

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, October 12, 2006

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

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

Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:47

AM, with Council President De La Fuente presiding as Chairperson.

1

Closed Session

2

Approval of the Draft Minutes from the Committee meeting of September 28, 2006

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

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

Votes:

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

Fuente

3

Determination of Schedule of Outstanding Committee Items

There was no action necessary for this item

4

Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council

meeting of October 17, 2006 (SUPPLEMENTAL)

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

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

following vote:

Votes:

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

Fuente

S-4-1

Subject: Law Enforcement Specialized Units Grant Program

From: Oakland Police Department

Recommendation: A Request To Withdraw From The October 24, 2006 Public

Safety Committed Agenda A Resolution Authorizing the City Administrator, On

Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In The

Amount Of Ninety-Five Thousand Seven Hundred And One Dollars (\$95,701) From

The State Of California, Office Of Emergency Services, Law Enforcement

Specialized Units Grant Program, In Supplemental Support Of The Family Violence

Intervention Unit In The Police Department; And Reschedule To The November 14,

2006 Public Safety Committee Agenda (06-0823)

Scheduled to *Public Safety Committee on 11/14/2006
S-4-2

Subject: 2006 Sobriety Checkpoint Program

From: Oakland Police Department

Recommendation: A Request To Withdraw From The October 24, 2006 Public

Safety Committee Agenda A Resolution Authorizing The City Administrator, On

Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An

Amount Not To Exceed One Hundred Two Thousand Seven Hundred One Dollars

And Seventy-Six Cents (\$102,701.76) From The University Of California, Berkeley,

Traffic Safety Center, Serving As The Fiscal Agent For The State Of California,

Office Of Traffic Safety, For The 2006 Sobriety Checkpoint Program To Be

Conducted By The Police Department; And Reschedule To The November 14, 2006

Public Safety Committee Agenda (06-0824)

Scheduled to *Public Safety Committee on 11/14/2006

The following individual(s) spoke against this item:

S-4-3

Subject: Weed And Seed Initiative

From: Oakland Police Department

Recommendation: A Request To Withdraw From The October 24, 2006 Public

Safety Committee Agenda An Informational Report From The Chief Of Police On

The Programmatic Evaluation Of The West Oakland Weed And Seed Initiative,

Sponsored By The U.S. Department Of Justice, Office Of Justice Programs,

Community Capacity Development Office; And Reschedule To The November 14,

2006 Public Safety Committee Agenda (06-0825)

Scheduled to *Public Safety Committee on 11/14/2006
S-4-4

Subject: Lease And Sell Of City Property

From: Office of the City Attorney and Community and Economic Development

Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Resolution Adopting A General Policy To Lease, Rather Than Sell, City

Property; And (06-0851)

2) An Agency Resolution Adopting A General Policy To Lease, Rather Than Sell, Property For

Redevelopment Purposes; On The October 24, 2006 Finance And Management Committee or

Community And Economic Development Committee Agenda (06-0851-1)

Continued to *Rules & Legislation Committee on 10/19/2006

S-4-5

Subject: Off-Leash Dog Area

From: Councilmember Nancy Nadel

Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Title 6,

Chapter 6.04 Article 6.04.080 Dogs At Large In Parks, To Allow Dogs To Be

Off-Leash, Under Specific Conditions, In Designated Off-Leash Areas As

Authorized In A Written Resolution By The Parks & Recreation Advisory

Committee Such That An Off-Leash Dog Play Area May Be Installed In Lakeview

Park; On The November 14, 2006 Life Enrichment Committee Agenda (06-0852)

Scheduled to *Life Enrichment Committee on 11/14/2006

The following individual(s) spoke against this item:

S-4-6

Subject: Domestic Violence Awareness Month

From: Vice Mayor Jean Quan

Recommendation: Adopt A Resolution Proclaiming October 2006

Domestic Violence Awareness Month (06-0853)

Continued to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/17/2006

[View Report.pdf,](#)

[80193 CMS.pdf](#)

S-4-7

Subject: Children's Fairyland Project

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Appropriating Measure DD Bond Interest

