

# Meeting Minutes City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California 94612

Ceda Floyd, 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, May 13, 2004**

**10:30 AM**

**City Council Chambers - 3rd Floor**

*The Oakland City Council Rules and Legislation Committee convened at 10:46*

*a.m. with Council President De La Fuente presiding as Chairperson.*

### **Roll Call / Call to Order**

Present: Member Chang, Member Reid, Member Wan 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:**

#### **Votes:**

Aye; 4 - Member Chang, Member Reid, Member Wan and Chair De La Fuente  
(Item 1 Rules 5-13)

[Item 1 SUPP RLC 5-13-04.pdf](#)

2

Approval of the Draft Minutes from the Committee meeting of April 29, 2004

**A motion was made by Member Reid, seconded by Member Chang, to \***

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

#### **Votes:**

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

3

Determination of Schedule of Outstanding Committee Items

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

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

**Votes:**

Aye; 4 - Member Chang, Member Reid, Member Wan and Chair De La Fuente  
(Item 3 Rules 5-13)

[Item 3 SUPP RLC 5-13-04.pdf](#)

4

Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting  
of May 18, 2004

**A motion was made by Member Reid, seconded by Member Chang, to \***

**Approve with the following amendments. The motion carried by the**

**following vote:**

**Votes:**

Aye; 4 - Member Chang, Member Reid, Member Wan and Chair De La Fuente  
4-1

Subject: Community Development Block Grant Programs

From: Community and Economic Development Committee

Recommendation: A request from the May 11, 2004 Community and Economic

Development Committee to reschedule the Public Hearing regarding Community

Development Block Grant Programs from the May 18, to the June 1, 2004 City

Council agenda (04-0174-1)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /**

**City Council on 5/18/2004**

4-2

Subject: Prohibition of Fireworks in the City of Oakland

From: President De La Fuente

Recommendation: Adopt an Emergency Ordinance repealing Chapter 8.06.010 of

the Oakland Municipal Code which prohibits the firing and explosion of fireworks

and other pyrotechnical devices and adding Chapter 8.06.030 prohibiting the sale,

transfer, possession and use of fireworks within City limits (04-0418)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /**

**City Council on 5/18/2004**

*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: 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.*

[04-0418.pdf,](#)

[Item 19 SUPP 5-18-04.pdf,](#)

4-3

Subject: Regional Planning for San Pablo Avenue

From: Councilmember Nadel and Councilmember Brunner

Recommendation: Adopt a Resolution supporting Oakland's participation in regional

planning for San Pablo Avenue; on the June 22, 2004 Community and Economic

Development Committee agenda (04-0429)

**Scheduled to \*Community & Economic Development Committee on 6/22/**

**2004**

[04-0429.pdf](#)

*DUE TO THE PRESENCE OF COUNCILMEMBER NADEL A QUORUM OF*

*THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND*

*SECONDED TO ADJOURN THE MEETING OF THE RULES AND*

*LEGISLATION COMMITTEE, AND TO CONVENE AS A SPECIAL MEETING*

*OF THE FULL COUNCIL AT 11:05 A.M.*

4-4

Subject: Violence Prevention Ballot Measure

From: City Council

Recommendation: A request from the May 10, 2004 Special City Council meeting to

schedule a Council discussion and preliminary direction for drafting

a ballot measure for voter consideration in November 2004 (04-0389-6a)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /**

**City Council on 6/15/2004**

*The Committee moved, seconded and carried a motion to schedule a Special*

*Meeting on June 29, 2004 to complete discussions on the Violence Prevention*

*Ballot Measure.*

*The following individual spoke in favor of this item:*

- *Councilmember Nadel*

4-5

Subject: Oakland Museum of California Master Plan

From: Cultural Arts and Marketing Department

Recommendation: Receive an Informational progress Report on the Oakland

Museum of California Master Plan; on the July 13, 2004 Life Enrichment Committee

agenda (04-0423)

**Scheduled to \*Life Enrichment Committee on 7/13/2004**

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

- *Sanjiv Handa*

[04-0423.pdf](#)

4-6

Subject: Oakland Museum of California Master Plan

From: Cultural Arts and Marketing Department

Recommendation: Adopt a Resolution rescinding Resolution Number 94-43, which

authorized the implementation of the Cultural Arts Revolving Loan Program

managed by the Oakland Business Development Corporation, and authorizing the

City's participation in the Arts Loan Fund managed by the Northern California

Grantmakers; on the June 22, 2004 Life Enrichment Committee agenda (04-0424)

**Scheduled to \*Life Enrichment Committee on 7/13/2004**

[04-0424.pdf](#)

