

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, April 1, 2004

The Oakland City Council Committee convened at 10:54 a.m., with Councilmember Reid presiding as Chairperson.

Roll Call / Call to Order

Excused: Chair De La Fuente

Present: Member Chang, Member Reid and Member Wan

1 Closed Session

***Approve as Submitted**

2 Approval of the Draft Minutes from the Committee meetings of February 26, March 11, and March 25, 2004

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

Excused; Chair De La Fuente
1 -

Aye; Member Chang, Member Reid and Member Wan
3 -

3 Determination of Schedule of Outstanding Committee Items

Attachments:

[Item 3 4-1-04.pdf](#)

4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of April 6, 2004

The following individuals spoke and did not indicate a position on this item:

- Councilmember Nancy Nadel
- Sanjiv Handa

4.1

Subject: Oakland's Liquor Stores

From: Office of the City Attorney

Recommendation: A report and recommendations regarding a Report Card on Oakland's Liquor Stores: The Good, the Bad, and the Ugly; on the April 27, 2004 Public Safety Committee

Attachments:

[04-0273.pdf](#)

Scheduled to the *Public Safety Committee

4.2

Subject: National Community Development Week
From: Vice Mayor Chang
Recommendation: Adopt a Resolution declaring April 12-18, 2004, National Community Development Week
Attachments: [04-0274.pdf](#),
[S-8.4 SUPP 4-6-04.pdf](#)

As a Ceremonial item.

The Committee moved, seconded and carried a motion to approve the following urgency finding pursuant to the Sunshine Ordinance Section 2.20.080 E(2) regarding scheduling of this Item:

(A) that the action is purely commendatory; 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

4.3

Subject: Arctic National Wildlife Refuge
From: Councilmember Reid
Recommendation: Adopt a Resolution honoring the Arctic National Wildlife Refuge by refraining from knowingly purchasing goods or services from companies that obtain leases or develop oil fields in the coastal plain of the Arctic National Wildlife Refuge, should the United States Congress ever permit drilling there
Attachments: [04-0276.pdf](#)

As a Consent Calendar item.

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

4.4

Subject: Violence Prevention
From: Councilmember Quan
Recommendation: Schedule a City Council Workshop on Violence Prevention; for a Regular or Special City Council meeting in April or May
Attachments: [04-0279.pdf](#)

The Committee tentatively scheduled a Special Work Session on Thursday, May 6, 2004, with a time certain to be determined, with the possibility that a second work session may be held On Tuesday, June 29, 2004 subsequent to the Budget Work Session

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

4.5

Subject: Professional Sports Teams Relocation
From: President De La Fuente
Recommendation: Adopt a Resolution declaring the City of Oakland's support for Assembly Bill 3003 requiring that when a professional sports team attempts to move within the state, specified mitigation requirements shall apply to compensate the local governmental agency for the area from which the team is leaving
Attachments: [04-0280.pdf](#),
[Item S-6 4-8-04.pdf](#)

The Committee moved, seconded and carried a motion to approve the following urgency finding pursuant to the Sunshine Ordinance Section 2.20.080 E(2) regarding scheduling of this Item:

(A) that there is a need to take immediate action related to State legislation; 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 *Rules & Legislation Committee

4.6

Subject: Linkages Program Fiscal Year 2004-2005
From: Department of Human Services
Recommendation: Adopt a Resolution authorizing the City Administrator to apply for, accept and appropriate grant funds from the Alameda County Area Agency on Aging in the amount of \$216,852 for the Linkages Program and \$8,945 for the Respite Program and authorizing the City Administrator to apply for, accept and appropriate \$250,000 from Alameda County for a Targeted Case Management claim and authorizing the appropriation of \$55,474 Linkages Handipark funds for the Linkages Program Fiscal Year 2004-2005; on the June 22, 2004 Life Enrichment Committee agenda

Attachments:

[04-0271.pdf](#)

Scheduled to the *Life Enrichment Committee

4.7

Subject: Senior AIDES Program
From: Department of Human Services
Recommendation: Adopt a Resolution authorizing the City Administrator to apply for, accept and appropriate funds in the amount of \$1,043,593 from Senior Service America, Inc., for the City of Oakland Senior AIDES Program for Fiscal Year 2004-2005; on the June 22, 2004 Life Enrichment Committee agenda

Attachments:

[04-0266.pdf](#)