Money To The Children's Fairyland Project (No. C241810) In The Amount Of One

Hundred Eighty-One Thousand Dollars (\$181,000.00); On The November 14, 2006

Public Works Agenda (06-0858)

Scheduled to *Public Works Committee on 11/14/2006
S-4-8

Subject: Oakland Even Start Program

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator, On

Behalf Of The City Of Oakland, To Accept And Appropriate The Even Start Family

Literacy Grant For Program Year 2006-2007 From The State Of California

Department Of Education In The Amount Of \$172,500 For The City Of Oakland

Even Start Program For Fiscal Year 2006-2007; On The November 28, 2006 Life

Enrichment Committee Agenda (06-0854)

Scheduled to *Life Enrichment Committee on 11/28/2006
S-4-9

Subject: Measure Y Programs

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Accept And Appropriate \$170,000 From Evelyn & Walter Haas Jr. Fund For

Coordination, Technical Assistance, Training And Capacity Building For Measure Y

Providers And Community Policing Officers; On The November 28, 2006 Public

Safety Committee (06-0855)

Scheduled to *Public Safety Committee on 11/28/2006
S-4-10

Subject: Design Review Procedures

From: Community and Economic Development Agency

Recommendation: Adopt An Ordinance To Adopt: 1) Amendments To The Zoning

Regulations To Revise Design Review Procedures And Thresholds Citywide And

Make Other Minor Zoning Code Revisions; And 2) Amendments To The Zoning

Maps To Eliminate The S-14, S-18, And S-19 Combining Zone Overlays; On The

December 5, 2006 City Council Agenda (06-0790)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 12/5/2006

S-4-11

Subject: Railroad Avenue Street Improvements

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending Resolution No. 2005-0036 C.M.S. To Reallocate Agency

Funds Remaining From Construction Of Railroad Avenue Street Improvements

Phase I From 85th Avenue To Louisiana Street In The Amount Of \$70,000 To The

Design Of Railroad Avenue Street Improvements Phase II From Louisiana Street To

98th Avenue Including Adjacent Streets In The Coliseum Redevelopment Area; And

(06-0859)

Scheduled to *Community & Economic Development Committee on

11/14/2006

2) A Resolution Amending Resolution No. 79323 CMS Authorizing The City To Accept And

Reallocate A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement

In An Amount Not To Exceed \$70,000 Remaining From The Construction Of Railroad Avenue

Street Improvements Phase I From 85th Avenue To Louisiana Street For The Design Of Railroad

Avenue Street Improvements Phase II From Louisiana Street To 98th Avenue Including Adjacent

Streets In The Coliseum Redevelopment Area; On The November 14, 2006 Community And

Economic Development Committee Agenda (06-0859-1)

Scheduled to *Community & Economic Development Committee on

11/14/2006

The following individual(s) spoke against this item:
S-4-12

Subject: Tami And William MacKerracher - Agreement

From: Office of Parks and Recreation

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Negotiate And Execute A Concessionaire Agreement Between The City Of Oakland

And Tami And William Mackerracher To Operate And Manage Equestrian

Programs And Provide Facility Improvements To Oakland City Stables, Located At

13560 Skyline Boulevard, Oakland, California For A Five Year Term; On The

November 14, 2006 Life Enrichment Committee Agenda (06-0856)

Scheduled to *Life Enrichment Committee on 11/14/2006
S-4-13

Subject: Citywide Performance Results

From: Office of the City Administrator

Recommendation: Action On A Report And Recommendations On Fiscal Year

2005-2006 Citywide Performance Results; On The November 14, 2006 Finance

And Management Committee Agenda (06-0857)

Continued to *Rules & Legislation Committee on 11/14/2006
for scheduling
ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: McKillop Roadway - Landslide Damage

From: Public Works Agency

Recommendation: Adopt A Resolution Confirming The Existence Of A Local Emergency

Declared By The City Administrator On October 15, 2006, Due To Landslide Damage To

McKillop Roadway (06-0860)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/17/2006

[View Report.pdf,](#)

[80212 CMS.pdf](#)

