

***Rules & Legislation Committee 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

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, October 2, 2003

The Oakland City Council Rules and Legislation Committee convened at 10:40 a.m.,

with President De La Fuente presiding as Chairperson.

Roll Call / Call to Order

COMMITTEE MEMBERSHIP: Danny Wan, Dist. 1; Larry Reid, Dist 7; Henry Chang, At-Large;

and Chairperson Ignacio De La Fuente, Dist. 5

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

Present:

The Roll Call was modified to note Councilmember Reid present at 10:53 a.m.

Closed Session

1

The Committee approved the request to schedule a Special Closed Session for October

7, 2003 beginning at 7:00 p.m. and upon adjournment of the Special Closed Session to

convene in Open Session to report out any decisions made.

Approval of the Draft Minutes from the Committee meeting of September 25, 2003

2

A motion was made by Member Chang, seconded by Member Wan, to *Approve

the Minutes. The motion carried by the following vote:

Aye;

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

4 -

Determination of Schedule of Outstanding Committee Items

3

[Item 3 Rules 10-2-03.pdf](#)

Attachments:

There were no changes to the pending list.

Scheduling of Agenda Items

4

The following individual spoke and did not indicate a position:

- Sanjiv Handa

A motion was made by Member Chang, seconded by Member Wan, to *Approve

with the following amendments. The motion carried by the following vote:

Aye;

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

4 -

A request from the September 30, 2003 City Council for a report discussing a

process for Boards and Commissions nominations to be forwarded to a

respective Council Committee prior to consideration by the full Council; on the

Rules and Legislation Committee for scheduling

1.

As a scheduling item

Scheduled to the *Rules & Legislation Committee

Subject: Conditional Permits for Massage Establishments and Therapists

From: Councilmember Jane Brunner

Recommendation: Adopt an Ordinance enacting a 45-Day Moratorium,

pursuant to California Code Section 65858, prohibiting the issuance of

conditional use permits for Massage Establishments and Massage Therapists

under OMC Ch. 17.102170, pending review of both OMC 17.102170 and OMC

5.36; on the October 21, 2003 City Council agenda

2.

[Sched 0174.pdf](#)

Attachments:

Scheduled to the *Public Safety Committee

Subject: National Coming Out Day

From: Councilmember Danny Wan

Recommendation: Adopt a Resolution celebrating the Fifteenth Anniversary of

National Coming Out Day on October 11, 2003 in the City Of Oakland

3.

[Sched 0179.pdf](#)

Attachments:

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

Subject: Statewide Ballot Initiative

From: Councilmember Brooks

Recommendation: Adopt a Resolution supporting a statewide ballot initiative to

require voter approval before state government may confiscate local tax funds;

on the October 21, 2003 City Council agenda

4.

[Sched 0183.pdf](#)

Attachments:

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

A request from the September 30, 2003 City Council to schedule a Special

Closed Session meeting on October 7, 2003 beginning at 7:00 p.m. in Hearing

Room 4, and immediately upon adjournment convening a Special ORA/City

Council meeting in the Council Chambers for the purpose of discussing and

adopting a resolution approving the execution and delivery of a Settlement

Agreement with the Golden State Warriors and related Amendment No. 2 to

the License Agreement between the Oakland Alameda County Coliseum

Authority, Oakland Alameda County Coliseum, Inc., and the Golden State

Warriors

5.
Accepted

Subject: 160 14th Street

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing on an appeal of the Planning

Commission's approval to construct an eight story building to contain ground

floor commercial space, a "service enriched" housing facility, and 76 affordable

housing units at 160 14th Street; on the November 18, 2003 City Council

agenda

6.

[Sched 0171.pdf](#)

Attachments:

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

Subject: Oakland Private Industry Council

From: Community and Economic Development Agency

Recommendation: Receive a report and adopt a Resolution authorizing the

deferral for one year of a competitive bidding process for the Oakland

Workforce Investment Board's One Stop Systems Administrator and One Stop

Career Center Operator and authorizing the City Manager to extend and

7.
renegotiate contract terms with the Oakland Private Industry Council; on the
December 9, 2003 Community and Economic Development Committee agenda

[Sched 0178.pdf](#)

Attachments:

Scheduled to the *Community & Economic Development Committee

Subject: Installation of Stop Signs

From: Public Works Agency

Recommendation: Adopt a Resolution Approving: 1) Installation of Stop Signs

on Madrone Avenue at Steele Street, on Holly Street at 79th Avenue, and on

Laird Avenue at 68th Avenue; and 2) Establishment of a No Parking Zone on

Both Sides of Independent Road from 66th Avenue to Coliseum Way and on

the East Side of 66th Avenue from Independent Road to 505 66th Avenue; on

the October 28, 2003, Public Works Committee agenda

8.