4-7



Subject: Cultural Service Contracts

From: Cultural Arts and Marketing Department

Recommendation: Adopt a Resolution authorizing the City Manager to enter into

Cultural Services Contracts with 67 Oakland-based nonprofit organizations and

individual artists providing Arts and Cultural Services in Oakland during Fiscal Year

2004-2005 in a total amount not to exceed \$1,306,517; on the June 22, 2004 Life

Enrichment Committee agenda (04-0425)

**Scheduled to \*Life Enrichment Committee on 7/13/2004**

[04-0425.pdf](#)

4-8

Subject: Cathedral of Christ the Light Center

From: Community and Economic Development Agency

Recommendation: Receive an Informational Report on the proposed Cathedral of

Christ the Light Center at the southwest corner of the Harrison Street/Grand Avenue

intersection: on the June 22, 2004 Community and Economic Development

Committee agenda (04-0415)

**Scheduled to \*Community & Economic Development Committee on 6/22/**

**2004**

[04-0415.pdf](#)

4-9

Subject: Rotunda Garage, LP

From: Community and Economic Development Agency

Recommendation: Adopt the following City and Agency Resolutions regarding a

Disposition and Development Agreement with Rotunda Garage, LP:

1) A Resolution approving the sale of three parcels of real property for \$99 each and

leasing a fourth parcel for \$1.00 per year all located at 16th Street, 17th Street and

San Pablo Avenue to Rotunda Garage, LP, for the 17th Street project and upon such

other terms as set out in a Disposition and Development Agreement for the garage

project; and (04-0416)

**Scheduled to \*Community & Economic Development Committee on 6/8/**

**2004**

*and also to the July 6, 2004 City Council Meeting as a Public Hearing.*

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

- *Sanjiv Handa*

[04-0416.pdf](#)  
4-10

Subject: Final Map of Tract 7496

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution approving Final Map of Tract 7496, a 6 lot

subdivision located at Gibraltar Road, Oakland, Alameda County, California.; on the

June 15, 2004 City Council agenda (04-0417)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /**

**City Council on 6/15/2004**

[04-0417.pdf](#)  
4-11

Subject: Jack London Development Project

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing and upon conclusion approve the



following action on the Jack London Development Project - Nine Sites in Jack

London Square bounded by Harrison Street to the West, 2nd Street to the North,

Alice Street to the East and the Estuary to the South:



- 1) Appeal of the Planning Commission's March 17, 2004 approval fo the project;

Appellant: Gary Knecht:

2) Appeal of Planning Commission's March 17, 2004 approve of the project;

Appellant: Anna Shimko on behalf of Jack London Square Partners, LLC;



3) Certification of the Environmental Impact Report for the project;

4) Consideration of a Preliminary Development Plan for the project;

5) Consideration of Final Development Plans for Sites C, D, Pavilion 2, 66 Franklin,

F1, F2, F3 and G;

6) Consideration of a Major Variance for Fast Food Restuarant commercial

activities;

7) Consideration of a Major Conditional Use Permit for the hotel use on Site F-3,

the two pedestrian bridges and a reduction in parking due to the shared parking



provisions;

8) Approve the Introduction (First Reading) of an Ordinance of the City of Oakland

adjusting the zoning district boundary line for the Jack London Square District so

that C-45 (community shopping commercial) is designated for the area bounded by

Harrison Street to the west, 2nd Street to the north, Alice Street to the east and the

estuary to the south; and

9) Approve the Introduction (First Reading) of an Ordinance of the City of Oakland

approving a development agreement between the City of Oakland and Jack London



Square partners LLC, and CEP-JLS I LLC, and authorizing the City Manager to

execuite the development agreement on behalf of the City; on the June 1, 2004 City

Council agenda as a Public Hearing (04-0426-1)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /**

**City Council on 6/1/2004**

*As a Public Hearing.*

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

*- Sanjiv Handa*

Subject: Urban Renewal and Redevelopment Planning

From: Community and Economic Development Agency

Recommendation: Adopt Ordinances amending the Acorn Urban Renewal Plan, the

Central District Urban Renewal Plan, the Oak Center Urban Renewal Plan, and the

Stanford/Adeline Redevelopment Plan to extend the time limits on plan effectiveness

and receipt of tax increment revenue; on the June 22, 2004 Community and

Economic Development Committee agenda (04-0427)

**Scheduled to \*Community & Economic Development Committee on 6/22/**

**2004**

[04-0427.pdf](#)

4-13

Subject: Roy L. Schweyer - Service Recognition

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution commending Roy L. Schweyer for 31 ½ years

of devoted and dedicated service and congratulating him on his retirement; on the

June 15, 2004 City Council agenda as a ceremonial item (04-0428)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /**