Subject: Abatement Of Impending Peril

From: Public Works Agency

Recommendation: Adopt A Resolution Declaring The Abatement Of An Impending Peril And

Authorizing Immediate Action To Prevent Landslide Damage To McKillop Road In Oakland

(06-0861)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/17/2006

[View Report.pdf,](#)

[80213 CMS.pdf](#)

Subject: Exterior Lighting At Schools

From: Councilmember Nancy Nadel

Recommendation: Action On A Report Regarding Increased Exterior Lighting At Schools With

After-School Programs Or Activities After 5 P.M. During The Winter, To Improve Public Safety

For Staff And Youth (06-0862)

Scheduled to *Public Works Committee on 11/14/2006

(Rules item 4 10-12)

[View Item.pdf](#)

5

A review of the Council Committees' actions from October 10, 2006 and determination of

scheduling to the ORA/City Council meeting of October 17, 2006 or future dates

(MATRIX)

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

***Approve with the following amendments. 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 against this item:

FROM THE OCTOBER 10, 2006 COMMUNITY AND ECONOMIC DEVELOPEMENT

COMMITTEE AGENDA

Subject: Annual Assessment Rockridge Business Improvement District

From: Community And Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Of

Intention To Levy An Annual Assessment For Fiscal Year 2007-2008 For The Rockridge

Business Improvement District, Approving The Annual Report Of The Rockridge Business

Improvement District Advisory Board (06-0754)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/17/2006

[View Report.pdf,](#)

[80215 CMS.pdf](#)

Subject: Annual Assessment - Montclair Business Improvement District

From: Director, Community And Economic Development

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Of

Intention To Levy An Annual Assessment For Fiscal Year 2007-2008 For The Montclair

Business Improvement District, Approving The Annual Report Of The Montclair Business

Improvement District Advisory Board (06-0757)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/17/2006

[View Report.pdf,](#)

[80216 CMS.pdf](#)

Subject: Central City East And The Oak Knoll Redevelopment Plans Merger

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces

Of Legislation:

1) An Agency Resolution Approving And Recommending Adoption Of The Second Amendment

To The Oak Knoll Redevelopment Plan To (1) Merge The Oak Knoll Redevelopment Project

Area With The Central City East Redevelopment Project Area For Fiscal Purposes, (2) Merge

The Affordable Housing Production Requirements For The Two Project Areas Subject To

Limitations And Conditions, (3) Raise The Limits On Receipt Of Tax Increment Revenues And

Bonded Indebtedness, (4) Replace The Land Use Map With The Current General Plan Land Use

Map, (5) Expand The List Of Authorized Public Improvements, and (6) Make Other Text

Changes; And (06-0725)

[View Report.pdf,](#)

[View Report.pdf,](#)

[View Report.pdf,](#)

[View Report.pdf](#)

2) An Ordinance Adopting The Third Amendment To The Central City East Redevelopment Plan

To (1) Merge The Central City East Redevelopment Project Area With The Oak Knoll

Redevelopment Project Area For Fiscal Purposes, And (2) Merge The Affordable Housing

Production Requirements For The Two Project Areas Subject To Limitations And Conditions;

And (06-0725-1)

3) An Agency Resolution Approving And Recommending Adoption Of The Third Amendment

To The Central City East Redevelopment Plan To (1) Merge The Central City East

Redevelopment Project Area With The Oak Knoll Redevelopment Project Area For Fiscal

Purposes, And (2) Merge The Affordable Housing Production Requirements For The Two

Project Areas Subject To Limitations And Conditions; And (06-0725-2)

4) An Ordinance Adopting The Second Amendment To The Oak Knoll Redevelopment Plan To

(1) Merge The Oak Knoll Redevelopment Project Area With The Central City East

Redevelopment Project Area For Fiscal Purposes, (2) Merge The Affordable Housing Production

Requirements For The Two Project Areas Subject To Limitations And Conditions, (3) Raise The

Limits On Receipt Of Tax Increment Revenues And Bonded Indebtedness, (4) Replace The Land

