



City of Oakland Meeting Minutes

*Rules & Legislation Committee

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk

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

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

Thursday, May 10, 2007	10:30 AM	City Council Chambers - 3rd Floor
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Roll Call / Call to Order

Excused: Chair De La Fuente

Present: Vice Mayor Chang, Member Reid and Member Brunner

The Oakland City Council Rules and Legislation Committee convened at 10:45 AM, with Councilmember Brunner presiding as Chairperson.

1 Closed Session

The office of the City Attorney scheduled a Closed Session on Tuesday, May 15, 2007 from 1:30 - 3:30 PM

2 Approval of the Draft Minutes from the Committee meeting of April 26, 2007

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

Votes: Excused; 1 - Chair De La Fuente

Aye; 3 - Vice Mayor Chang, Member Reid and Member Brunner

3 Determination of Schedule of Outstanding Committee Items

There was no action necessary for this item

[05-10 Rules Item 3](#)

4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of May 15, 2007 (SUPPLEMENTAL)

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

Votes: Excused; 1 - Chair De La Fuente

Aye; 3 - Vice Mayor Chang, Member Reid and Member Brunner

S-4-1 Subject: Enactment Of Senate Bill 840
From: Council President De La Fuente
Recommendation: Adopt A Resolution Urging The State Legislature And The Governor Of California To Provide Comprehensive Universal Health Care For The People Of California By Enacting Senate Bill 840, "The California Universal Healthcare Act"
[07-0266](#)

Scheduled to *Rules & Legislation Committee on 5/24/2007

S-4-2 Subject: Feeding Of Feral Pigeons
From: Councilmember Jean Quan
Recommendation: Adopt An Ordinance To Prohibit The Feeding Of Feral Pigeons In Commercial Zones
[07-0267](#)

Scheduled to *Life Enrichment Committee on 5/22/2007

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

S-4-3 Subject: City Slicker Farms
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Authorizing The Office Of Parks And Recreation To Discuss And Develop An Agreement With City Slicker Farms For The Alternative/Nontraditional Use Of City Property As A Community Market Farm At Two Triangle-Shaped Plots Of City-Owned Land Located Within The Area Formed By The Intersections Of Haven, Fitzgerald, And Peralta Streets, At 34th Street
[07-0268](#)

***Withdrawn with No New Date**

S-4-4 Subject: Ban Of Plastic Carry-Out Bags
From: Councilmembers Nancy Nadel and Jean Quan
Recommendation: Adopt An Ordinance Banning The Use Of Non-Biodegradable Plastic Carry-Out Bags At Point Of Sale By Retail Establishments In The City Of Oakland That Gross One Million Dollars Or More Annually And Providing Education And Incentives For Shoppers To Use Re-usable Bags At Affected Retail Establishments In The City
[07-0277](#)

Scheduled to *Public Works Committee on 5/22/2007

S-4-5 Subject: Cultural Services Contracts
From: Cultural Arts and Marketing
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Cultural Services Grants With Seventy-Seven (77) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2007-2008 In A Total Amount Not To Exceed \$1,144,838.51
[07-0275](#)

Scheduled to *Life Enrichment Committee on 6/12/2007

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

S-4-6 Subject: Commercial Loan Programs
From: Community and Economic Development Agency
Recommendation: A Request To Withdraw From The May 22, 2008 Community And Economic Development Committee Agenda An Informational Report Regarding The Status Of The City's And Redevelopment Agency's Commercial Loan Programs; And Reschedule To The July 10, 2007 Community And Economic Development Committee Agenda

Reason: The Commercial Lending unit is undergoing a loan servicing and tracking system conversion which has delayed staffs' ability to accumulate current loan repayment data for inclusion in the report.

[07-0100](#)

Withdrawn and Rescheduled to *Community & Economic Development Committee on 7/10/2007

S-4-7 Subject: Revocable And Conditional Permit - Lincoln Elementary School
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting A Revocable And Conditional Permit To The Oakland Unified School District To Allow Portable Classroom Buildings For Lincoln Elementary School At 225 11th Street To Encroach Into A Closed Section Of Alice Street
[07-0272](#)

Scheduled to *Community & Economic Development Committee on 6/12/2007

S-4-8 Subject: California Model Housing Code Amendment
From: Community and Economic Development Agency
Recommendation: Adopt Legislation Adopting Local Amendments To The 2007 Edition Of The California Model Housing Code, California Code Of Regulations (CCR), Title 25, Part 1, Chapter 1, Subchapter 1, Section 32, And Amending Oakland Municipal Code Chapter 15.08
[07-0273](#)

