

Meeting Minutes City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California 94612

LaTonda Simmons, Interim City

Clerk

***Rules & Legislation Committee**

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

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

Thursday, March 03, 2005

10:30 AM

City Council Chambers - 3rd Floor

Excused: Member Chang

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

The Oakland City Council Rules and Legislation Committee convened at 11:05

A.M., with Council President De La Fuente presiding as Chairperson.

Roll Call / Call to Order

Excused: Member Chang

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

1
Closed Session

A motion was made to *Approve as Submitted. The motion carried by the

following vote:

Votes:

Excused; 1 - Member Chang

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

The Oakland City Council will hold a Special Closed Session on March 15,

2005 from 4:00 P.M. to 6:00 P.M.

2

Approval of the Draft Minutes from the Committee meeting of February 17, 2005

A motion was made by Member Reid, seconded by Member Brunner, to

***Approve the Minutes. The motion carried by the following vote:**

Votes:

Excused; 1 - Member Chang

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

3

Determination of Schedule of Outstanding Committee Items

A motion was made by Member Reid, seconded by Member Brunner, to

***Approve as Submitted. The motion carried by the following vote:**

Votes:

Excused; 1 - Member Chang

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

(View Item 3 3-03-05)

[View Item.pdf](#)

4

Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee

meetings of March 8, 2005 (SUPPLEMENTAL)

A motion was made by Member Reid, seconded by Member Brunner, to

***Approve as Submitted. The motion carried by the following vote:**

Votes:

Excused; 1 - Member Chang

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

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

- Sanjiv Handa

Subject: Assembly Concurrent Resolution Number 11 - Divestment of PERS

From: Councilmember Brooks

Recommendation: Adopt a Resolution supporting Assembly Concurrent

Resolution 11 (ACR 11) introduced by Assembly Member Mervin Dymally urging

the Public Employees' Retirement System (PERS) to ensure that no Public

Employee Retirement Funds are invested in companies doing business in Sudan, as

long as the genocide and fighting continues in Darfur (05-0137)

Scheduled to *Rules & Legislation Committee on 3/17/2005

[View Report.pdf](#)

4-2

Subject: Oakland Bike Day

From: Councilmember Brooks

Recommendation: Adopt a Resolution proclaiming Thursday, May 19, 2005 City

of Oakland Bike Day and encouraging our residents to bike to work, school or play

(05-0138)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 5/3/2005

4-3

Subject: Adult Education

From: Councilmember Quan

Recommendation: Adopt a Resolution in Support of Adult Education (05-0141)

Scheduled to *Life Enrichment Committee on 3/8/2005

Pursuant to Section 2.20.080(E)2 of the Sunshine Ordinance an urgency finding

was made at the March 3, 2005 Rules and Legislation Committee to place this

item on the agenda for the following reasons: 1) That there is a need to take

immediate action which came to the attention of the local body after the agenda

was posted, and that the need to take immediate action is required to avoid a

substantial adverse impact that would occur if the action were deferred to a

subsequent special or regular meeting.

[View Report.pdf,](#)

[79116 CMS.pdf](#)

4-4

Subject: Measure Z

From: Councilmember Nadel

Recommendation: A Report and Recommendations on the implementation of

Measure Z (05-0145)

Scheduled to *Rules & Legislation Committee on 4/7/2005

For scheduling.

The Committee advised the Councilmembers to submit a list of potential

projects to the Rules and Legislation Committee in the next 30 days for

discussion at a future Committee meeting.

4-5

Subject: March 2005 - Red Cross Month

From: Councilmember Nadel

Recommendation: Adopt a Resolution declaring March 2005 "Red Cross Month"

in the City of Oakland (05-0147)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 3/15/2005

as a Ceremonial Item.

