

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 18, 2006

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

The Oakland City Council Rules and Legislation Committee convened at 10:40

AM with Council President De La Fuente presiding as Chairperson.

1

Closed Session

A motion was made to *Approve as Submitted. The motion carried.

Votes:

The Office of the City Attorney scheduled a Closed Session for May 30, 2006 at

4 PM.

2

Approval of the Draft Minutes from the Committee meeting of May 4, 2006

A motion was made to *Approve the Minutes. The motion carried.

Votes:

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 May 23, 2006 (SUPPLEMENTAL)

A motion was made to *Approve with the following amendments. The

motion carried.

Votes:

S-4-1

Subject: West Oakland Transportation Plan

From: Councilmember Larry Reid

Recommendation: Hear A 5 Minute Presentation On The West Oakland Community

Based Transportation Plan

06-0403

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 5/30/2006

The Committee requested that the presentation be limited to 5 minutes

[View Report.pdf](#)

S-4-2

Subject: Vice Mayor Jean Quan - Urban Park And Recreation Summit

From: Vice Mayor Jean Quan

Recommendation: Adopt A Resolution Authorizing Councilmember Jean Quan To

Travel To Chicago To Attend The Urban Park And Recreation Summit, May 17-18,

2006; On The May 30, 2006 City Council Agenda

06-0421

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 5/30/2006

[View Report.pdf,](#)

[79922 CMS.pdf](#)

S-4-3

Subject: Tree View Ordinance

From: Vice Mayor Jean Quan

Recommendation: Adopt An Ordinance Amending Oakland Municipal Code

Chapter 15.52, The View Ordinance Governing The Rights Of View And Tree

Owners, To Provide That Tree Ownership Includes Trees That Are Allowed To

Sprout On The Owner's Land As A Result Of Natural Regeneration As Well As

Trees That Are Planted By The Owner

06-0425

Scheduled to *Public Works Committee on 6/13/2006

[View Report.pdf,](#)

[12752 CMS.pdf](#)

S-4-4

Subject: Disposable Food Service Ware

From: Vice Mayor Jean Quan

Recommendation: Adopt An Ordinance To Prohibit The Use Of Polystyrene Foam

Disposable Food Service Ware And Require The Use Of Biodegradable Or

Compostable Disposable Food Service Ware By Food Vendors and City Facilities

06-0430

Scheduled to *Public Works Committee on 6/13/2006

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[12747 CMS.pdf](#)

S-4-5

Subject: "Cold Hit" Cases

From: Councilmember Larry Reid

Recommendation: Receive An Informational Report On The Oakland Police

Department's Efforts To Investigate DNA "Cold Hit" Cases

[06-0432](#)

Scheduled to *Public Safety Committee on 6/13/2006

[View Report.pdf,](#)

[View Supplemental.pdf](#)

S-4-6

Subject: City Council Expenses

From: Vice Mayor Jean Quan

Recommendation: Discussion And Action On A Report On The Use Of Funds

Appropriated For City Council Personnel Expenses For Non-Personnel Purposes

And Conditions For Grants To External Organizations

[06-0434](#)

Scheduled to *Finance & Management Committee on 6/13/2006

[View Report.pdf,](#)

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[View Supplemental Report City Attorney.pdf](#)

S-4-7

Subject: Public Art Design - Carmen Flores Community Center

From: Cultural Arts And Marketing Division

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Negotiate And Execute A Professional Services Agreement With Joaquin A.

Newman For Public Art Design And Fabrication Services For Carmen Flores

Community Center In An Amount Not To Exceed Twenty Thousand Seven Hundred

Dollars (\$20,700)

06-0418

Scheduled to *Life Enrichment Committee on 6/13/2006

[View Report.pdf,](#)

[80019 CMS.pdf](#)

S-4-8

Subject: Public Art Design - 66th Avenue Gateway Project

From: Cultural Arts And Marketing

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Negotiate And Execute Professional Services Agreement With Valerie Otani And

Fernanda D'Agostino For Public Art Design And Fabrication Services For The 66th

Avenue Gateway Project In An Amount Not To Exceed One Hundred Thousand

Dollars (\$100,000) Per Artist

06-0419

Scheduled to *Life Enrichment Committee on 6/27/2006

[View Report.pdf,](#)

[View Supplemental.pdf,](#)

[80051 CMS.pdf](#)

S-4-9

Subject: Public Art Design - Rockridge-Temescal Greenbelt

From: Cultural Arts And Marketing

Recommendation: Adopt A Resolution Authorizing A Professional Services

Agreement With Mark Brest Van Kempen For Public Art Design And Fabrication

Services For The Rockridge-Temescal Greenbelt In An Amount Not To Exceed

Sixty Thousand Dollars (\$60,000)

06-0420

Scheduled to *Life Enrichment Committee on 6/27/2006

[View Report.pdf,](#)

[80277 CMS.pdf](#)

S-4-10

Subject: Public Art Design - Measure DD Lake Merritt-Estuary Channel Project

From: Cultural Arts And Marketing

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Negotiate And Execute Professional Services Agreements With Artists John Roloff

And Lewis DeSoto For Public Art Design And Fabrication Services For The Lake

Merritt-Oakland Estuary Channel Project In An Amount Not To Exceed Seventy

Seven Thousand Five Hundred Dollars (\$77,500) Per Artist

[06-0423](#)

Scheduled to *Life Enrichment Committee on 7/11/2006

[View Report.pdf,](#)

[80122 CMS.pdf](#)

