



# 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

## **\*Special Concurrent Meeting of the Redevelopment Agency and Finance and Management Committee Hearing Room 1, 1 Frank H. Ogawa Plaza**

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

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**Tuesday, July 08, 2008**

**12:00 PM**

**Hearing Room One - 1st Floor**

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### **Roll Call / Call to Order**

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Councilmember Excused: 1 - Member De La Fuente

Councilmember Present: 3 - Chair Quan, Member Nadel and Member Brunner

*The Oakland City Council Finance and Management Committee convened at 12:10 p.m., with Councilmember Jean Quan presiding as Chairperson.*

- 1 Approval of the Draft Minutes from the Committee Meeting held on June 24, 2008

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

**Votes:** Councilmember Excused: Member De La Fuente

Councilmember Aye: Chair Quan, Member Nadel and Member Brunner

- 2 Determination of Schedule of Outstanding Committee Items

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

**Votes:** Councilmember Excused: Member De La Fuente

Councilmember Aye: Chair Quan, Member Nadel and Member Brunner

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

*- Sanjiv Handa*

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3 Subject: 2008-2009 Debt Management Policy And Swap Policy  
From: Finance and Management Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting The City Of Oakland's Debt Management Policy And Swap Policy For Fiscal Year 2008-2009; And

[07-1426](#)

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**A motion was made by Member Nadel, seconded by Member Brunner, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 15, 2008 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Excused: Member De La Fuente  
Councilmember Aye: Chair Quan, Member Nadel and Member Brunner  
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[81462 CMS.pdf](#)

2) An Agency Resolution Adopting The Oakland Redevelopment Agency's Debt Management Policy And Swap Policy For Fiscal Year 2008-2009

[07-1426-1](#)

**A motion was made by Member Nadel, seconded by Member Brunner, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 15, 2008 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Excused: Member De La Fuente  
Councilmember Aye: Chair Quan, Member Nadel and Member Brunner  
*The following individual(s) spoke and did not indicate a position on this item:*  
- Sanjiv Handa  
[2008-0064 CMS.pdf](#)

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4 Subject: 2008-2009 Investment Policy  
From: Finance and Management Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Adopting The Oakland Redevelopment Agency's Investment Policy For Fiscal Year 2008-2009; And

[07-1427](#)

[Play Video](#)

**A motion was made by Member Brunner, seconded by Member Nadel, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 15, 2008 as a Consent Calendar item The motion carried by the following vote:**

**Votes:** Councilmember Excused: Member De La Fuente  
Councilmember Aye: Chair Quan, Member Nadel and Member Brunner  
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[2008-0065 CMS.pdf](#)

2) A Resolution Adopting The Oakland Redevelopment Agency's Investment Policy For Fiscal Year 2008-2009

[07-1427-1](#)

**A motion was made by Member Brunner, seconded by Member Nadel, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 15, 2008 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Excused: Member De La Fuente  
Councilmember Aye: Chair Quan, Member Nadel and Member Brunner  
[81463 CMS.pdf](#)

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5 Subject: Jack London District Interim Mixed-Use Parking Program Amendments  
From: Councilmember Nancy Nadel  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12864 C.M.S., To Modify The Boundaries Of The Jack London District Interim Mixed-Use Permit Parking Program Area, In Order To Include All Of The Merchants, Businesses, Employees, And Residents Along The Waterfront And At 401 Broadway Street, As Follows: (A) Extend The Southern Boundary Of The Permit Parking Area South Approximately Two Blocks From Embarcadero West, To The Edge Of The Estuary, Between Oak Street And Washington Street Only, Extending The Eastern Boundary In A Straight Line Down Oak Street To The Water; And (B) Extend The Northern Boundary Of The Permit Parking Area North One Block From Fourth Street, Between Washington Street And Broadway Only, To Include The Southern Side Of Fifth Street Only (TITLE CHANGE)

[07-1440](#)

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**A motion was made by Member Nadel, seconded by Chair Quan, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 15, 2008 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Excused: Member De La Fuente

Councilmember Aye: Chair Quan, Member Nadel and Member Brunner

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

- Sanjiv Handa

- Meredith Samp

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6            Subject:     Raiders Surcharge Revenue And Appropriation  
              From:        Budget Office  
              Recommendation: Adopt A Resolution Increasing Estimated Revenue And Offsetting  
              Appropriation From The 2007 Raiders Ticket Surcharge And Authorizing A Transfer Of  
              \$174,560.10 From The Non-Departmental Citywide Activities To The Office Of Parks And  
              Recreation To Benefit Citywide Youth Activities  
              [07-1453](#)  
              [Play Video](#)

