rules 06-14 Item 4

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FROM THE JUNE 19, 2007 CITY COUNCIL AGENDA

Subject: Feeding Of Feral Pigeons
From: Councilmember Jean Quan
Recommendation: Approve The Final Passage(Second Reading) Of An Ordinance To Prohibit The Feeding Of Feral Pigeons In Commercial Zones
[07-0267](#)

***Withdrawn and Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/3/2007**

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[Supplemental Report.pdf](#)
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[12817 CMS.pdf](#)

- 5 A review of the Council Committees' actions from June 12, 2007 and determination of scheduling to the ORA/City Council meeting of June 19, 2007 or future dates (MATRIX)

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

FROM THE JUNE 12, 2007 PUBLIC WORKS COMMITTEE

Subject: Mural On Fruitvale Avenue
From: Council President De La Fuente
Recommendation: Adopt A Resolution From the Oakland City Council Supporting The Installation Of A Mural On Fruitvale Avenue At The Highway 880 Overpass And Assuming Responsibility For Its Maintenance And Upkeep
[07-0362](#)

***Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/3/2007**

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[View Supplemental Report.pdf](#)
[80704 CMS.pdf](#)

FROM THE JUNE 12, 2007 LIFE ENRICHMENT COMMITTEE

Subject: Cultural Services Contracts
From: Cultural Arts and Marketing
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Cultural Services Grants With Seventy-Seven (77) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2007-2008 In A Total Amount Not To Exceed \$1,144,838.51
[07-0275](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/19/2007
as a Non-Consent item

[View Report.pdf](#)
[80665 CMS.pdf](#)

FROM THE JUNE 12, 2007 PUBLIC SAFETY COMMITTEE

Subject: Police Department Salary Savings Expenditures
From: Councilmember Patricia Kernighan
Recommendation: Receive An Informational Report From The Chief Of Police On The Status Of The Oakland Police Department's Salary Savings For Fiscal Year 2005-2006 And Fiscal Year 2006-2007
[07-0200](#)

***Withdrawn and Rescheduled to *Finance & Management Committee on 6/26/2007**

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[Rules 06-14 Item 5](#)
[View Item.pdf](#)

6 A review of the Agendas for the Council Committees for the meeting(s) of June 26, 2007 and the Rules and Legislation Committee meeting of June 28, 2007

A motion was made by Member Reid, seconded by Vice Mayor Chang, to *Approve with the following amendments. 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

FROM THE JUNE 26, 2007 FINANCE AND MANAGEMENT COMMITTEE AGENDA

Subject: Civil Service Board Quarterly Report
From: Office Of Personnel
Recommendation: Receive An Informational Report Of The Activities Of The Civil Service Board For The Period Beginning April 1, 2007 And Ending June 30, 2007
[07-0403](#)

***Withdrawn and Rescheduled to *Finance & Management Committee on 7/10/2007**
[View Report.pdf](#)

FROM THE JUNE 26, 2007 PUBLIC SAFETY COMMITTEE AGENDA

Subject: Police Department Salary Savings Expenditures
From: Councilmember Patricia Kernighan
Recommendation: Receive An Informational Report From The Chief Of Police On The Status Of The Oakland Police Department's Salary Savings For Fiscal Year 2005-2006 And Fiscal Year 2006-2007
[07-0200](#)

***Withdrawn with No New Date**
[View Report.pdf](#)
[View Supplemental Report.pdf](#)

Subject: Shot Spotter System Report
From: Council President De La Fuente
Recommendation: Receive An Informational Report From The Chief Of Police Department On The Status of Shotspotter Gunshot Location System Used by the Oakland Police Department In The City of Oakland
[07-0215](#)

***Withdrawn and Rescheduled to *Public Safety Committee on 7/10/2007**
[View Report.pdf](#)

Subject: Bingo Report
From: Office of the City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.10 To Require A Bingo Hall Permit When The Bingo Hall Operator Is A Separate Entity From The Bingo Game Operator And To Specify That The Annual Bingo Hall Fee Is Established By The Master Fee Schedule
[07-0236](#)

***Withdrawn and Rescheduled to *Public Safety Committee on 7/10/2007**
[View Report.pdf](#)

Subject: Gun Exchange Programs
From: Oakland Police Department
Recommendation: Action On A Report And Recommendations From The Chief Of Police On Procedures Established By The Police Department For Gun Exchange Programs Conducted In The City Of Oakland
[07-0339](#)

***Withdrawn and Rescheduled to *Public Safety Committee on 7/10/2007**
[View Report.pdf](#)

[Rules 06-14 Item 6](#)

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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 11:25 AM

NOTE:

Americans With Disabilities Act

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Office of the City Clerk - Agenda Management Unit

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[TDD](#)

*

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