

# Meeting Minutes City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California 94612

LaTonda Simmons, 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 19, 2005**

**10:30 AM**

**City Council Chambers - 3rd Floor**

*The Oakland City Council Rules and Legislation Committee convened at 10:35*

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

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

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

Fuente

***THE ROLL HAS BEEN MODIFIED TO NOTE COUNCILMEMBER CHANG***

***PRESENT AT 10:41 A.M.***

### **COMMITTEE MEMBERSHIP:**

1

Closed Session

### **No Action Taken**

*There was no Closed Session meeting.*

2

Approval of the Draft Minutes from the Committee meeting of May 5, 2005

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

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

**Votes:**

Absent; 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 Brunner, seconded by Member Reid, to**

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

**Votes:**

Absent; 1 - Member Chang

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

(R&L item 3 05-19-05)

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4

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

meetings of May 24, 2005 (SUPPLEMENTAL)

**A motion was made by Member Brunner, seconded by Member Chang, to**

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

**Votes:**

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

Fuente

4-1

Subject: 5th Avenue Seismic Retrofit

From: Community and Economic Development Agency

Recommendation: Adopt an Ordinance Authorizing The City Administrator To

Enter Into A Sales Agreement With The California Department Of Transportation

(Caltrans) To Sell City Owned Property Located Near Interstate 880 And 5th Ave

(Assessor Parcel Number 000O-0455-010 (Portion)) And Granting Of Temporary

Construction Easements With An Expiration Date Of 1/31/2011 For City Owned

Properties (Assessor Parcel Numbers 000O-0455-090 And 000O-0455-010) For A

Fair Market Value To Be Determined But Not Less Than \$195,100 (05-0398)

**Scheduled to \*Finance & Management Committee on 6/14/2005**

[View Report.pdf,](#)

[12689 CMS.pdf](#)

4-2

Subject: Billboard Management And Regulation

From: Community And Economic Development Agency

Recommendation: Action On A Report And Recommendations Outlining The

City's Land Use Authority And Options For The Management And Regulation Of

Outdoor Advertising Signs (Billboards) In The City Of Oakland, Including The

Port Area (05-0400)

**Scheduled to \*Community & Economic Development Committee on**

**6/14/2005**

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

- *Sanjiv Handa*

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4-3

Subject: Broadway/ Macarthur/ San Pablo Redevelopment Project

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, 2006 (05-0404)

**Scheduled to \*Community & Economic Development Committee on**

**7/12/2005**

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

- *Sanjiv Handa*

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[79420 CMS.pdf](#)

4-4

Subject: Neighborhood Commercial Revitalization Façade Improvement

Program

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Negotiate And Execute Design Contracts For The Neighborhood Commercial

Revitalization Façade Improvement Program In An Amount Not To Exceed

\$300,000 For The Period Of July 1, 2005 Through June 30, 2009, Without

Returning To The City Council (0)

**Scheduled to \*Community & Economic Development Committee on**

**6/28/2005**

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

- *Sanjiv Handa*

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4-5

Subject: McGuire and Hester Railroad Avenue Improvements

From: Public Works Agency

Recommendation: Adopt The Following Pieces of Legislation:

1) Adopt A Resolution Authorizing Award Of A Contract To McGuire And Hester

For The Construction Of Railroad Avenue Improvements Phase I -- 85th Avenue

To Louisiana Street (Project No. C230610) For An Amount Not To Exceed

\$794,925; and (TITLE CHANGE) (05-0357)

**Scheduled to \*Public Works Committee on 6/14/2005**

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[79322 CMS.pdf](#)

2) Adopt A Resolution Authorizing The City To Accept And Appropriate A Contribution Of

Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To

Exceed \$950,000 For Construction Of Railroad Avenue Improvements Phase I -- 85th Avenue

To Louisiana Street (Project No. C230610); and (05-0357-05)

**Scheduled to \*Public Works Committee on 6/14/2005**

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[79323 CMS.pdf](#)

**McGuire and Hester Railroad Avenue Improvements**

3) Adopt An Agency Resolution Authorizing A Contribution Of An Amount Not To Exceed



\$950,000 In Agency Funds To The City Of Oakland Under The Cooperation Agreement For

Construction Of Railroad Avenue Improvements Phase I -- 85th Avenue To Louisiana Street

(Project No. C230610) ()

**Scheduled to \*Public Works Committee on 6/14/2005**

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[79322.pdf,](#)

[2005-0036.pdf](#)