[View Report.pdf,](#)

[79090 CMS.pdf](#)

4-6

Subject: Purchase of a Vacant Land Parcel

From: Vice Mayor Brunner

Recommendation: Approve the Introduction (First Reading) of an Ordinance

authorizing the City of Oakland to purchase a vacant land parcel, Assessor Parcel

Number 014-1272-033, from the Alameda County Tax Assessor Office for the

continued use as a neighbor pocket park for the cost of delinquent property taxes

and closing costs estimated at \$7,500 (05-0158)

Scheduled to *Finance & Management Committee on 3/22/2005

[View Report.pdf](#)

4-7

Subject: Continued Paratransit Services - Measure B

From: Department of Human Services

Recommendation: Adopt a Resolution authorizing the City Administrator to apply

for, accept, and appropriate funds in the amount of \$844,747 from Alameda

County Measure B Funds for the Fiscal Year 2005-2006 for paratransit services

and continuation of the third year of a four year agreement with Alameda County

Transportation Improvement Authority (ACTIA) (05-0151)

Scheduled to *Life Enrichment Committee on 4/12/2005
4-8

Subject: Measure Y - Violence Prevention Programs

From: Department of Health and Human Services and Oakland Police

Department

Recommendation: Measure Y: Adopt an Ordinance establishing the terms and

procedures of the Violence Prevention and Public Safety Oversight Committee

(05-0159)

Scheduled to *Public Safety Committee on 3/22/2005
4-9

Subject: Wood Street Development Project

From: Community and Economic Development Agency

Recommendation: Action on a joint City and Agency Report on the proposed

Wood Street Development Project, West Oakland: request to (1) certify the final

Environmental Impact Report, (2) approve an amendment to the general plan land

use map from "Business Mix" to "Urban Residential," (3) approve an amendment

to the Oakland Army Base Redevelopment Plan to revise land use designations for

the Army Base and 16th and Wood Street subareas, and to make various text

changes; and (4) approve the proposed "Wood Street Zoning District" and

designate the new zone on the zoning maps. The Wood Street Development

Project would result in the construction of approximately 1,570 residential units,

including up to 186 live/work units; 13,000 square feet of neighborhood-serving

commercial uses; approximately 15,000 square feet of public/community uses

associated with the historic 16th Street train station, and restoration of the signal

tower and main hall of the 16th Street train station (05-0144)

**Scheduled to *Concurrent Meeting of the Redevelopment Agency and
Council Community & Economic Development Committee on 4/12/2005**

This item is also scheduled as a Public Hearing on the April 19, 2005 City

Council agenda

4-10

Subject: Malonga Casquelourd - Landmark Designation

From: Community and Economic Development Agency

Recommendation: Adopt an Ordinance designating the Malonga Casquelourd Arts

Center (historic name: Women's City Club, later Alice Arts Center) at 1428 Alice

Street as a Landmark pursuant to Section 17.102.030 of the Oakland Planning

Code; on the April 26, 2005 Community and Economic Development Committee

agenda and on the May 3, 2005 City Council agenda as a Public Hearing (05-0148)

**Scheduled to *Concurrent Meeting of the Redevelopment Agency and
Council Community & Economic Development Committee on 4/26/2005**

This item is also scheduled as a Public Hearing on the May 17, 2005 City

Council agenda.

4-11

Subject: Lionel Wilson Building - Landmark Designation

From: Community and Economic Development Agency

Recommendation: Adopt an Ordinance designating the Broadway Building, Lionel

Wilson Building (historic name: First National Bank Building) at 150 Frank

Ogawa Plaza/1401-19 Broadway as a Landmark pursuant to Section 17.102.030 of

the Oakland Planning Code; on the April 26, 2005 Community and Economic

Development Committee agenda and on the May 3, 2005 City Council agenda as a

Public Hearing (05-0149)

**Scheduled to *Concurrent Meeting of the Redevelopment Agency and
Council Community & Economic Development Committee on 4/26/2005**

*This item is also scheduled as a Public Hearing on the May 17, 2005 City
Council agenda.*