Scheduled to *Community & Economic Development Committee on 10/9/2007

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

S-4-9 Subject: California Model Building Code Amendment
From: Community and Economic Development Agency
Recommendation: Adopt Legislation Adopting Local Amendments To The 2007 Editions Of The California Model Building Codes, California Code Of Regulations (CCR), Title 24, Parts 2, 4, And 5 (Building Code, Plumbing Code, Mechanical Code), And Amending Oakland Municipal Code Chapter 15.04
[07-0274](#)

Scheduled to *Community & Economic Development Committee on 10/9/2007

S-4-10 Subject: Chicago Climate Exchange
From: Public Works Agency
Recommendation: Adopt A Resolution Adopting The Statement Of Principles Regarding The Chicago Climate Exchange (A Voluntary, Legally Binding Greenhouse Gas Emission Registry, Reductions And Trading System) As Drafted By Participating State And Local Government Members Of The Exchange
[07-0270](#)

Scheduled to *Public Works Committee on 5/22/2007

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

S-4-11 Subject: Multi-Space Pay And Display Parking Meters - Leases
From: Finance and Management
Recommendation: Adopt A Resolution Awarding A Lease Financing to CitiCapital In An Amount Not-To-Exceed Four Million, Eight Hundred Thousand Dollars (\$4,800,000) To Purchase Multi-Space Pay And Display Parking Meters And Authorizing The Execution And Delivery Of A Lease-Purchase Agreement, Escrow Agreement And Related Documents
[07-0276](#)

Scheduled to *Finance & Management Committee on 5/22/2007

S-4-12 Subject: Camps In Common - Operating Agreement
From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute An Operating Agreement Between The City Of Oakland And Camps In Common For Nonexclusive Use Of Oakland Feather River Camp Located In Quincy, California For A Seven Year Term With Three Consecutive One-Year Options To Renew; On The June 12, 2007 Life Enrichment Committee Agenda [07-0269](#)

Scheduled to *Life Enrichment Committee on 6/12/2007

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

- Sanjiv Handa

S-4-13 Subject: Bingo Report
From: Office of the City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (OMC) Section 5.10.040 To Require A Permit For Bingo Halls, Regardless Of The Number Of Bingo Operators Hosted, And Amending OMC Section 5.10.110 To Reflect That The Annual Bingo Hall Fee Is Contained in The Master Fee Schedule [07-0236](#)

Scheduled to *Public Safety Committee on 6/12/2007

[05-10 Rules Item 4](#)

ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Maxine Maryland Recognition
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Recognizing Maxine Maryland Upon Her Retirement After 15 Years Of Service With The City Of Oakland
[07-0280](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/15/2007

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 relates to a purely ceremonial or commendatory action.

- 5 A review of the Council Committees' actions from May 8, 2007 and determination of scheduling to the ORA/City Council meeting of May 15, 2007 or future dates (MATRIX)
- A motion was made by Member Reid, seconded by Vice Mayor Chang, to**
***Approve as Submitted. The motion carried by the following vote:**
- Votes:** Excused; 1 - Chair De La Fuente
Aye; 3 - Vice Mayor Chang, Member Reid and Member Brunner
- The following individual(s) spoke and did not indicate a position on this item:*
- Sanjiv Handa

05-10 Rules Item 5

- 6 A review of the Agendas for the Council Committees for the meeting(s) of May 22, 2007 and the Rules And Legislation Committee for the meeting of May 24, 2007
- A motion was made by Member Reid, seconded by Vice Mayor Chang, to**
***Approve with the following amendments. The motion carried by the**
following vote:
- Votes:** Excused; 1 - Chair De La Fuente
Aye; 3 - Vice Mayor Chang, Member Reid and Member Brunner
- The following individual(s) spoke and did not indicate a position on this item:*
- Sanjiv Handa

FROM THE MAY 22, 2007 COMMUNITY AND ECONOMIC DEVELOPMENT
COMMITTEE AGENDA

Subject: Billboard Relocation Agreement
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Billboard Relocation Agreement With Clear Channel Outdoor, Inc. ("CCO"): (1) Allowing CCO To Remove And Waive Its Rights To Compensation, Including All Real Property And Personal Property Interests, For A Number Of Billboards At Various Locations In Exchange For: (A) Removal Of A Billboard At 381- 5th Street And Construction Of A New Billboard At 377-5th Street; And (B) Removal Of A Billboard At 3420 Louise Street And Construction Of A Billboard On An Adjacent Lot (APN 007-0620-001-04); And (2) Requiring Mr. Libitzky, Property Owner Of 3420 Louise Street, To Make A One-Time Contribution Of \$100,000 To The Chabot Space And Science Center And Requiring CCO To Make A One-Time Contribution Of \$75,000 To A Cause Designated By The City Council