[Sched 0166.pdf](#)

Attachments:

Scheduled to the *Public Works Committee

Subject: Installation of Stop Signs

From: Public Works Agency

Recommendation: Adopt a Resolution Approving the Installation of: 1) Stop

Signs on 11th Street at Center Street, Washington Street at 2nd Street, and

East 12th Street at 37th Avenue; 2) A Two-Hour Parking Zone on MacArthur

Boulevard (Both Sides) Between 89th Avenue and 90th Avenue; and 3)

Four-Hour Parking Zones on Martin Luther King Junior Way (East Side)

Between 3rd Street and 4th Street and 4th Street (South Side) Between Martin

Luther King Junior Way and Jefferson Street; on the October 28, 2003, Public

Works Committee agenda

9.

[Sched 0167.pdf](#)

Attachments:

Scheduled to the *Public Works Committee

Subject: Construction of Bulbouts on Grand Avenue

From: Public Works Agency

Recommendation: Adopt a Resolution Authorizing Award Of A Contract To

Ray's Electric For The Construction Of Bulbouts On Grand Avenue (Project

Number G170430) In The Amount Of Three Hundred Thirty-Five Thousand

Nine Hundred Thirty Dollars (\$335,930); on the October 28, 2003, Public Works

Committee agenda

10.

[Sched 0168.pdf](#)

Attachments:

Scheduled to the *Public Works Committee

Subject: Permanent Partial Closure of 26th Avenue

From: Public Works Agency

Recommendation: Adopt a Resolution of the City Council of the City of Oakland

Adopting Rules and Regulations for the Permanent Partial Closure of 26th

Avenue between the 2400 and 2600 Block by Means of Appropriate Roadway

Design Features to Implement the City's Transportation Plan and Consistent

with the City's Responsibility to Protect Public Safety; on the October 14, 2003

Public Safety Committee agenda

11.

[Sched 0175.pdf](#)

Attachments:

***Withdrawn with No New Date**

Subject: Master Fee Schedule

From: Finance and Management Agency

12.

Recommendation: Adopt an Ordinance amending the Master Fee Schedule to

modify the collection fee on delinquent accounts and the fee for information

relating to Business Tax Certificates; add a Promissory Note Fee and a

Release of Lien Recordation Fee; codify the administrative charge for Business

Tax and Real Estate Transfer Tax Liens in the Master Fee Schedule; codify the

fee for Business Tax Certificate Replacement; on the October 28, 2003

Finance and Management Committee agenda

[Sched 0169.pdf](#)

Attachments:

Scheduled to the *Finance & Management Committee

Subject: Gross Rental Receipts

From: Finance and Management Agency

Recommendation: Receive a report and adopt an Ordinance Rescinding

Section 5.04.450 of the Oakland Municipal Code to Allow Taxpayers to Report

Gross Rental Receipts Separately for the Purpose of Paying the Annual

Business Tax; on the October 28, 2003 Finance and Management Committee

agenda

13.

[Sched 0177.pdf](#)

Attachments:

Scheduled to the *Finance & Management Committee

Subject: Wireless Service Providers

From: Finance and Management Agency

Recommendation: Receive a report and adopt a Resolution submitting, on the

Council's own motion, to electors at the March 2, 2004 election, a proposed

Ordinance amending Section 4.28.030 of the Oakland Municipal Code so that

wireless telephonic service providers will be required to apply the City of

Oakland's Utility User's Tax ("UUT") in accordance with the Sourcing Rules of

Section 117 of the Federal Mobile Telecommunications Sourcing Act of 2000,

and directing the City Clerk to fix the date for submission of arguments and to

provide for notice and publication in accordance with the March 2, 2004

election; on the October 21, 2003 City Council agenda

14.

[Sched 0181.pdf](#)

Attachments:

Scheduled to the *Finance & Management Committee

Subject: Language Translation Services

From: Oakland Police Department

Recommendation: Receive a report and adopt the proposed resolution

authorizing the City Manager, on behalf of the City of Oakland, to enter into a

two-year Professional Services Agreement between the City of Oakland and

Language Line Services, LLC, in an amount not to exceed one hundred

eighty-seven thousand, four hundred thirty dollars (\$187,430) for the two-year

period of July 1, 2003 to June 30, 2005 for language translation services; on

the October 14, 2003 Public Safety Committee agenda

15.

