

City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California

94612

Ceda Floyd, City Clerk

Online Meeting Minutes - Final

*Rules & Legislation Committee

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

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

10:30 AM

City Council Chambers - 3rd Floor

Thursday, September 25, 2003

The Oakland City Council Rules and Legislation Committee convened at 10:50 a.m., with President De La Fuente presiding as Chairperson.

Roll Call / Call to Order

Excused: Member Wan

Present: Member Chang, Member Reid and Chair De La Fuente

1 Closed Session

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

Excused; Member Wan
1 -

Aye; Member Chang, Member Reid and Chair De La Fuente
3 -

2 Approval of the Draft Minutes from the Committee meeting of September 18, 2003

Attachments:

[2 9-25-03.pdf](#)

A motion was made by Member Reid, seconded by Member Chang, that this matter be Approved. The motion carried by the following vote:

Excused; Member Wan
1 -

Aye; Member Chang, Member Reid and Chair De La Fuente
3 -

3 Determination of Schedule of Outstanding Committee Items

There were no changes to the Pending List.

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

Excused; Member Wan
1 -

4 Scheduling of Agenda Items

The following individual spoke and did not indicate a position:
- Sanjiv Handa

4.1

Subject: Salary Plan Recommendations
From: Office of the City Manager
Recommendation: Approve a report and recommendations regarding the preliminary salary plan recommendations for executive, management and unrepresented classifications

Attachments: [Item 5 10-14-03.pdf](#),
 [Item 5 SUP 10-14-03.pdf](#),
 [Item 8 10-28-03.pdf](#)

Scheduled to the *Finance & Management Committee

4.2

Subject: Creations of Special Assessment Districts
From: Oakland Fire Department
Recommendation: Adopt the following legislation:

1) Adopt an Ordinance establishing procedures for the creation of special assessment districts to fund services and programs for fire suppression, prevention and preparedness within designated areas of the City Of Oakland, and

Attachments: [Item 23 11-4-03.pdf](#),
 [Item 11 10-14-03.pdf](#)

Scheduled to the *Public Safety Committee

4.3

A Review the meeting dates and agenda packet distribution dates that are affected by the City's business closure days through June 2004. Please see attached matrix.

Attachments: [Scheduling.pdf](#)

***Withdrawn with No New Date**

4.4

Subject: Enforcement of Public Nuisance Actions
From: Councilmember Quan and President De La Fuente
Recommendation: Adopt an Ordinance amending Chapter 1.08 of the "Civil Penalties", Chapter 1.12 "Administrative Citations", and Chapter 1.16 " Alternative Administrative Procedures for Abatement of Certain Violations" of the Oakland Municipal Code for enforcement of public nuisance actions

Attachments: [10.22CC 11-4-03.pdf](#),
 [Item 12 10-14-03.pdf](#),
 [Item 27.pdf](#)

Scheduled to the *Public Safety Committee

4.5

Subject: Oakland Fund for Children and Youth
From: Department of Human Services
Recommendation: Adopt a Resolution authorizing the City Manager to negotiate and execute a contract between the City of Oakland and Community Crime Prevention Associates in an amount not to exceed \$260,000 to evaluate the Oakland Fund for Children and Youth for the period of October 1, 2003 through September 30, 2004 with two one-year options to renew

Attachments: [29 supp 11-4-03.pdf](#),
 [Item 3 10-28-03.pdf](#)

Scheduled to the *Life Enrichment Committee

4.6

Subject: Service Enriched Permanent Housing Residential Activity - Public Hearing
From: Community and Economic and Development Agency
Recommendation: Conduct a Public Hearing and upon conclusion Adopt a Resolution denying the appeal and sustaining the decision of the City Planning Commission in denying the application for a Major Conditional Use Permit to establish a Service Enriched Permanent Housing Residential Activity within an existing structure located at 2375 Fruitvale Avenue

