

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, September 21, 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 10:43

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

1
Closed Session

2
Approval of the Draft Minutes from the Committee meeting
There was no action necessary for this item.

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 Council Committee

meetings of September 26, 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: Oakland Wildfire Prevention Day

From: Oakland Fire Department

Recommendation: Adopt A Resolution Proclaiming October 21, 2006, And,

Annually, The Third Saturday In October, As Wildfire Prevention Day In The City

Of Oakland (06-0760)

***Approve as Amended the Recommendation of Staff, and Forward to**

Concurrent Meeting of the Oakland Redevelopment Agency / City Council

on 10/17/2006

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S-4-2

Subject: Proposition 49 Funds - OFCY Request For Qualifications

From: Councilmember Henry Chang

Recommendation: Action On A Joint Report From The Oakland Unified School

District And The Oakland Fund For Children And Youth (OFCY) On The Status Of

Proposition 49 Funds To Be Released Through The After School Education And

Safety Program (ASESP) And The Release Of An OFCY Request For

Qualifications For Services In 2007-2008 For Additional After School Programming

To Match ASESP Funds.; On The October 24, 2006 Education Partnership

Committee Agenda And Cancelling The October 24, 2006 Life Enrichment

Committee (06-0746)

***Approve as Amended the Recommendation of Staff, and Forward to**

***Education Partnership Committee on 10/24/2006**

Subject: Support Of Resolution No. 0607-002 - Board of Education

From: Board of Education

Recommendation: Hear A Presentation From David Kakishiba, President, Oakland

Board Of Education, On An Alternative Proposal For The Use Of The Oakland

Unified School District Administration Site (06-0747)

***Approve as Amended the Recommendation of Staff, and Forward to**

***Education Partnership Committee on 10/24/2006**

S-4-4

Subject: School Community Policing Project - Elmhurst Middle School

From: Councilmember Larry E. Reid

Recommendation: Adopt A Resolution Authorizing Immediate Allocation of \$20,000

Of Councilmember Larry E. Reid's Priority Project Funds To Alameda County

Office Of Education For Partners Today For A Better Tomorrow, A School

Community Policing Project at Elmhurst Middle School (06-0748)

Scheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/City Council/Geological Hazard Abatement District Board on

10/3/2006

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S-4-5

Subject: United Nations Month

From: Councilmember Nadel

Recommendation: Adopt A Resolution Declaring October 2006 United Nations

Month In The City Of Oakland (06-0761)

Scheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/City Council/Geological Hazard Abatement District Board on

10/3/2006

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S-4-6

Subject: Clean Energy Initiative

From: Councilmember Pat Kernighan

Recommendation: Adopt A Resolution Endorsing State Ballot Proposition 87, The

California Clean Energy Initiative (06-0762)

Scheduled to *Rules & Legislation Committee on 9/28/2006

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S-4-7

Subject: Oil Independent Oakland

From: Councilmember Nadel

Recommendation: Adopt A Resolution Creating A Task Force Composed Of Eleven

(11) Appointees - Eight (8) By The City Council And Three (3) By The Mayor,

Representing Various Fields Of Expertise - That Will Draft And Submit A Plan For

Oakland To Become Oil Independent By 2020 (06-0763)

Scheduled to *Public Works Committee on 10/10/2006

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S-4-8

Subject: 2005-2006 Final Evaluation Report-Oakland Fund For Children And

Youth

From: Department Of Human Services

Recommendation: Adopt A Resolution Adopting The Oakland Fund For Children

And Youth Final Evaluation Report For Fiscal Year 2006 - 2006; On The November

14, 2006 Life Enrichment Committee Agenda (06-0764)

Scheduled to *Life Enrichment Committee on 11/14/2006
S-4-9

Subject: Mixed-Use Development Appeal - 4700 Telegraph Avenue

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A

Resolution Denying The Appeal And Sustaining The Decision Of The Planning

Commission Approving Construction Of A New Mixed-Use Development

Consisting Of 51 Residential Units And 5,000 Square Feet Of Commercial Space

Located at 4700 Telegraph Avenue (Case File Number(s) A06-379; CMDV06-188;

& TPM9164); On The October 17, 2006 City Council Agenda (06-0728)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/31/2006

S-4-10

Subject: Hills Elmhurst Plaza Project

From: Director, Community & Economic Development

Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating

Agreement For A Term Of 12 Months With Strategic Urban Development Alliance,

LLC, For Development Of The Hills Elmhurst Plaza Project Between 94th and 96th

Streets, As Well As The 9900 Block On International Boulevard In The Coliseum

Redevelopment Project Area; On The November 14, 2006 Community And

Economic Development Committee Agenda (06-0749)

Scheduled to *Community & Economic Development Committee on

11/14/2006

S-4-11

Subject: Forest City Residential West, Inc.