4-6

Subject: Green Building Grants

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The Application, Acceptance

And Appropriation Of Grant Funds From Stopwaste.org (The Alameda County

Waste Management Authority And The Alameda County Source Reduction And

Recycling Board) Green Building Grants Under The Agency's Green Building

Program And Bay-Friendly Landscaping Program For The Studio One Art Center

Rehabilitation (Project No. C244710) In The Amount Of Thirty-five Thousand

Dollars (\$35,000) (05-0399)

**Scheduled to \*Public Works Committee on 6/14/2005**

[View Report,](#)

Subject: Acorn-Prescott Neighborhood Improvements

From: Public Work Agency

Recommendation: Adopt a Resolution Authorizing The City Administrator To

Increase The Change Order Limit By \$222,926.00 On The Construction Contract

With Granite Construction For The Acorn-Prescott Neighborhood Improvements

Phase 2 Project (Project No. P131620) For A Total Contract Amount Not To

Exceed \$1,780,039.00 (05-0402)

**Scheduled to \*Public Works Committee on 6/14/2005**

[View Report,](#)

Subject: Leona Quarry Subdivision

From: Public Works Agency

Recommendation: Adopt A Resolution Approving The Final Map Of Tract No.

7492 In A Real Estate Subdivision Entitled "Tract 7351", Leona Quarry

Subdivision, Located Along Campus Drive, Oakland, Alameda County, California

(05-0403)

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

**City Council on 6/21/2005**

[View Report,](#)

[79320 CMS.pdf](#)

Subject: Peralta Hacienda Historical Park

From: Public Works Agency

Recommendation Adopt A Resolution Rejecting All Bids, Authorizing The City

Administrator To Negotiate Or Re-Bid, Award And Execute A Construction

Contract, Without Return To Council, For The Construction Of Peralta Hacienda

Historical Park - Phase IIIA Landscape Improvement (Project No. C196710)

Not-To-Exceed The Amount Of Nine Hundred Thousand Dollars (\$900,000.00)

(05-0405)

**Scheduled to \*Public Works Committee on 6/14/2005**

[View Report,](#)

[79299 CMS.pdf](#)

4-10

Subject: Peralta House

From: Office of Parks and Recreation

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Negotiate And Execute A License Agreement Between The City Of Oakland And

Friends Of Peralta Hacienda Historical Park For The Limited Use Of Peralta

House, The Adjacent Garden Area, And Storage Building For \$1 Per Year, For A

Five-Year Term, July 1, 2005 To June 30, 2010, With Two Consecutive Five-Year

Options To Renew (05-0406)

**Scheduled to \*Life Enrichment Committee on 6/14/2005**

[View Report,](#)

[79309 Contract.pdf,](#)

[79309 CMS.pdf](#)

(R&L Item 4 05-19-05)

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**FROM THE MAY 24, 2005 PUBLIC WORKS COMMITTEE AGENDA**

Subject: Community Choice Aggregation

From: Office of the Mayor

Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Approve

And Send A Letter Of Intent To The California Public Utilities Commission (CPUC) Stating

Oakland's Intent To Become A Community Choice Aggregator Pending Final Results Of The

City's Implementation Plan; and 2) Negotiate Joint CCA Efforts With Other Bay Area Cities

(05-0361)

**Scheduled to \*Public Works Committee on 6/14/2005**

[View Report.pdf,](#)

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[View Report,](#)

[View Supplemental Report.pdf,](#)

[79325 CMS.pdf](#)

**FROM THE MAY 24, 2005 PUBLIC SAFETY COMMITTEE AGENDA**



Subject:    Massage Establishments and Therapists Regulation

From:       Council President De La Fuente

Recommendation: Adopt An Ordinance Amending Oakland Planning Code Sections 17.09.040

And 17.102.170 And Amending Oakland Municipal Code 5.36, "Massage Establishments And

Massage Therapists", To Impose New Permitting Requirements Including, But Not Limited

To, Criminal Background Checks For Applicants And Employees, And Amending Oakland

Planning Code 17.102.170, "Special Regulations Applying To Massage Service Activities", To

Eliminate The Conditional Use Permit (CUP) Requirement And Add A Reference To Massage

Permit Regulations In OMC 5.36 (05-0203)

*This Item was withdrawn from the May 24, 2005 Public Safety Committee  
agenda.*

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[12675 CMS.pdf](#)

A review of the Agendas for the Special Concurrent Meeting of ORA/City Council for the

Budget meeting of May 31, 2005 and the Rules and Legislation Committee meeting of June

2, 2005

**A motion was made by Member Brunner, seconded by Member Chang, to**

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

**Votes:**

Aye; 4 - Member Chang, 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*

(R&L Item 5 05-19-05)

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**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 11:15 A.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*