

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, January 8, 2004

The Oakland City Council Rules and Legislation Committee convened at 10:48 a.m., with President De La Fuente presiding as Chairperson.

Roll Call / Call to Order

The Roll Call was modified to note Councilmember Reid present at 11:09 a.m.

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

COMMITTEE MEMBERSHIP:

1 Closed Session

The Committee approved the Closed Session agenda to be held on January 20, 2004 from 4:00 to 6:00 p.m.

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

Absent; Member Reid
1 -

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

2 Approval of the Draft Minutes from the Committee meeting of December 11, 2003

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

Absent; Member Reid
1 -

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

3 Determination of Schedule of Outstanding Committee Items

There were no changes made to the Schedule of Outstanding Committee Items.

4 Scheduling of Agenda Items and revisions to the agendas for the Council Committees of January 13, 2004

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

- Sanjiv Handa
- James Vahn

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

Aye; 4 - Member Chang, Member Reid, Member Wan and Chair De La Fuente

Attachments:

[Item 4 - 01-08-04.pdf](#)

1. A request from the January 6, 2004 City Council Closed Session to schedule the discussion regarding the Council's policies and legislation regarding medical cannabis; on the City Council agenda as soon as possible
This item was scheduled directly to the City Council Non Consent agenda as a follow up discussion.
Scheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council
2. Subject: Columbian Gardens Community Center
From: Councilmember Reid
Recommendation: Approve recommendation to change the name of Columbian Gardens Community Center to Gladys Green Community Center; on the Rules and Legislation Committee agenda for scheduling
Attachments: [04-0049.pdf](#)
This item has been scheduled to the Rules Committee pending list with no specific date and staff will refer this item to the Parks and Recreation Advisory Committee.
Scheduled to the *Rules & Legislation Committee
3. Subject: Russ Giuntini
From: Vice Mayor Chang
Recommendation: Adopt a Resolution commending Russ Giuntini for 25 years of service to the Alameda County District Attorney's Office; on the January 20, 2004 City Council agenda as a ceremonial item
Attachments: [04-0054.pdf](#)
This item has been scheduled directly to City Council as a ceremonial presentation.
Scheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council
4. Subject: Fifth Annual Oakland/San Leandro Job Fair
From: Councilmember Reid
Recommendation: A Presentation of Certificate of Appreciation to the employers that participated in the Fifth Annual Oakland/San Leandro Job Fair
Attachments: [0026.pdf](#)
This item has been scheduled directly to City Council as a ceremonial presentation.
Scheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council
5. Subject: Oakland Community Action Agency
From: Department of Human Services
Recommendation: Adopt a Resolution authorizing the application, acceptance, and appropriation of a two year grant from the State of California Department of Community Services and Development in the amount of \$174,939 for the Oakland Community Action Agency for calendar years 2004-2005; on the January 27, 2004 Life Enrichment Committee agenda
Attachments: [04-0045.pdf](#)
Scheduled to the *Life Enrichment Committee
6. Subject: Central City East Redevelopment Project Area Committee
From: Community and Economic Development Agency
Recommendation: Adopt a Resolution amending the formation procedures for the Central City East Redevelopment Project Area Committee to increase the number of community organization representatives from 12 to 16 organizations; on the January 20, 2004 City Council agenda
Attachments: [002178-2.pdf](#), [17.pdf](#)
This item has been scheduled directly to City Council as a Non-Consent Item.
This item is an additional report regarding an item previously heard at Council.
Scheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council

7.

Subject: Coliseum Gardens Hope VI Housing Project
From: Community and Economic Development Agency
Recommendation: Adopt the following legislation related to the Coliseum Gardens Hope VI Housing Project:

1) Agency Resolution authorizing the Agency Administrator to negotiate and execute an owner participation agreement with the Housing Authority of the City of Oakland for the construction and administration of subdivision street infrastructure improvements to support the development of Coliseum Gardens Hope VI Housing project by Oakland Coliseum Housing Partners, Limited Partnership; and approving a grant for an amount not to exceed \$4 million dollars to the housing authority of the City of Oakland from Redevelopment Agency of the City of Oakland Coliseum Area Redevelopment Project Tax Allocation Bond, Series 2003, Funds for the Infrastructure improvements

Attachments: [04-0043.pdf](#),
[5 1-27-04.pdf](#)

Scheduled to the *Community & Economic Development Committee

8.

Subject: Alice Street Learning Center
From: Community and Economic Development Agency
Recommendation: Adopt an Ordinance authorizing the City Manager to enter into a purchase and sales agreement for the purchase of the Alice Street Learning Center property, located at 250 17th Street, from the East Bay Municipal Utility District (EBMUD) for the appraised value of \$1,735,000 plus purchase related closing costs; on the February 10, 2004 Community and Economic Development Committee agenda

Attachments: [04-0050.pdf](#)

Scheduled to the *Community & Economic Development Committee

9.