Attachments: [14.2.pdf](#),
[78143CC.pdf](#),
[Scheduling.pdf](#)

as a Public Hearing

Scheduled to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council

4.7

Subject: Oak Center Redevelopment Project Area
From: Community and Economic and Development Agency
Recommendation: A Resolution Recommending Capital Improvement Priorities
for the Oak Center Redevelopment Project Area; on the December 9, 2003
Community and Economic Development Committee agenda

Attachments: [Scheduling.pdf](#)

Scheduled to the *Community & Economic Development Committee

4.8

Subject: First Time Homebuyer Mortgage Assistance
From: Community and Economic and Development Agency
Recommendation: A Resolution authorizing the City Manager to apply to the
California Department of Housing and Community Development (HCD) for
grant funding in an amount not to exceed \$1 Million for First Time Homebuyer
Mortgage Assistance and to approve other related actions

Attachments: [78107 CMS.pdf](#),
[S-30 Supplemental.pdf](#),
[Scheduling.pdf](#)

The Committee moved, seconded and carried a motion to approve the following urgency
finding pursuant to the Sunshine Ordinance Section 2.20.070 E(2) regarding scheduling
of this Item to the September 30, 2003 Council agenda due to the cancellation of the
October 7, 2003 Council meeting:

(A) that the need to take immediate action is necessary to prevent serious injury to the
public interest; and

(B) that the need for such action came to the attention of the body after the posting of
the 10-day agenda.

Scheduled to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council

Enactment No: 78107

4.9

Subject: Lease Agreement for 530 Lake Park Avenue
From: Community and Economic and Development Agency
Recommendation: Adopt a Resolution authorizing the City Manager to enter
into a two-year lease with Peter and Helen Shiu for real property located at 530
Lake Park Avenue, for use as a community meeting facility and community
police station, for two years in the amount of \$25,200 (Year 1), and \$27,600 (Year 2), and tenant improvements (not to exceed \$2,000), plus telephone, and
utility costs

Attachments: [28 supp 11-4-03.pdf](#),
[Item 5 10-28-03.pdf](#),
[Item 8 10-14-03.pdf](#)

Scheduled to the *Finance & Management Committee

4.10

Subject: Pedestrian and Bicycle Related Streetscape Improvements
From: Community and Economic and Development Agency
Recommendation: Adopt an Agency Resolution authorizing an application to
the Alameda County Transportation Improvement Authority for grant funds from
the Measure B Bicycle and Pedestrian Countywide Discretion Fund for planning
and feasibility studies for intermodal streetscape improvements on Telegraph
Avenue

Attachments: [10.36CC supp 11-4-03.pdf](#),
[Item 4 10-28-03.pdf](#)

Scheduled to the *Community & Economic Development Committee

4.11

Subject: Mixed-Use Project at 2946 International Boulevard
From: Community and Economic and Development Agency
Recommendation: Conduct a public hearing on an appeal of the September 17, 2003 Planning Commission's approval of the Seven Directions mixed-use project at 2946 International Boulevard. The project proposal is to construct 38 low-income apartment units, 20,115 square feet of medical/dental clinic space, 5,484 square feet of group counseling space, and 43 parking spaces (CMDV 03-397); on the October 7, 2003 City Council agenda

Attachments:

[Scheduling.pdf](#)

The Committee moved, seconded and carried a motion to approve the following urgency finding pursuant to the Sunshine Ordinance Section 2.20.070 E(2) regarding scheduling of this Item to the September 30, 2003 City Council agenda due to the cancellation of the October 7, 2003 Council meeting:

(A) that the need to take immediate action is necessary to prevent serious injury to the public interest;

(B) that the need for such action came to the attention of the body after the posting of the 10-day agenda.

However, the City Attorney advised that a ten day notice is required for the public hearing, therefore, the item was withdrawn with no new date.