Scheduled to the *Life Enrichment Committee

4.8

Subject: Homeless Services and Emergency Shelter
From: Department of Human Services
Recommendation: Adopt a Resolution authorizing agreements with Oakland based providers for Homeless Services and Emergency Shelter for the 2004-2005 and 2005-2006 Emergency Shelter Grant (\$369,672/year), Emergency Housing (\$115,000/year), and Winter Relief (\$225,000/year) programs and authorizing match fund allocations for the year 2004-2005 and 2005-2006 Matilda Cleveland Transitional Housing Program (\$50,000/year) and the year 2005-2006 and 2006-2007 Families in Transition Program (\$133,000/year); on the June 8, 2004 Life Enrichment Committee agenda

Attachments:

[04-0269.pdf](#)

Scheduled to the *Life Enrichment Committee

4.9

Subject: State Enterprise Zone Program
From: Community and Economic Development Agency
Recommendation: Adopt a Resolution authorizing the City Administrator to enter into an audit agreement with the State of California Business, Transportation and Housing Agency regarding the City of Oakland's State Enterprise Zone Program: withdraw from the April 27, 2004 Community and Economic Development Committee agenda to the Committee pending list

Attachments:

[04-0205 resched.pdf,](#)

[04-0205.pdf](#)

This item was placed on the Community and Economic Development Committee Pending List.

***Withdrawn with No New Date**

4.10

Subject: Rezoning Designation - 1600 - 1672 7th Street
From: Community and Economic Development Agency
Recommendation: Adopt an Ordinance rezoning 1600 - 1642 7th Street (7th Street Commercial Historic District) to an S-7 Preservation Combining Zone pursuant to Section 17.102.030 of the Oakland Planning Code; on the May 4, 2004 City Council agenda (during Preservation Week)

Attachments:

[04-0270.pdf](#)

This item was forwarded directly to the May 4, 2004 City Council agenda as a Non-Consent item to coincide with National Preservation Week.

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

4.11

Subject: Broadway/MacArthur/San Pablo Redevelopment Project Area
From: Community and Economic Development Agency
Recommendation: Adopt a Resolution authorizing a one year extension of the Project Area Committee for the Broadway/MacArthur/San Pablo Redevelopment Project Area to July 25, 2005; on the April 27, 2004 Community and Economic Development Committee agenda

Attachments:

[04-0272.pdf](#)

Scheduled to the *Community & Economic Development Committee

4.12

Subject: Leona Quarry - Public Hearing
From: Community and Economic Development Agency
Recommendation: Conduct a Public Hearing pursuant to Oakland Planning Code Section 17.102.220 to consider the Planning Commission's recommendation that the City Council adopt a Resolution approving the application of the DeSilva Group LLC for a Reclamation Plan amendment and revised financial assurances for the Leona Quarry (Councilmember Brooks, District 6)

Attachments:

[04-0265.pdf](#)

This item was forwarded directly to the April 20, 2004 City Council agenda as a Public Hearing regarding an appeal of a Planning Commission decision.

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

4.13

Subject: Landmark Designation - Victorian Legal Center
From: Community and Economic Development Agency
Recommendation: Adopt an Ordinance designating the Victorian Legal Center - Law Offices of Warren B. Wilson (historic name: Mason-Elsey-Wilson House) at 653 11th Street as a landmark pursuant to Section 17.102.030 of the Oakland Planning Code; on the May 4, 2004 City Council agenda (during Preservation Week)

Attachments:

[04-0267.pdf](#)

This item was forwarded directly to the May 4, 2004 City Council agenda as a Non-Consent item to coincide with National Preservation Week.

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

4.14

Subject: Landmark Designation - Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery Store
From: Community and Economic Development Agency
Recommendation: Adopt an Ordinance designating the Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery Store (historic name: Samm(Jacob)/Dalton(Henry)/Cooper (Freddie) House and Corner Store) at 1454 8th Street (the house) and 1450 8th Street (the store) as a landmark pursuant to Section 17.102.030 of the Oakland Planning Code; on the May 4, 2004 City Council agenda (during Preservation Week)

Attachments:

[04-0268.pdf](#)

This item was forwarded directly to the May 4, 2004 City Council agenda as a Non-Consent item to coincide with National Preservation Week.