Subject: General Plan Designation and Rezone-928-998 66th Avenue
and 801-931 69th Avenue
From: Community and Economic Development Agency
Recommendation: Adopt the following legislation to change the General Plan Designation and Rezone:

1) Adopt a Resolution to change the General Plan designations of 928-998 66th Avenue and 801-931 69th Avenue from Housing and Business Mix, General Industrial/Transportation, and Park and Urban Open Space to Neighborhood Center Mixed Use and Park and Urban Open Space, and

Attachments: [04-0051.pdf](#),
[6 1-27-04.pdf](#)

This item was also approved for scheduling as a Public Hearing on the February 3, 2004 City Council agenda.

Scheduled to the *Community & Economic Development Committee

10.

Subject: Community Land Trust Program
From: Community and Economic Development Agency
Recommendation: Adopt an Agency Resolution terminating and reallocating funding for the Oakland City-wide Community Land Trust Program established by Resolution Number 02-79 C.M.S.

Attachments: [002659-2.pdf](#),
[3.pdf](#)

Scheduled to the *Community & Economic Development Committee

11.

Subject: International Boulevard Merchants Association
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing a professional services agreement with the International Boulevard Merchants Association for sidewalk cleaning services in an amount not to exceed \$45,000

Attachments: [04-0024.pdf](#)

Scheduled to the *Public Works Committee

12.

Subject: Mosswood, FM Smith and Dimond Recreation Center
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing the City Manager to award a construction contract for the Mosswood, FM Smith and Dimond recreation center kitchen renovations to Wah Mei Construction for an amount not to exceed \$295,000; on the February 10, 2004 Public Works Committee agenda
Attachments: [04-0046.pdf](#)

Scheduled to the *Public Works Committee

13.

Subject: Arroyo Viejo Creek Restoration Project
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing the City to accept and appropriate funds from the California Coastal Conservancy in the amount of \$ 400,000 for the implementation of the Arroyo Viejo Creek Restoration Project at the Knowland Park/Oakland Zoo Site and to enter into agreements with the California Coastal Conservancy for these funds
Attachments: [04-0047.pdf](#),
[3 1-27-04.pdf](#)

Scheduled to the *Public Works Committee

14.

Subject: Bertha Port Park
From: Finance and Management Agency
Recommendation: Adopt a Resolution authorizing the City Manager to enter into an agreement with Trust for Public Land to accept a gift-in-place of design and construction services and equipment and materials valued at \$350,000 for improvements to Bertha Port Park; on the January 20, 2004 City Council agenda
Attachments: [04-0044.pdf](#),
[18.pdf](#),
[S-18.pdf](#)
This item has been scheduled directly to City Council as a Non-Consent Item due to its time sensitive nature.

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

15.

Subject: Delinquent Business Taxes - Public Hearing
From: Finance and Management Agency
Recommendation: Conduct a Public Hearing regarding the assessment of liens for Delinquent Business Taxes; on the January 20, 2004 City Council agenda
Attachments: [14.4.pdf](#)
This item has been scheduled directly to City Council as a Public Hearing.
Scheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council

16.

Subject: Information Technology Cost Savings
From: Finance and Management Agency
Recommendation: Receive a status report on Finance and Management Agency, Information Technology cost savings initiatives and projects; on the January 27, 2004 Finance and Management Committee agenda
Attachments: [04-0023.pdf](#)

Scheduled to the *Finance & Management Committee

17.

Subject: Lease of Network Equipment - Cisco Systems, Inc.
From: Finance and Management Agency
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to negotiate and execute a seven year contract for the lease of network equipment and services with Cisco Systems, Inc., for an amount not to exceed \$360,000 annually or \$2,520,000 over the term of the contract without return to Council; on the January 27, 2004 Finance and Management Committee agenda
Attachments: [04-0028.pdf](#)

Scheduled to the *Finance & Management Committee

18.

Subject: Lease of Telephone Equipment - Shoreline Communications
From: Finance and Management Agency
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to negotiate and execute a seven year contract for the lease of telephone equipment and services with Shoreline Communications, Inc., for an amount not to exceed \$600,000 annually or \$3,600,000 over the term of the contract without return to Council; on the January 27, 2004 Finance and Management Committee agenda

Attachments:

[04-0029.pdf](#)

Scheduled to the *Finance & Management Committee

19.

Subject: Cable Installation and Repairs - Tucker Technologies, Inc.
From: Finance and Management Agency
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to negotiate and execute an agreement with Tucker Technologies, Inc., to provide miscellaneous cable (low voltage communications wiring) installation and repairs for a one year period not to exceed \$400,000 per year without return to Council; on the January 27, 2004 Finance and Management Committee agenda

Attachments:

[04-0030.pdf](#)

Scheduled to the *Finance & Management Committee

20.