***Withdrawn with No New Date**

4.12

Subject: Condominium Conversion Program
From: Community and Economic Development Agency
Recommendation: Adopt an Ordinance amending the Condominium Conversion Program to encourage appropriate conversions; on the December 9, 2003 Community and Economic Development Committee agenda

Attachments:

[Scheduling.pdf](#)

Scheduled to the *Community & Economic Development Committee

4.13

Subject: Community Development Block Grant Programs
From: Community and Economic Development Agency
Recommendation: Approve Recommendations regarding a report on the evaluation of Fiscal Year 2002- 2003 Community Development Block Grant Programs and Oakland's Consolidated Annual Performance and Evaluation Report (CAPER) for Community Development Block Grant, HOME, Housing Opportunities for people with aids and emergency shelter grant programs performance for the Fiscal Year 2002-2003 and a Resolution allocating Community Development Block Grant Funds for Fiscal Year 2004-2005 among the categories of Housing, Economic Development, Neighborhood Improvements and Administration and allocating up to \$2,100,000 in program income to housing and economic activities

Attachments:

[Scheduling.pdf](#)

Scheduled to the *Community & Economic Development Committee

4.14

Subject: Operating Supporting Grants
From: Community and Economic Development
Recommendations: Adopt the following legislation regarding grants to Community Development Housing Organizations:

1) Adopt a Resolution authorizing a grant of \$150,000.00 in Federal HOME funds to provide operating support and technical assistance to Oakland Community Housing, Inc., and

Attachments:

[10.37CC supp 11-4-03.pdf](#),

[Item 5 10-28-03.pdf](#)

Scheduled to the *Community & Economic Development Committee

4.15

Subject: Installation of Bicycle Lanes
From: Public Works Agency
Recommendation: A Resolution authorizing the City of Oakland to install bicycle lanes on MacArthur Boulevard between Park Boulevard and Lakeshore Avenue, by reconfiguring the travel lanes

Attachments: [10.19CC 10-21-03.pdf](#),
[78124CC.pdf](#),
[Item 9 10-14-03.pdf](#)

Scheduled to the *Public Works Committee

4.16

Subject: Lafayette Square Park
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing an agreement between the City Of Oakland and Berkeley Builders, Inc. dba BBI Construction (BBI) to reimburse BBI in an amount not to exceed \$95,000 for expenses for the completion of construction of Lafayette Square Park (PURSUANT TO SECTION 902-E OF THE CITY CHARTER, THIS ITEM REQUIRES A 2/3 VOTE)

Attachments: [10.20CC 10-21-03.pdf](#),
[78125CC.pdf](#),
[Item 10 10-14-03.pdf](#)

Scheduled to the *Public Works Committee

4.17

Subject: City's Fleet Review
From: Public Works Agency
Recommendation: Accept an Informational Report on Review of the City's Fleet, Best Practices Assessment and Equipment Services Division Fiscal Year 2003-2004 Strategic Plan

Attachments: [Scheduling.pdf](#)

Scheduled to the *Public Works Committee

4.18

Subject: Budget Advisory Committee Quarterly Report
From: Office of the City Manager
Recommendation: Receive an Informational Quarterly Report from the Budget Advisory Committee for the second quarter of 2003

Attachments: [Scheduling.pdf](#)

Scheduled to the *Finance & Management Committee

5 A review of the Council Committees' actions from September 23, 2003 and determination of scheduling to the ORA/City Council meeting of September 30, 2003 (1 week) or October 7, 2003 (2 weeks) or future dates

The following individual spoke and did not indicate a position:
- Sanjiv Handa

Please refer to the Item Matrix included in these minutes as Attachment A for determination of the upcoming Consent and Non-Consent Calendar Items.

A motion was made by Member Reid, seconded by Member Chang, to *Approve with the following amendments. The motion carried by the following vote:

Excused; Member Wan
1 -

Aye; Member Chang, Member Reid and Chair De La Fuente
3 -

Attachments: [5.pdf](#)

6 A review of the Supplemental Agenda for the Concurrent Meeting of ORA/City Council for the meeting of September 30, 2003

The City Clerk announced that there were no Supplemental Agendas to review; however, Supplemental Agendas would be published based on the previous scheduling items.

7 A review of the Agenda for the Concurrent Meeting of ORA/City Council for the meeting of October 7, 2003

The Committee moved, seconded, and carried a motion to cancel the October 7, 2003 City Council meeting due to the Statewide Recall Election.