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

4.15

Subject: Andes Construction - Rehabilitation of Sanitary Sewers
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing award of a contract to Andes Construction, Inc. for the rehabilitation of sanitary sewers in the area bounded by Crest, Michigan, and 82nd Avenues and MacArthur Blvd. - Subbasin 84-112 (Project No. C158110) for the amount of one million three hundred twenty thousand six hundred thirty dollars (\$1,320,630); on the April 27, 2004 Public Works Committee agenda

Attachments:

[04-0275.pdf](#)

Scheduled to the *Public Works Committee

4.16

Subject: Vanguard Construction - West Oakland Bay Trail
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing award of a contract to Vanguard Construction for the construction of West Oakland Bay Trail (Project Number G134010) in the amount of four hundred seventy-nine thousand one hundred twenty-four dollars and forty-four cents (\$479,124.44); on the April 27, 2004 Public Works Committee agenda
Attachments:
[04-0278.pdf](#)

Scheduled to the *Public Works Committee

4.17

Subject: Fiscal Year 2004-2005 Midcycle Budget
From: Office of the City Administrator
Recommendation: Schedule the following Special City Council meetings to discuss and adopt the Fiscal Year 2004-2005 Midcycle Budget changes:

May 18, 2004 (3rd Tuesday) 1:00 to 4:00 p.m.
June 1, 2004 (1st Tuesday) 1:00 to 4:00 p.m.
June 10, 2004 (Thursday) 1:00 to 4:00 p.m.
June 29, 2004 (5th Tuesday) 6:00 to 7:00 p.m.

Attachments:
[04-0277.pdf](#)

The Committee approved the following schedule for discussion of the Fiscal Year 2004-2005 Midcycle Budget changes:

May 18, 2004 (3rd Tuesday) 1:00 to 4:00 p.m.
June 1, 2004 (1st Tuesday) 1:00 to 4:00 p.m.
June 10, 2004 (Thursday) 5:00 to 8:00 p.m.
June 29, 2004 (5th Tuesday) 6:00 to 7:00 p.m.

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

19

Subject: Main Street Program - Council District Six
From: Community and Economic Development Agency
Recommendation: Adopt a Resolution authorizing the City Administrator to negotiate and execute an agreement for a Professional Services Contract with OCCUR Community Information Service ("OCCUR") pursuant to which OCCUR will provide Main Street consulting services for establishment of a Main Street Program in City Council District Six in an amount not to exceed \$187,500, utilizing the services of Mills College and California Main Street Alliance (TITLE CHANGE)

Attachments:
[Item 19 4-6-04.pdf](#)
[Item 19 SUPP 4-6-04.pdf](#)

The Committee moved, seconded and carried a motion to approve the following urgency finding relative to the substantive title change and pursuant to the Sunshine Ordinance Section 2.20.080 E(2) regarding scheduling of this Item:

(A) that the need to take immediate action is required to avoid substantial adverse impact to the City; and,
(B) that the need for such action came to the attention of the body after the posting of the 10-day agenda.

Attachments:
[Item 4.pdf](#)

5

A review of the Agendas for the Council Committees for the meetings of April 13, 2004. (THE APRIL 13, 2004 COUNCIL COMMITTEE MEETINGS ARE CANCELLED DUE TO THE SPRING RECESS)

The City Clerk announced that there were no agendas to review for the Council Committee meetings for the week of April 13, 2004 due to the Council Spring Recess scheduled for April 12-16, 2004.

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

Attachments:
[Item 5.pdf](#)

Subject: Voter Approval on Local Tax Funds
 From: Vice Mayor Chang
 Recommendation: Adopt a Resolution expressing the City of Oakland's support for a statewide ballot initiative to require voter approval before state government may take local tax funds

Attachments: [04-0221.pdf](#),
[Item 6 4-1-04.pdf](#),
[Item S-27 4-6-04.pdf](#)

The following individual spoke and did not indicate a position on this item:

- Sanjiv Handa

A motion was made by Member Chang, seconded by Member Wan, 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 April 6, 2004. As a Non-Consent item. The motion carried by the following vote:

	Chair De La Fuente
Excused;	1 -
	Member Chang, Member Reid and Member Wan
Aye;	3 -

Subject: Assembly Bill 2318 - California Public Records Act
 From: Office of the City Auditor
 Recommendation: Adopt a Resolution in support of Assembly Bill 2318, a proposal to amend the Government Code for the purpose of allowing the City Auditor to exempt from disclosure of certain information otherwise made available to the public under the California Public Records Act

Attachments: [04-0215.pdf](#),
[Item 7 4-1-04.pdf](#),
[Item S-28 4-6-04.pdf](#)

The Committee requested that the bill analysis for AB2318 be included when this item comes to Council.

The following individual spoke and did not indicate a position on this item:

- Sanjiv Handa

A motion was made by Member Chang, seconded by Member Wan, 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 April 6, 2004. As a Non-Consent item. The motion carried by the following vote:

	Chair De La Fuente
Excused;	1 -
	Member Chang, Member Reid and Member Wan
Aye;	3 -

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual spoke under Open Forum:

- 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 12:20 p.m.

Americans With Disabilities Act

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Office of the City Clerk

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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.