From: Director, Community And Economic Development

Recommendation: Receive A Report Regarding Staff's Determination Of The

Number Of Residential Units To Be Included In The Project To Be Developed By

Forest City Residential West, Inc., On A Block Bounded By Telegraph Avenue,

William Street, A New Public Park And 19th Street; And, (06-0750)

S-4-11-1

Adopt A Resolution Authorizing A Change In The Source Of Agency Funds For The

Acquisition Of A Property Bounded By Telegraph Avenue, William Street, San

Pablo Avenue And 19th Street; On The October 24, 2006 Community And

Economic Development Committee Agenda (06-0750-1)

Scheduled to *Community & Economic Development Committee on

10/24/2006

S-4-12

Subject: Infill Development Incentives Program

From: Director, Community And Economic Development

Recommendation: Adopt A Resolution Allocating Sixty Thousand Dollars

(\$60,000) For A Second Year To The Infill Development Incentives Program From

Fiscal Year 2006-2007 Coliseum Redevelopment Project Area Funds; on The

November 14, 2006 Community And Economic Development Committee Agenda

(06-0751)

Scheduled to *Community & Economic Development Committee on

11/14/2006

S-4-13

Subject: Façade Improvement Program

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Adopting Revised Program Guidelines For

All Façade Improvement Programs In Neighborhood Commercial Revitalization

(NCR) Program Target Areas, And Authorizing The City Administrator To

Negotiate And Execute All Third-Party Design Contracts Necessary To Administer

The Programs: And, (06-0752)

S-4-13-1

Adopt An Agency Resolution Adopting Revised Program Guidelines For All Façade

Improvement Programs In Redevelopment Project Areas, And Authorizing The

Agency Administrator To Negotiate And Execute All Third-Party Design Contracts

Necessary To Administer The Programs; On The November 14, 2006 Community

And Economic Development Committee Agenda (06-0752-1)

Scheduled to *Community & Economic Development Committee on

11/14/2006

S-4-14

Subject: Oakland Ice Center Contract

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The Agency Administrator To

Negotiate And Execute A Three-Year Agreement With Rink Management Services

Corporation (RMSC) For Management And Operation Of The Oakland Ice Center

(OIC) For A Monthly Fee Not To Exceed \$4,900, Plus An Incentive Fee Not To

Exceed 20% Of Net Profit, If Earned During The Previous Year, Pursuant To

Specific Criteria; On The October 24, 2006 Community And Economic

Development Agency Agenda (06-0753)

Scheduled to *Community & Economic Development Committee on

10/24/2006

S-4-15

Subject: Annual Assessment Rockridge Business Improvement District

From: Community And Economic Development Agency

Recommendation: 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, And Scheduling A Public Hearing For October 31, 2006 (06-0754)

Scheduled to *Community & Economic Development Committee on

10/10/2006

and on the October 31, 2006 City Council Agenda as a Public Hearing

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S-4-16

Subject: Annual Assessment - Montclair Business Improvement District

From: Director, Community And Economic Development

Recommendation: 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, And Scheduling A Public Hearing For October 31, 2006 (06-0757)

Scheduled to *Community & Economic Development Committee on

10/10/2006

and on the October 31, 2006 City Council Agenda as a Public Hearing

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4-17

Subject: Metropolitan Transportation Commission Grant

From: Director, Community & Economic Development

Recommendation: Resolution Authorizing The City Administrator To Accept And

Appropriate A Grant For \$1,900,000 From The Metropolitan Transportation

Commission (MTC)/ Division Of Transportation Planning (CALTRANS)/ Livable

Communities Program For The West Oakland Transit Village Seventh Street

Streetscape; And, (06-0768)

S-4-17-1

Authorizing The Allocation Of The Required Local Match From A Combination Of

Transportation Measure B, West Oakland Redevelopment, and Council District 3

(Pay-Go) Discretionary Funds; On The October 24, 2006 Community & Economic

Development Committee Agenda (06-0768-1)

Scheduled to *Community & Economic Development Committee on

10/24/2006

(9-21-06 CMTES PND)

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ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Friends Of Peralta Hacienda Historical Park Agreement

From: Council President De La Fuente

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

Express Appreciation For A Gift Of An Interpretive Exhibits From The Friends of Peralta