**A motion was made by Member Nadel, seconded by Chair Quan, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 15, 2008 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Excused: Member De La Fuente  
Councilmember Aye: Chair Quan, Member Nadel and Member Brunner  
*The Committee directed staff to prepare a supplemental report including the following information: 1) Where will the new programs be located, in which Recreation Centers; and 2) A more comprehensive report on the Girls Sports programs.*

*The following individual(s) spoke and did not indicate a position on this item:*  
- Sanjiv Handa  
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[View Supplemental Report.pdf](#)  
[81464 CMS.pdf](#)

7

Subject: City Administrator - Summer Recess Authorization

From: Office of the City Administrator

Recommendation: Adopt A Resolution Authorizing The City Administrator To Make Grant Awards, Accept Grant Funds And Take Action On Procurement Of Certain Supplies, Construction Labor And Materials Exceeding \$500,000.00 And Professional Services Contracts Exceeding \$300,000.00 During The City Council Annual Recess Of 2008 As Follows:

1. Resolutions Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute Grant Agreements With Provider - To Be Determined In Amounts To Be Determined, For Head Start Family Child Care Services For Program Year 2008-2009, Contingent Upon Receipt Of Grant Funding, Authorizing The City Administrator To Extend Grant Funding Of Each Grant Agreement For One Additional Year In An Additional Aggregate Amount And Two-Year Total To Be Determined,
2. 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 Three Hundred Seventy Five Thousand Dollars (\$375,000.00) To Provide Funding For Nutritious Meals For The City Of Oakland»S Head Start Program For Program Year 2008-2009,
3. 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 Amount To Be Determined For Program Year 2008-2009, And Authorizing A Grant Agreement With The Unity Council For An Amount To Be Determined To Fund Child Development And Family Literacy Services In Accord With Said Grants,
4. Resolution Authorizing The City Administrator On Behalf Of The City Of Oakland To Accept And Appropriate The Even Start Family Literacy Grant For Program Year 2008-2009 From The State Of California Department Of Education In The Amount Of One Hundred Nine Thousand Six Hundred Twenty Three Dollars (\$109,623.00) For The City Of Oakland San Antonio Even Start Program,
5. Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The Oakland Police Department Locker Room Improvements Project (Project No. To Be Determined) To The Lowest, Responsible And Responsive Bidder/Contractor To Be Selected Upon Bidding Of The Project For An Amount Not To Exceed The Project Budget Of One Million Two Hundred Ninety-Seven Thousand Dollars (\$1,297,000.00), Or If All Bids Are Non-Responsive Or Otherwise Invalid, To Reject All Bids And Negotiate A Contract On The Open Market Within Budget Without Return To Council,
6. Resolution Waiving The Request For Proposal Process And Authorizing The City Administrator To Amend The Contract With Rajappan & Meyer Consulting Engineers Inc. For The 12th Street Reconstruction Project To Add Design And Engineering Services And To Increase The Contract By Three Hundred Thousand Dollars (\$300,000.00), For A Total Contract

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Amount Not-To-Exceed Five Million Eight Hundred Thousand Dollars (\$5,800,000.00),

7. Resolution Authorizing The City Administrator Or Her Designee To Award Two (2) Professional Services Agreements For As-Needed Hydrology And Civil Engineering Services To Mactech Engineering And Consulting, Inc., And Philip Williams Associates, Ltd., For An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) Each,
8. Resolution Awarding A Contract To The Lowest Responsible, Responsive Bidder, Andes Construction, Inc., For The Rehabilitation Of Sanitary Sewers In The Area Bounded By MacArthur Boulevard, Montana Avenue, Pleitner Avenue, Nicol Avenue, Berline Avenue, And Curkan Avenue (Project No. C267210) For An Amount Not To Exceed Two Million Five Hundred Eighty-Seven Thousand Dollars (\$2,587,000.00),
9. Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The Derby Avenue To Lancaster Street Segment Of The Oakland Waterfront Trail (Project No. C243610) To The Lowest, Responsive And Responsible Bidder To Be Selected Upon Bidding Of The Project For An Amount Not To Exceed One Million Nine Hundred Thousand (\$1,900,000.00),
10. Resolution Authorizing The City Administrator, Or Her Designee, To Apply For, Accept, And Appropriate Grant Funds From The Roberti-Z'berg-Harris Urban Open Space And Recreation Program Under The Safe Neighborhood Parks, Clean Water, Clean Air, And Coastal Protection Bond Act Of 2000 In The Amount Of Two Hundred Fifty-Thousand Dollars (\$250,000.00) To The Montclair Park Pathway Improvement Project From The Laurel Park Acquisition/Development Project; And
11. Resolution Authorizing The City Administrator, Or Her Designee To Appropriate Two Hundred Fifty-Thousand Dollars (\$250,000.00) From The Joint Power Finance Authority (JPFA) Capital Project Series 2005 Fund (No. 5200) From The Montclair Park Project To The Laurel Park Acquisition/Development Project; And
12. Resolution Awarding A Construction Contract For The Montclair Park Pathway Improvements Project (Project No. To Be Determined) To The Lowest, Responsible And Responsive Bidder, Bay Construction Company, In The Amount Of Two Hundred Forty One Thousand Five Hundred Dollars (\$241,500.00)