07-0045

***Rescheduled to *Community & Economic Development Committee on**
6/12/2007

Subject: Homeless Plan
From: Department of Human Services
Recommendation: Receive An Informational Report On Oakland's Permanent Access To Housing (PATH) Strategy
[07-0117](#)

***Withdrawn with No New Date**

Subject: Homeless Encampments Initiative
From: Department of Human Services
Recommendation: Receive An Informational Report On The Proposed Homeless Encampments Initiative Of Oakland's Permanent Access To Housing (PATH) Plan
[07-0119](#)

***Withdrawn with No New Date**

[05-10 Rules Item 6](#)

7 A Review of the Boards and Commissions Directory and Vacancies

***Rescheduled to *Rules & Legislation Committee on 5/17/2007**

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

[05-10 B&C](#)

8 Subject: Boards And Commission Directory Compliance
From: Councilmember Jean Quan
Recommendation: Receive An Informational Report From The Office Of The City Attorney Addressing The Boards And Commissions Directory Listings And Their Compliance With Sunshine And Brown And Maddy Acts
[06-1116](#)

A motion was made by Member Reid, seconded by Vice Mayor Chang, that this matter be *Received and Filed. The motion carried by the following vote:

Votes: Excused; 1 - Chair De La Fuente
Aye; 3 - Vice Mayor Chang, Member Reid and Member Brunner

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

9 Subject: Assembly Bills 29 And 1231 And Senate Bill 46 Analysis
 From: Council President Ignacio De La Fuente
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Support Assembly Bill 29 (Hancock) Establishing The Regional Planning,
Housing And Infill Incentives Program, If Amended (TITLE CHANGE); And
[07-0077](#)

No Action Taken

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

2) A Resolution To Support Assembly Bill 1231 (Garcia) Establishing The Regional Planning,
Housing And Infill Incentives Program, If Amended (TITLE CHANGE); And
[07-0077-1](#)

No Action Taken

3) A Resolution To Support Senate Bill 46 (Perata) Establishing The Regional Planning,
Housing And Infill Incentives Program, If Amended (TITLE CHANGE)
[07-0077-2](#)

***Approve as Amended the Recommendation of Staff, and Forward to
Concurrent Meeting of the Oakland Redevelopment Agency / City Council
on 5/15/2007**

*The Committee directed staff to separate out the Proposed Policies for
Allocation document and present it as a separate item to the full Council*

10 Subject: Assembly Bill 792
 From: Council President Ignacio De La Fuente
 Recommendation: Receive An Informational Report Regarding Assembly Bill 792 (Garcia)
Proposing Criteria For The Prop 1C \$100,000,000 Affordable Housing Innovation Fund
[07-0081](#)

**A motion was made by Member Reid, seconded by Vice Mayor Chang, that
this matter be *Received and Filed. The motion carried by the following
vote:**

Votes: Excused; 1 - Chair De La Fuente
Aye; 3 - Vice Mayor Chang, Member Reid and Member Brunner

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

- 11 Subject: Senate Bill 167
 From: Council President Ignacio De La Fuente
 Recommendation: Receive An Informational Report Regarding Senate Bill 167 (Negrete McLeod) Proposing Criteria For The Prop 84 \$90 Million Set Aside From The Communities And Climate Change Reduction Program For Planning Grants And Incentives
[07-0082](#)

A motion was made by Member Reid, seconded by Vice Mayor Chang, that this matter be *Received and Filed. The motion carried by the following vote:

Votes: Excused; 1 - Chair De La Fuente
Aye; 3 - Vice Mayor Chang, Member Reid and Member Brunner

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

- 12 Subject: Support Of Assembly Bill 45
 From: Councilmember Jean Quan
 Recommendation: Adopt A Resolution Declaring The City Of Oakland's Support For Assembly Bill 45-Assemblymember Sandre Swanson's Bill To Return Local Governance To The Oakland School Board
[07-0221](#)

***Approve as Amended the Recommendation of Staff, and Forward to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 5/15/2007**

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

- 13 Subject: Opposition Of Senate Bill 2
 From: Councilmember Desley Brooks
 Recommendation: Adopt A Resolution To Oppose Senate Bill 2 (Cedillo), Local Planning Requirements For Homeless And Special Needs Housing (TITLE CHANGE)
[06-1129-1](#)

***Approve as Amended the Recommendation of Staff, and Forward to Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 5/15/2007**

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

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 the meeting at 12:24 PM

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 - Agenda Management Unit
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[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