Hacienda Historical Park, A Non-Profit Organization, For An Adobe Alcoves Display Project,

With An Estimated Value Of Forty-Seven Thousand Dollars (\$47,000.00), And Authorizing The

City Administrator: 1) To Enter Into A Donation Agreement With Friends Of Peralta Hacienda

Historical Park For The Interpretive Exhibits; 2) To Enter Into A Contract With A Construction

Contractor Selected By Friends Of Peralta Hacienda Historical Park For An Amount

Not-To-Exceed One Dollar (\$1) To Install The Exhibits; And 3) To Negotiate And Execute An

Amendment To The License Agreement With Friends Of Peralta Hacienda Historical Park For

Maintenance Of The Adobe Wall And Alcoves And Interpretive Exhibits For A Period Of Five

(5) Years With Two (2) Consecutive Five-Year Options To Renew (06-0772)

Scheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/City Council/Geological Hazard Abatement District Board on

10/3/2006

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Subject: C.O.R.E. Disaster Equipment

From: Council President Ignacio De La Fuente

Recommendation: Adopt A Resolution Allocating \$41,000 Of City Council President Ignacio De

La Fuente's Priority Project Funds To The "Citizens of Oakland Respond To Emergencies"

(C.O.R.E.) Program Within The City Of Oakland's Office Of Emergency Services To Procure

High-Frequency, Hand-Held Communication Devices And Related Equipment For All Existing

C.O.R.E III Disaster Readiness Teams (At Least 5 Devices Per Team) And One Device For

Each Fire Station To Enhance Communications With The C.O.R.E Teams Throughout The City

of Oakland (06-0774)

Scheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/City Council/Geological Hazard Abatement District Board on

10/3/2006

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FROM THE SEPTEMBER 26, 2006 COMMUNITY AND ECONOMIC DEVELOPMENT

COMMITTEE AGENDA

Subject: Zoning Update

From: Councilmember Brunner

Recommendation: Action On A Report From The Planning Department To Update The Zoning In

Seven Neighborhoods In Oakland To Be In Compliance With The General Plan Within The Next

Six Months. Temescal Will Be One Of Those Neighborhoods (06-0246)

***Withdrawn with No New Date**
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Subject: City's Industrial Land Policy

From: Councilmember Jane Brunner

Recommendation: Action On A Report and Recommendations On The City's Industrial Land

Policy (06-0303-1)

***Withdrawn with No New Date**
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A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of October 3, 2006 and the Rules and Legislation Committee meeting of October 5, 2006

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

Subject: Inclusionary Housing Requirement

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Approve The Introduction

(First Reading) Of An Ordinance Adding Chapter 17.109 To The Oakland Planning Code To

Establish An Inclusionary Housing Requirement And Establish Two New Homeownership

Programs For Oakland Teachers, Making Related Amendments To The Oakland Planning Code,

Amending Section 15.68.100 Of The Oakland Municipal Code, And Amending The Master Fee

Schedule To Establish An Inclusionary Housing In-Lieu Fee; Or (06-0392)

***Withdrawn with No New Date**

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Subject: Inclusionary Housing Requirements - Ordinance Modifications

From: Councilmembers Jane Brunner, Jean Quan And President De La Fuente

Recommendation: Approve The Introduction (First Reading) Of An Ordinance Adding Chapter

15.70 To The Oakland Municipal Code To Establish An Inclusionary Housing Requirement And

Establish Two New Homeownership Programs For Oakland Teachers, Amending Section

15.68.100 Of The Oakland Municipal Code To Permit Affordable Housing Trust Funds To Be

Used To Administer And Enforce The Inclusionary Housing Requirement, And Amending The

Master Fee Schedule To Establish An Inclusionary Housing In-Lieu Fee; And (06-0392-1)

***Withdrawn with No New Date**

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Subject: Inclusionary Housing Requirement

From: Councilmember Reid

Recommendation: Consideration Of A Motion To Add New Section 12; Renumber Existing

Section 12 To Section 13 To Read Section 12. This Ordinance Shall Not Apply In Any

Redevelopment Project Area Where More Than 75% Of The Land Within That Redevelopment

Project Area, As That Area Is Designated As Of The Date Of The Adoption Of This Ordinance,

Is Developed Pursuant To A Master Plan Of Development That Satisfies The Affordable

Housing Production Requirements Of Health And Safety Code Section 33413 (06-0392-2)

***Withdrawn with No New Date**

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~~A Review Of The Boards and Commissions Vacancy Report~~

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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

City Council Rules and Legislation Committee adjourned the meeting at 11:15

AM.

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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.

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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