S-4-11

Subject: Arts and Cultural Services In Oakland

From: Cultural Arts And Marketing Division

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter

Into Cultural Services Contracts With Seventy-Three (73) Oakland-Based Nonprofit

Organizations And Individual Artists Providing Arts And Cultural Services In

Oakland During Fiscal Year 2006-2007 In A Total Amount Not To Exceed

\$1,180,261.96

[06-0424](#)

Scheduled to *Life Enrichment Committee on 6/13/2006

This item will also appear on the June 20, 2006 City Council Agenda as a

Public Hearing

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[79976 CMS.pdf](#)

S-4-12

Subject: Panoramic Hill - Rezoning

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An

Ordinance To Rezone The Panoramic Hill Neighborhood, Comprising

Approximately 30 Acres Of Land, In An Area Generally Located North of Dwight

Way, South Of Panoramic Place, East Of The Oakland Berkeley Border, And West

Of Panoramic Way, From The R-20 Low Density Residential Zone / S-4 Design

Review Combining Zone and S-18 Mediated Residential Design Review Combining

Zone To R-10 Estate Residential Zone / S-4 Design Review Combining Zone and

S-18 Mediated Residential Design Review Combining Zone (Case File Number

RZ04-042); On The May 30, 2006 City Council Agenda

06-0280

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 5/30/2006

[View Report.pdf,](#)

[12739 CMS.pdf](#)

S-4-13

Subject: Mills Act Property Tax Abatement Program

From: Community And Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The

Following Pieces of Legislation:

1) A City Ordinance Adopting A Two-Year Pilot Mills Act Property Tax Abatement

Program For Qualified Historic Properties, Making Related Amendments To The

City's Master Fee Schedule And Adopting A Model Mills Act Agreement;

Scheduled to *Finance & Management Committee on 7/11/2006

This item will also appear on the July 11, 2006 Community and Economic

Development Committee Agenda and the July 18, 2006 City Council Agenda as

a Public Hearing

2) A City Resolution Amending The Historic Preservation Element Of The General Plan To

Clarify The Definition Of Qualified Historic Properties for Mills Act Contracts; And

[06-0429-1](#)

Scheduled to *Finance & Management Committee on 7/11/2006

This item will also appear on the July 11, 2006 Community and Economic

Development Committee Agenda and the July 18, 2006 City Council Agenda as

a Public Hearing

3) An Agency Resolution Appropriating \$3,500 Of West Oakland Redevelopment Plan Funds

For A Johanna Favrot Fund For Historic Preservation Matching Fund Grant Through The

National Trust For Historic Preservation To Fund An Economic Analysis Of The Mills Act

Program

[06-0429-2](#)

Scheduled to *Finance & Management Committee on 7/11/2006

This item will also appear on the July 11, 2006 Community and Economic

Development Committee Agenda and the July 18, 2006 City Council Agenda as

a Public Hearing

S-4-14

Subject: Revocable And Conditional Permit For 2847 Peralta Street

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Granting Peralta Street LLC A Revocable

And Conditional Permit To Allow Electrical Transformer Vaults For New Buildings

At 2847 Peralta Street To Encroach Under The Public Sidewalk Along Hannah

Street and Peralta Street

[06-0431](#)

Scheduled to *Public Works Committee on 6/13/2006

[View Report.pdf,](#)

[79965 CMS.pdf](#)

S-4-15

Subject: Final Map Tract - 1000 Apgar Street

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving The Final Map For Tract 7672 For A

Residential Home Subdivision At 1000 Apgar Street And Conditionally Accepting

An Irrevocable Offer Of Dedication For An On-Site Public Access Easement

06-0433

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 6/20/2006

[View Report.pdf,](#)

[79987 CMS.pdf](#)

S-4-16

Subject: Oakland Food System Assessment Study

From: Office Of The Mayor

Recommendation: Receive An Informational Report On The Oakland Food System

Assessment Study

06-0427

Scheduled to *Community & Economic Development Committee on

6/27/2006

This item will also appear on the June 27, 2006 Life Enrichment Committee

Agenda

[View Report.pdf,](#)

[View Report.pdf](#)

S-4-17

Subject: Oakland City Stables Concessionaire

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 Metropolitan Equestrian Preservation Society 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

With Three Consecutive Five Year Options To Renew

06-0422

Scheduled to *Life Enrichment Committee on 7/11/2006

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[View Supplemental.pdf,](#)

[80088 CMS.pdf](#)

ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Recognition of Michael McPherson

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Recognizing And Honoring Michael McPherson Upon

His Retirement From The Oakland Business Development Corporation After 25 Years Of

Dedicated Service

[06-0446](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment

Agency/City Council on 5/30/2006

[View Report.pdf,](#)

[79916 CMS.pdf](#)

Subject: Digital Community Initiative

From: Councilmember Reid

Recommendation: Receive An Informational Report Regarding The Work In Progress To

Develop A Digital Community Initiative

[06-0494](#)

Scheduled to *Community & Economic Development Committee
for scheduling as soon as possible

[View Report.pdf](#)

[RL item 4 05-18-06](#)

[View Item.pdf](#)

5

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

meeting(s) of May 30, 2006 and the Rules and Legislation Committee of June 1, 2006

A motion was made to *Approve as Submitted. The motion carried.

Votes:

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

- Sanjiv Handa

[RL item 5 05-18-06](#)

[View Item.pdf](#)

6

~~A Review of the Boards and Commissions Vacancy Report~~

This item was withdrawn at the May 11, 2006 Rules and Legislation Committee

Meeting

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 11:20

AM

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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