[07-1476](#)

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**A motion was made by Member Nadel, seconded by Chair Quan, that this matter be \*Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 15, 2008 as a Non-Consent item. The motion carried by the following vote:**

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**Votes:** Councilmember Abstained: Member Brunner  
Councilmember Excused: Member De La Fuente  
Councilmember Aye: Chair Quan and Member Nadel  
*The Committee directed staff to submit one page explaining each projects' details, and if any funding allocations, if so when were they allocated and from where. The Committee also amended the resolution to add a "Resolved" regarding the Oakland Waterfront Trail Project so that it would be issued contingent upon the Public Works Committee action on July 22.*

*The following individual(s) spoke and did not indicate a position on this item:*  
- Sanjiv Handa  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[81493 CMS.pdf](#)

8      Subject:      Emergency Vehicle Replacement  
From:          Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Appropriate The Emergency Services Retention Act Of 1997 Fund (Measure M Fund #2412) Balance Of One Million One Hundred Thousand Dollars (\$1,100,000) To Purchase Three Engines, Which Is Eighty Percent (80%) Of The Price Of The Engines, Which Are Essential Equipment To Provide Medical Related Emergency Services  
[07-1477](#)  
[Play Video](#)

**A motion was made by Member Nadel, seconded by Member Brunner, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 15, 2008 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Excused: Member De La Fuente  
Councilmember Aye: Chair Quan, Member Nadel and Member Brunner  
*The following individual(s) spoke and did not indicate a position on this item:*  
- Sanjiv Handa  
[View Report.pdf](#)  
[81465 CMS.pdf](#)



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9           Subject:     Mandela Parkway Maintenance  
              From:       Public Works Agency  
              Recommendation: Action On A Report And Options From The Public Works Agency On The  
              Costs Of Assuming Maintenance From Caltrans For The Mandela Parkway Landscaped Area  
              [07-1397](#)  
              [Play Video](#)

**A motion was made by Member Nadel, seconded by Chair Quan, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 15, 2008 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Excused: Member De La Fuente  
          Councilmember Aye: Chair Quan, Member Nadel and Member Brunner  
          [View Report.pdf](#)

Subject:     RMT Landscape Contractors, Inc. - Contract  
From:        Public Works Agency  
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Authorizing A Negotiated One (1) Year Contract With RMT Landscape Contractors, Inc. With The Option For Two (2) One-Year Extensions To Maintain Landscaping On The Mandela Parkway In Accord With The City's Specifications In A Not-To-Exceed Amount Of \$117,000.00 Each Year For A Total Amount Not-To-Exceed \$350,000.00 Over Three Years  
[07-1397-1](#)  
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**A motion was made by Member Nadel, seconded by Chair Quan, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 15, 2008 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Excused: Member De La Fuente  
          Councilmember Aye: Chair Quan, Member Nadel and Member Brunner  
          *The following individual(s) spoke and did not indicate a position on this item:*  
          - Sanjiv Handa  
          [View Report.pdf](#)  
          [81466 CMS.pdf](#)

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10      Subject:      Whistleblower Protection  
From:            Council President De La Fuente And City Auditor Ruby  
Recommendation: Adopt An Ordinance Prohibiting Retaliation Against Employees Who Act As Whistleblowers  
[07-1021](#)  
[Play Video](#)

**A motion was made by Member Brunner, seconded by Member Nadel, that this matter be \*Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 15, 2008 as a Non-Consent item. The motion carried by the following vote:**

**Votes:** Councilmember Excused: Member De La Fuente  
Councilmember Aye: Chair Quan, Member Nadel and Member Brunner  
*The Committee amended the resolution as follows: 1) In Section 4 provide a better definition for adverse action and follow court rulings on what adverse action is; 2) In Section 8 use the City of San Francisco's Ordinance language referencing what qualifies as a substantial motivating action. The Committee further directed that staff return to a future meeting with a report on the following information: 1) Does the Public Ethics Commission have jurisdiction over a councilmember accusation of a charter violation? 2) What are the different options for the program to be implemented and with what resources? 3) Where will the funding coming from? 4) If funded, the City Auditor should provide a report on the number of complaints, number of investigations, and the amount of dollars saved as a result of the program being implemented for the first year.*

*The following individual(s) spoke and did not indicate a position on this item:*  
- Sanjiv Handa  
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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 Finance and Management Committee adjourned the meeting at 1:27 p.m.*

\* In the event of 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.

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