**City Council on 6/15/2004**

[04-0428.pdf](#)

4-14

Subject: Uptown Activity Area

From: Community and Economic Development Agency

Recommendation: Adopt the following City and Agency Resolutions regarding



redevelopment activities in the uptown activity area of the Central District

Redevelopment Project Area:



(1) An Agency Resolution authorizing the Agency Administrator to execute a lease

disposition and development agreement, a ground lease, and related documents with

uptown partners, LLC, a California Limited Liability Company, for the development

of a mixed-use residential rental and retail development project in the Uptown

activity area of the Central District Redevelopment Project Area;





(2) An Agency Resolution adopting a replacement housing plan for housing units to

be demolished at the Westerner Hotel, 1918 - 1954 San Pablo Avenue, for the

Uptown Project;



(3)An Agency Resolution authorizing the Agency Administrator to execute a

cooperation agreement with the Coalition for Workforce Housing Relating to the

development of a one hundred percent (100%) affordable housing project on a parcel



located immediately behind the Fox Theater between 18TH and 19TH Street in the

Uptown Activity area of the Central District Redevelopment Project Area



(4) A Resolution authorizing approval of a lease disposition and development

agreement, ground lease, and related documents between the redevelopment agency

and uptown partners, LLC., a California Limited Liability Company, for the

development of a mixed use residential rental and retail development project in the

uptown activity area of the Central District Redevelopment Project Area; and





(5) A Resolution authorizing the City Manager to execute a cooperation agreement

with the Coalition for Workforce Housing relating to the development of a one

hundred percent (100%) affordable housing project on a parcel located immediately

behind the Fox Theater between 18TH and 19TH Street in the Uptown activity area

of the Central District Redevelopment Project Area; on the June 22, 2004

Community and Economic Development Committee agenda (04-0430)

**Scheduled to \*Community & Economic Development Committee on 6/22/**

**2004**

*This item is also scheduled on the July 6, 2004 City Council agenda as a Public*

*Hearing.*

[04-0430.pdf](#)  
4-15

Subject: Public Art Project

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the City Manager to reject all

bids for the Broadway at I-880 Public Art Project; from the May 25, 2004 Life

Enrichment Committee agenda to the May 25, 2004 Public Works Committee

agenda (04-0397)

**Scheduled to \*Public Works Committee on 5/25/2004**

[04-0397.pdf](#),

[Item 11 PWC 5-25-04.pdf](#)

4-16

Subject: Oakland Trust for Clean Water and Safe Parks

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the implementation plan for the

Oakland Trust for Clean Water and Safe Parks, Measure DD, Creeks and



Acquisition program categories; on the July 13, 2004 Life Enrichment Committee

agenda (04-0422)

**Scheduled to \*Life Enrichment Committee on 7/13/2004**

[04-0422.pdf](#)

4-17

Subject: Budget Advisory Committee Informational Report

From: Finance and Management Agency

Recommendation: Receive an Informational Report from the Budget Advisory

Committee on Calendar Year 2004 First Quarter Activities (04-0414)

**Scheduled to \*Finance & Management Committee on 6/8/2004**

[04-0414.pdf](#)

4-18

Subject: Homeland Security

From: Office of the City Manager

Recommendation: Adopt a Resolution to accept and appropriate a revised Fiscal

Year 2004 Urban Area Security Initiative Grant (UASI) amount, establish a new

Homeland Security Fund, waive Central Services Overhead fees, and authorize the

City Manager to administer the Fiscal Year 2004 UASI grant program (04-0419)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /**

**City Council on 6/1/2004**

[04-0419.pdf](#),

[Item 18 6-01-04.pdf](#)

4-19

Subject: 2003 Raiders Ticket Revenue

From: Office of the City Manager

Recommendation: Adopt a Resolution decreasing estimated revenue from the 2003

Raiders ticket surcharge and authorizing a transfer of \$164,740.75 from the non-

departmental citywide activities to the Office of Parks and Recreation to benefit

Citywide youth activities (04-0420)

**Scheduled to \*Finance & Management Committee on 6/8/2004**

[04-0420.pdf](#)

4-20

Subject: Grand Lake Farmer's Market

From: Outside Agency - Uhuru Concessions

Recommendation: Schedule a discussion regarding the Oakland Community

Participation in Grand Lake Farmer's Market (currently controlled by the Marin

County Farmer's Market Association); on the May 18, 2004 City Council Agenda

(This item requires an urgency finding to be placed on the agenda.) (04-0421)

**Not Accepted**

*The following individual spoke in favor of this item:*

- Bakari Olatunji

[04-0421.pdf](#)