[Item 7 10-14-03.pdf](#),

[Sched 0173.pdf](#)

Attachments:

Scheduled to the *Public Safety Committee

Subject: Compass Group, USA

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing an agreement between the

City of Oakland and Compass Group, USA by and through its Canteen

Correctional Services Division in an amount not to exceed three hundred

thousand dollars (\$300,000) in Fiscal Year 2003-2004 for the provision of food

16.

and food service management for the City of Oakland Jail

[Item 9 10-14-03.pdf](#),

[Sched 0172.pdf](#)

Attachments:

Scheduled to the *Public Safety Committee

Subject: League for Truancy and Mentoring Services

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Manager, on behalf

of the City of Oakland, to accept and appropriate a grant in the amount of two

hundred twenty-five thousand dollars (\$225,000) from the U.S. Department of

Justice (USDOJ), Office of Justice Programs, Executive Office of Weed and

Seed for the continued program implementation of the West Oakland Weed

and Seed Initiative and authorizing a funding agreement in an amount not to

exceed twenty-five thousand dollars (\$25,000) with the Oakland Police

Activities League for truancy and mentoring services associated with the

program

17.

[Item 8 10-14-03.pdf](#),

[Sched 0182.pdf](#)

Attachments:

Scheduled to the *Public Safety Committee

Subject: Family Violence Prevention Services

From: Oakland Police Department

Recommendation: Receive a report and adopt the proposed Resolution

authorizing the acceptance and appropriation of one hundred fifteen thousand

dollars (\$115,000) in U.S. Department of Justice, Governor's Office of Criminal

Justice Planning, Law Enforcement Specialized Units Program grant funds to

the Police Department and authorizing the City Manager to enter into a

professional services agreement with the Family Violence Law Center in the

amount not to exceed four hundred forty seven thousand five hundred dollars

(\$447,500) for Family Violence Prevention Services; on the October 21, 2003

City Council agenda

18.
[Sched 0184.pdf](#)
Attachments:
The Rules Committee determined this item is time sensitive in nature.
Scheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council

Subject: Capital Improvement Program

From: Office of the City Manager

Recommendation: Receive an Informational Report on the FY 2001-2006

Capital Improvement Program as of June 30, 2003; on the October 28, 2003

Finance and Management Committee agenda

19.
[Sched 0180.pdf](#)
Attachments:
Scheduled to the *Finance & Management Committee
A review of the Council Committees' actions and determination of scheduling to the ORA/City

Council meeting

5
There was no action necessary on this item.

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

6

The City Clerk announced that there were no Supplemental Agendas to review;

however, Supplemental Agendas would be published based on the previous scheduling

items.

The following individual spoke and did not indicate a position:

- Sanjiv Handa

A review of the Agendas for the Council's Committee meetings of October 14, 2003

7

A motion was made by Member Chang, seconded by Member Wan, to *Approve

with the following amendments. The motion carried by the following vote:

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

4 -

Changes to the Finance and Management agenda:

Aye;

Subject: Business Tax Board Of Review

From: Office of the City Attorney

Recommendation: Adopt an Ordinance amending Chapter 5.04 of the Oakland

Municipal Code to remove the City Attorney as a member of the Business Tax

Board of Review and provide that the City Manager shall select an employee of

the City to serve as a member of the Business Tax Board Of Review

***Rescheduled to the *Finance & Management Committee**

Subject: 2002-2003 Fourth Quarter Performance Measurement Report

From: Office of the City Manager

Recommendation: Receive the Fiscal Year 2002-2003 Fourth Quarter

Performance Measurement Informational Report

***Rescheduled to the *Finance & Management Committee**

Subject: Fiscal Year 2003-2004 Performance Measurement Report

From: Office of the City Manager

Recommendation: Receive the Fiscal Year 2003-2004 Performance

Measurement Report

***Rescheduled to the *Finance & Management Committee**

Changes to the Community and Economic Development Committee agenda:

Subject: Small Local Business Enterprises (SLBE)

From: Office of the City Manager

Recommendation: Receive an Informational Report regarding a Bonding

Program for firms certified as Small Local Business Enterprises (SLBE)

To the pending list no specific date.

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

Changes to the Life Enrichment Committee agenda:

To the pending list no specific date.

Subject: East Bay Zoological Society, Inc.

From: Office of the City Manager

Recommendation: Adopt a Resolution authorizing an agreement between the

City of Oakland and the East Bay Zoological Society, Inc., for the management

of the Knowland Park and Zoo, for a twenty-year period expiring on April, 20,

2023, and renewable for one additional ten-year option

***Rescheduled to the *Life Enrichment Committee**

Subject: Annual report from the Health and Human Services Commission

From: Department of Human Services

Recommendation: Receive an annual report from the Health and Human
Services Commission

***Rescheduled to the *Life Enrichment Committee**

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 11:51 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

*