4-12

Subject: St. Andrew Missionary Baptist Church - Landmark Designation

From: Community and Economic Development Agency

Recommendation: Adopt an Ordinance designating St. Andrew Missionary Baptist

Church (historic name: St. Augustine's Mission) at 2624 West Street as a

Landmark pursuant to Section 17.102.030 of the Oakland Planning Code; on the

April 26, 2005 Community and Economic Development Committee agenda and on

the May 3, 2005 City Council agenda as a Public Hearing (05-0150)

**Scheduled to *Concurrent Meeting of the Redevelopment Agency and
Council Community & Economic Development Committee on 4/26/2005**

*This item is also scheduled as a Public Hearing on the May 17, 2005 City
Council agenda.*

4-13

Subject: Consolidated Plan and Citywide Housing Funding

From: Community and Economic Development Agency

Recommendation: Adopt the following pieces of legislation:

1) A Resolution authorizing the City Administrator to prepare and submit to the

U.S. Department of Housing and Urban Development the Consolidated Plan for

Fiscal Years 2005-2010; (05-0152)

**Scheduled to *Concurrent Meeting of the Redevelopment Agency and
Council Community & Economic Development Committee on 4/12/2005**

This item is also scheduled as a Public Hearing on the May 3, 2005 City

Council agenda.

4-14

Subject: Municipal Boathouse - Landmark Designation

From: Community and Economic Development Agency

Recommendation: Adopt an Ordinance designating the Municipal Boathouse -

Parks & Recreation Administration Building (historic name: Municipal Boathouse

- High Pressure Pumping Station #1) at 1520 Lakeside Drive as a Landmark

pursuant to Section 17.102.030 of the Oakland Planning Code; on the April 26,

2005 Community and Economic Development Committee agenda and on the May

3, 2005 City Council agenda as a Public Hearing (05-0153)

**Scheduled to *Concurrent Meeting of the Redevelopment Agency and
Council Community & Economic Development Committee on 4/26/2005**

*This item is also scheduled as a Public Hearing on the May 17, 2005 City
Council agenda.*

Subject: Fruitvale Masonic Temple - Landmark Designation

From: Community and Economic Development Agency

Recommendation: Adopt an Ordinance designating the Fruitvale Masonic Temple

at 3353-67 International Boulevard & 1245-49 34th Avenue as a Landmark

pursuant to Section 17.102.030 of the Oakland Planning Code; on the April 26,

2005 Community and Economic Development Agency and on the May 3, 2005

City Council agenda as a Public Hearing (05-0154)

**Scheduled to *Concurrent Meeting of the Redevelopment Agency and
Council Community & Economic Development Committee on 4/26/2005**

This item is also scheduled as a Public Hearing on the May 17, 2005 City

Council agenda.

Subject: Sheffield Village S-20 Rezoning

From: Community and Economic Development Agency

Recommendation: Adopt an Ordinance rezoning Sheffield Village to an S-20

Preservation Combining Zone pursuant to Section 17.102.030 of the Oakland

Planning Code; on the April 26, 2005 Community and Economic Development

Committee agenda and on the May 3, 2005 City Council agenda as a Public

Hearing (05-0155)

**Scheduled to *Concurrent Meeting of the Redevelopment Agency and
Council Community & Economic Development Committee on 4/26/2005**

This item is also scheduled as a Public Hearing on the May 3, 2005 City

Council agenda.

4-17

Subject: Seven Street Commercial Historic District

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 April 26, 2005

Community and Economic Development Committee agenda and on the May 3,

2005 City Council agenda as a Public Hearing (05-0157)

**Scheduled to *Concurrent Meeting of the Redevelopment Agency and
Council Community & Economic Development Committee on 4/26/2005**

This item is also scheduled as a Public Hearing on the May 17, 2005 City

Council agenda.