**AN ADDITIONAL REQUEST SUBMITTED ON THE DAIS BY COUNCIL PRESIDENT DE**

**LA FUENTE**

Subject: Ronald H. Cowan Parkway and Oakland Foreign Trade Zone

From: President Ignacio De La Fuente

Recommendation: Adopt a Resolution renaming 98th Avenue between Southbound Route 880

off-ramp and the Northbound Route 880 on-ramp the "Ron Cowan Parkway" (TITLE CHANGE)

(03-0328)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /**

**City Council on 6/1/2004**

[03-0328.pdf,](#)

[Item 4 12-9-03.pdf,](#)

[S-23.pdf,](#)

[Item 17 6-01-04.pdf](#)

(Item 4 Rules 5-13)

[Item 4 5-13-04.pdf](#)

*THE SPECIAL MEETING OF THE CITY COUNCIL ADJOURNED AT THIS*

*TIME AND RECONVENED AS THE RULES AND LEGISLATION*

*COMMITTEE.*

A review of the Council Committees' actions from May 11, 2004 and determination of scheduling to the ORA/City Council meeting of May 18, 2004 (1 week) or June 1, 2004 (3 weeks) or future dates

**\*Approve with the following amendments**

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

- Sanjiv Handa

*Please refer to Attachment A for this Item*

*The Committee moved, seconded and carried a motion to approve an Urgency*

*Finding for a title change to Non-Consent Items 15.1 and 15.2. on the May 18,*

*2004 ORA/City Council agenda at 6:00 P.M.*

(Item 5 Rules 5-13)

[Attachment A 5-11-04.pdf](#)

6

A review of the Agendas for the Council Committees for the meetings of May 25, 2004

**\*Approve with the following amendments**

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

- Sanjiv Handa

**FROM THE DRAFT OF THE MAY 25, 2004 LIFE ENRICHMENT COMMITTEE AGENDA**

8

Subject: Public Art Project

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the City Manager to reject all bids for the

Broadway at I-880 Public Art Project; from the May 25, 2004 Life Enrichment Committee

agenda to the May 25, 2004 Public Works Committee agenda (04-0397)

**\*Rescheduled to \*Public Works Committee on 5/25/2004**

[04-0397.pdf](#),

[Item 11 PWC 5-25-04.pdf](#)

(Item 6 Rules 5-13)

[Item 6 5-13-04.pdf](#)

7

Subject: Destruction of Records

From: Office of the City Clerk/Office of Parks and Recreation

Recommendation: Adopt a Resolution authorizing the destruction of certain records in the care

and custody of the Office of Parks and Recreation (OPR) (04-0291)

**A motion was made by Chair De La Fuente, seconded by Member Chang,**

**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 May 18, 2004. The motion carried by the following**

**vote:**

**Votes:**

Absent; 1 - Member Reid

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

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

- *Sanjiv Handa*

[04-0297.pdf,](#)

[04-0291.pdf,](#)

[Item 7 RLC 5-13-04.pdf,](#)

[Item 10.24CC SUPP 5-18-04.pdf,](#)

[78558 CMS.pdf](#)

8

Subject: Renaming of the Alice Arts Center

From: Councilmember Nadel

Recommendation: A continued discussion to adopt a Resolution changing the name of the Alice

Arts Center to the "Malonga Casquelourd Center for the Arts" (04-0356)

**A motion was made by Chair De La Fuente, seconded by Member Chang,**

**that this matter be Continued to the \*Rules & Legislation Committee, due**

**back on May 27, 2004. The motion carried by the following vote:**

**Votes:**

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

*The following individuals spoke in favor of this item:*

*- Muisi-Kongo Shani Malonga*



- *Ayodele Ankoanda Kinchen*

- *Kosa Asghar*

- *Mariam Kamara*

- *Regina Calloway*

- *Tamentanefer Lumukanda*

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

*- Sanjiv Handa*

*The Committee moved, seconded and carried a motion to continue this item to*

*the May 27, 2004 Rules and Legislation Committee. The Committee also*

*directed staff to return with a supplemental report that speaks to the full fiscal*

*impact and addresses the costs associated with letterhead, banners, signage,*

*remarketing, ensures that the City's actions are in accordance with the City of*

*Oakland's name change policy, and is properly noticed in the Tribune.*

[Item 8 RLC 5-13-04.pdf,](#)

[Item 7 SUPP LEC 5-27-04.pdf](#)

**OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)**

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

*- Sanjiv Handa*

**Adjournment**

*There being no further business, and upon the motion duly made, the Agency/*

*Council adjourned the meeting at 12.50 p.m.*

NOTE:

Americans With Disabilities Act

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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

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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.

*City Clerk and Clerk of the Council*