The following individual spoke and did not indicate a position:

- Sanjiv Handa

***Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council**

Rescheduling of the October 7, 2003 City Council Agenda Items:

Subject: Salary Ordinance Amendment
From: Finance and Management Agency
Recommendation: A Continued discussion to Approve the Introduction (First Reading) of an Ordinance amending the salary schedule of Ordinance No. 12298 C.M.S. (The Salary Ordinance) to add the classifications of Animal Care Attendant, PT, Animal Care Attendant, PPT, Animal Care Attendant, Assistant Budget Analyst, Curator of Special Projects, Curator of Special Projects, PPT, Financial Analyst, PPT, Marine and Aquatics Supervisor and Sports Official, PT, and to amend the classifications of Assistant to the City Auditor, Complaint Investigator II, Jailer III, Legal Secretary II, Legal Secretary, Supervising, Payroll Control Specialist, Program and Performance Auditor, Senior Aide, PT and Special Needs Coordinator

Attachments: [10.20CC 11-4-03.pdf](#),
[18.pdf](#),
[22 9-30-03.pdf](#)

***Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council**

Subject: Local Law Enforcement Block Grant
From: Oakland Police Department
Recommendation: Adopt a Resolution authorizing the acceptance and appropriation of eight hundred seventy nine thousand, one hundred seventy-seven dollars (\$879,177) in federal Local Law Enforcement Block Grant (LLEBG) funds to the Police Department and ninety-seven thousand, six hundred eighty six dollars (\$97,686) in matching funds from Federal Asset Forfeiture Fund to supplement front line policing efforts by providing additional support personnel and community outreach

Attachments: [78106 CMS.pdf](#),
[S-29 Supplemental.pdf](#)

***Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council**

Enactment No: 78106

Subject: Local Law Enforcement Block Grant- Impartial Financial Analysis
From: Office of the City Auditor

Attachments: [S-29-1 Supplemental.pdf](#)

The Committee moved, seconded and carried a motion to approve the following urgency finding pursuant to the Sunshine Ordinance Section 2.20.070 E(2) regarding scheduling of these Items

(A) that the need to take immediate action is necessary to prevent serious injury to the public interest;

(B) that the need for such action came to the attention of the body after the posting of the 10-day agenda.

***Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council**

Subject: Tree Removal Appeal - 2848 Longwalk Drive - Public Hearing
From: Office of Parks and Recreation
Recommendation: Conduct a Public Hearing and upon conclusion Adopt a Resolution denying the appeal filed by Festus Ogbeide against the decision of the Director of the Office of Parks and Recreation approving the issuance of tree removal permit DR03-053 for the property located at 2848 Longwalk Drive

Attachments: [14.1.pdf](#),
[78142CC.pdf](#)

***Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council**

Subject: Montclair Business Improvement District
From: Community and Economic Development Agency
Recommendation: Adopt a Resolution of Intention to levy an annual assessment for Fiscal Year 2004-2005 for the Montclair Business Improvement District, approving the Annual Report of the Montclair Business Improvement District Advisory Board, and scheduling a public hearing for November 4, 2003

Attachments: [24.pdf](#),
[78146CC.pdf](#)

***Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council**

Subject: Rockridge Business Improvement District
From: Community and Economic Development Agency
Recommendation: Adopt a Resolution of Intention to levy an annual assessment for Fiscal Year 2004-2005 for the Rockridge Business Improvement District, approving the Annual Report of the Rockridge Business Improvement District Advisory Board, and scheduling a public hearing for November 4, 2003

Attachments: [25.pdf](#),
[78147CC.pdf](#)

***Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council**

Subject: Draft Housing Element
From: Community and Economic Development Agency
Recommendation: Adopt a Resolution authorizing the City Manager to submit the Draft Housing Element to the California Department of Housing and Community Development

Attachments: [20.pdf](#),
[78145CC.pdf](#)

***Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council**

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individuals spoke under Open Forum:

- Alfred Wright
- Sanjiv Handa

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:15 a.m.

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.

*

ORA- Oakland Redevelopment Agency

S- Supplemental Item