4-18

Subject: Community Development's Workforce Housing Incentive Grant

Program

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to apply

for, accept and allocate grant funds in an amount not to exceed \$700,000 from the

State of California Department of Housing and Community Development's

Workforce Housing Incentive Grant Program to be used in funding construction of

a new park at the Coliseum Gardens Housing Complex (05-0160)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 3/15/2005

[View Report.pdf,](#)

[79110 CMS.pdf](#)

4-19

Subject: North Oakland Little League - Donation

From: Public Works Agency

Recommendation: Adopt a Resolution accepting and expressing appreciation for a

gift-in-place donated by the North Oakland Little League of a turf baseball infield

at the North Oakland Sports Complex (Caldecott Field) (05-0146)

Scheduled to *Life Enrichment Committee on 4/12/2005

4-20

Subject: Motorola, Inc. - Contract

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing the City Administrator to

amend, extend, and execute a contract with Motorola, Inc. for an amount not to

exceed thirty-seven thousand six hundred forty-eight dollars (\$37,648) to provide

maintenance, repair, and technical support services for the Police Department's

Wireless Network Equipment, for the period of April 1, 2005 through March 31,

2006, for a total contract amount of seventy-three thousand five hundred five

dollars (\$73,505) (05-0142)

Scheduled to *Public Safety Committee on 3/22/2005

[View Report.pdf,](#)

[View Supplemental Report.pdf](#)

ADDITIONAL REQUEST SUBMITTED UPON THE DIAS

Subject: California Retirement System

From: Office of the City Attorney

Recommendation: Adopt a Resolution opposing state mandated two tiered Retirement System

for California's State and Local Government (05-0164)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 3/15/2005

as a Non-Consent item.

[View Report.pdf,](#)

A review of the Agendas for the Council Concurrent Meeting of ORA/City Council for the meeting of March 15, 2005 and the Rules and Legislation Committee meeting of March 17, 2005

A motion was made by Member Reid, seconded by Member Brunner, to

Approve as Amended. The motion carried by the following vote:

Votes:

Excused; 1 - Member Chang

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

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

- *Sanjiv Handa*

Subject: Amendment to the Sunshine Ordinance

From: Office of the City Clerk/ Public Ethics Commission

Recommendation: Action on a Report and Recommendation to amend Chapter 2.20 of the

Oakland Municipal Code (known as the City of Oakland Sunshine Ordinance) to 1) excuse the

creation, production and on-line and off-line posting requirements for public meetings due to

computer and systems impairment such as (disruption, virus activities, failure and/or

emergency maintenance or repair); and 2) require that City Executive Officers provide

agenda-related materials to the City Clerk (04-0651)

Continued to *Rules & Legislation Committee on 3/17/2005

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

- *Jack McGinity*

- *Sanjiv Handa*

[View Report.pdf](#)

Subject: Amendment to Chapter 3.20 of The Oakland Municipal Code

From: The Public Ethics Commission

Recommendation: Action on a Report and Recommendation from the Public Ethics

Commission to amend Chapter 3.20 of the Oakland Municipal Code (aka "The Lobbyist

Registration Act") to provide 1) a restriction on elected officials from acting as professional

lobbyists for one-year after leaving office; 2) a limitation on the amount of gifts lobbyists can

give to city officials, staff and their immediate families; 3) quarterly disclosure of a lobbyist's

fundraising activities; 4) quarterly disclosure of any employment relationship among lobbyists,

city officials and staff; 5) disclosure of the names and titles of the persons whom a lobbyist

attempts to influence; and 6) misdemeanor prosecution for knowing and willful violations of

the act and a one-year practice ban upon conviction (05-0029)

Continued to *Rules & Legislation Committee on 3/17/2005

This item will be added to the Rules and Legislation Committee pending list.

The following individual(s) spoke in favor of this item:

- *Judy Cox*

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

- Sanjiv Handa

[View Report.pdf](#)

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 Rules and Legislation Committee adjourned at 12:38 P.M.

NOTE:

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings

please contact the Office of the City Clerk. When possible, please notify the City Clerk 48

hours prior to the meeting so we can make reasonable arrangements to ensure accessibility.

Also, in compliance with Oakland's policy for people with environmental illness or multiple

chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk

Phone: (510) 238-7370

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451 (TDD)

*

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.

City Clerk and Clerk of the Council