Use Map With The Current General Plan Land Use Map, (5) Expand The List Of Authorized

Public Improvements, And (6) Make Other Text Changes; And (06-0725-3)

5) An Agency Resolution Adopting The 2006-2007 To 2010-2011 Implementation Plan For The

Oak Knoll Redevelopment Project (06-0725-4)

Scheduled to *Community & Economic Development Committee on

10/24/2006

FROM THE OCTOBER 10, 2006 LIFE ENRICHMENT COMMITTEE AGENDA

Subject: Rene Yung - Professional Services Agreement

From: Cultural Arts and Marketing

Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And

Execute A Professional Services Agreement With Rene Yung For Public Art Design, Fabrication

And Installation Services For The 81st Avenue Branch Library In An Amount Not To Exceed

Ninety-Two Thousand Five Hundred Dollars (\$92,500) (06-0713)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/17/2006

[View Report.pdf,](#)

[80217 CMS.pdf](#)

Subject: Commission On Aging Report

From: Department of Human Services

Recommendation: Receive An Informational Report From The Commission On Aging Including

The 2006 Senior Set-Aside Grants And Options For Supplemental Set-Aside Funds (06-0781)

Scheduled to *Life Enrichment Committee on 11/14/2006

[Review Report.pdf](#)

Subject: Public Art Advisory Committee - Appointment

From: Cultural Arts and Marketing

Recommendation: Adopt A Resolution Appointing Jennifer Easton As A Member of The Cultural

Affairs Commission's Public Art Advisory Committee (06-0712)

Scheduled to *Life Enrichment Committee on 11/14/2006

[View Report.pdf](#)

Subject: Oakland Fund For Children And Youth - Evaluation

From: Department Of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A

Contract Between The City Of Oakland And Community Crime Prevention Associates In An

Amount Not To Exceed \$333,783 To Evaluate The Oakland Fund For Children And Youth For

The Period of October 1, 2006 Through September 30, 2007 With Two Options Of One Year

Each To Renew In An Amount Not To Exceed 3% Of The Revenues Set Aside For

Grant-Making For The Oakland Fund For Children And Youth In Each Additional One Year

Renewal Term (06-0744)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/17/2006

[View Report.pdf](#),

[80218 CMS.pdf](#)

(Rules Item 5 10-12)

[View Item.pdf](#)

6

A review of the Agendas for the Council Committees for the meeting(s) of October 24, 2006

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 Brunner and Chair De La

Fuente

The following individual(s) spoke against this item:

FROM THE OCTOBER 24, 2006 COMMUNITY AND ECONOMIC DEVELOPMENT

COMMITTEE AGENDA

Subject: Traffic Impact Program

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces

Of Legislation:

1) Approve The Introduction (First Reading) Of An Ordinance Amending The Oakland

Municipal Code Title 10, Adding Chapter 70, Establishing A Traffic Impact Program (TIP)

Pursuant To California Government Code Sections 66000 Through 66025 (Mitigation Fee Act)

For The Southeast Portion Of The City Of Oakland, Including Procedural Requirements For The

Adoption, Imposition, And Adjustment Of Traffic Impact Fees (TIF); And (06-0807)

2) A Resolution Establishing A Traffic Impact Fee (TIF) Pursuant To Adoption And

Implementation Of The Traffic Impact Program (TIP) For The Southeastern Portion Of The City

Of Oakland, Including The Adoption And Imposition Of Traffic Impact Fees (TIF) And

Designated Projects For Fiscal Year 2007-2009 (06-0807-1)

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

11/14/2006

and as a Public Hearing on the December 5, 2006 City Council Agenda

(Rules Item 6 10-12)

[View Item.pdf](#)

7

A Review of the Boards and Commissions Directory and Vacancies

A motion was made by Member Chang, seconded by Member Brunner, 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 against this item:

(Sept 2006 B and C)

[View Report.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual(s) spoke against this item:

Adjournment

There being no further business, and upon the motion duly made, the Oakland

City Council Rules and Legislation Committee adjourned the meeting at 11:20

AM

NOTE:

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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 - Agenda Management Unit

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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