Subject: Delphine Allen - Settlement Agreement
From: Oakland Police Department
Recommendation: Receive a status report from the Chief of Police, as provided for in the negotiated settlement agreement of Delphine Allen, et al, v. City of Oakland, et al, United States District Court Case No. C00-4599 (TEH), on the Police Department's Implementation and Compliance with terms of the settlement agreement; on the February 10, 2004 Public Safety Committee agenda

Attachments:

[04-0033.pdf](#)

Scheduled to the *Public Safety Committee

21.

Subject: Feather River Camp License Agreement
From: Office of Parks and Recreation
Recommendation: Adopt a Resolution authorizing the City Manager to negotiate and execute a license agreement with Camps in Common, Inc. to operate Feather River Camp for the 2004 through 2008 summer seasons; on the January 27, 2004 Life Enrichment Committee agenda

Attachments:

[04-0052.pdf](#)

Scheduled to the *Life Enrichment Committee

22.

Subject: Wildcat Canyon Ranch - Boarding Fees
From: Office of Parks and Recreation
Recommendation: Adopt an Ordinance amending Ordinance No. 9336 C.M.S. (Master Fee Schedule) as amended, to increase the horse boarding fees collected at the City of Oakland stables

Attachments:

[03-0219-2.pdf](#)

[Item 4 1-27-04.pdf](#)

Scheduled to the *Finance & Management Committee

23.

Mayoral Address to the City Council regarding the "State of the City"

This item has been scheduled directly to City Council on the 7:00 p.m. Non-Consent portion of the agenda.

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

24.

Subject: Robert A. Brown - Oakland-Alameda County Coliseum Authority Board
From: President De La Fuente
Recommendation: Adopt a Resolution reappointing Robert A. Brown as a member of the Oakland-Alameda County Coliseum Authority Board of Commissioners

Attachments:

[10.5CC.pdf](#)

This item has been scheduled directly to City Council as a routine appointment on the Consent Calendar.

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

Subject: Condominium Conversion Program

From: Community and Economic Development Agency

Recommendation: Adopt an Ordinance amending Chapter 16.36 "

Condominium Conversions" of the Subdivision Ordinance of the Oakland Municipal Code to 1) eliminate the condominium conversion impact area, 2) allow conversions of existing buildings without the requirement to provide replacement units, retain the requirements to provide, 3) lifetime leases to tenants sixty-two (62) years or older, 4) first right to existing tenants to contract for the purchase of their unit, 5) expands the right to first right to purchase to tenants evicted pursuant to the Ellis Act Ordinance, and 6) codify the requirements for Health and Safety Code upgrades and noise insulation standards

Attachments:

[Item 6.pdf](#),

[Scheduling.pdf](#)

The Committee approved the request from the Community and Economic Development Agency to withdraw and reschedule this item to the Committee's pending list no specific date.

***Rescheduled to the *Community & Economic Development Committee**

6.

5

A review of the Agenda for the Concurrent Meeting of ORA/City Council for the meeting of January 20, 2004

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

- Sanjiv Handa

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

Aye;

4 - Member Chang, Member Reid, Member Wan and Chair De La Fuente

Attachments:

[Item 5 - 01-08-04.pdf](#)

Subject: City Council Rules and Procedures

From: Office of the City Manager

Recommendation: A continued discussion regarding the Resolution Number 77709 C.M.S., City Council Rules of Procedures that became effective May 1, 2003

Attachments:

[16.pdf](#),

[Item 9 12-9-03.pdf](#),

[Item 9 SUP 12-11-03.pdf](#)

6

The Committee moved, seconded and carried a motion to recommend the following revisions to the Council meeting schedule and Rules and Procedures:

- 1) Public Works Committee to be scheduled from 12:30 p.m. to 2:00 p.m. Finance and Management Committee scheduled from 2:00 p.m. to 4:00 p.m.;
- 2) Committee chairs to work with staff to make any necessary changes for cancelled meetings;
- 3) Do not cancel meetings for pre-approved City holidays, if that City holiday does not fall on an actual meeting date;
- 4) The fifth Tuesday is to be reserved for Council work sessions;
- 5) The deadline for submission of speaker cards is revised to 8:00 p.m.
- 6) Move the City Attorney's Closed Session report to the consent portion of the agenda;
- 7) Modify the existing Council's Rules of Procedure for reconsideration of votes in accordance with Robert's Rules of Order (at the same meeting the initial votes were cast)

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

- Sanjiv Handa
- Richard Cowan

The following individual spoke and indicated a neutral position:

- Judy Cox

A motion was made by Member Wan, seconded by Member Chang, 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 January 20, 2004. As a Non-Consent Item. The motion carried by the following vote:

Aye;

4 - Member Chang, Member Reid, Member Wan and Chair De La Fuente

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individuals spoke during 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 12:13 p.m.

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Office of the City Clerk

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NOTE:

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.