

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 19, 2006

10:30 AM

Oakland City Hall, 3rd Floor

Roll Call / Call to Order

Excused: Member Brunner

Present: Member Chang, Member Reid 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

*The City Attorney scheduled a Closed Session for 3 PM on Tuesday, October
31, 2006*

2
Approval of the Draft Minutes from the Committee meeting of October 5, 2006

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

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

Votes:

Excused; 1 - Member Brunner

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

3

Determination of Schedule of Outstanding Committee Items
There was no action necessary for this item

[RULES ITEM 3 10-19](#)

[View Item.pdf](#)

4

Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee
meetings of October 24, 2006 (SUPPLEMENTAL)

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:

Excused; 1 - Member Brunner

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

S-4-1

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

[06-0851-1](#)

Continued to *Rules & Legislation Committee on 10/26/2006

for scheduling

S-4-2

Subject: Oakland Athletics Stadium License Agreement - Amendment

From: Office of the City Attorney

Recommendation: Adopt A Resolution Approving And Authorizing The Execution

Of The Seventh Amendment To The Oakland-Alameda County Coliseum Oakland

Athletics Amended And Restated Stadium License Agreement

[06-0874](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

This item will also be discussed in Closed Session

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

- Sanjiv Handa

[View Report.pdf](#)
S-4-3

Subject: Incentive Business License Tax Credit

From: City Auditor

Recommendation: Receive An Informational Report On Incentive Business

License Tax Credit To Attract New Business A Recommendation From The

Oakland City Auditor

06-0866

Scheduled to *Community & Economic Development Committee on

11/28/2006

S-4-4

Subject: Mills Act Property Tax Abatement Program - Historic Preservation

From: Community and Economic Development Agency

Recommendation: Adopt the Following Pieces of Legislation:

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

Program For Qualified Historic Properties, And Making Related Amendments To

The City's Master Fee Schedule; And

[06-0876](#)

Scheduled to *Community & Economic Development Committee on

11/28/2006

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

Clarify The Definition Of Qualified Historic Properties For Mills Act Agreements To Include

Heritage Properties And To Waive Design Review Fees For Properties That Are In A Mills Act

Agreement; And

[06-0876-1](#)

Scheduled to *Community & Economic Development Committee on

11/28/2006

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

Serve As Matching Funds For A Johanna Favrot Fund For Historic Preservation Grant Through

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

Program

[06-0876-2](#)

Scheduled to *Community & Economic Development Committee on

11/28/2006

This item will also appear on the November 28, 2006 Finance and Management

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

Public Hearing

S-4-5

Subject: Hegenberger Road East Gateway / Airport Access Road Streetscape

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Authorizing Award Of A Contract To Ray's Electric For The

Construction Of Hegenberger Road East Gateway And Airport Gateway-Airport

Access Road Streetscape Improvement Projects For An Amount Not To Exceed

Two Million Three Hundred Fifty Nine Thousand Six Hundred Eleven Dollars

And Fifty Cents (\$2,359,611.50); And

[06-0877](#)

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

[View Report.pdf](#)

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

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

Exceed \$2,830,000 For The Design, Administration, And Construction Of The Hegenberger

Road East Gateway And Airport Gateway-Airport Access Road Streetscape Improvement

Projects; And

[06-0877-1](#)

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

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

\$2,830,000 In Agency Funds To The City Of Oakland Under The Cooperation Agreement For

The Design, Administration, And Construction Of The Hegenberger Road East Gateway And

Airport Gateway-Airport Access Road Streetscape Improvement Projects

[06-0877-2](#)

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

S-4-6

Subject: Fruitvale Masonic Temple Renovation

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To

Apply For, Accept, And Allocate Grant Funds In An Amount Not To Exceed

\$148,500 From The U.S. Department Of Housing And Urban Development's

Economic Development Initiative - Special Projects Grant Program To Be Used In

Funding The Renovation Of The Fruitvale Masonic Temple Located At Plaza De

La Fuente And East 12th Street By The Unity Council

06-0878

Scheduled to *Community & Economic Development Committee on

11/28/2006

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

- *Sanjiv Handa*

S-4-7

Subject: Recognition Of James Mahoney

From: Finance and Management Agency

Recommendation: Adopt A Resolution Honoring James (Jim) W. Mahoney For

Thirty Three Years Of Distinguished Service To The Citizens Of The City Of

Oakland And Congratulating Him On His Retirement

06-0864

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 10/31/2006

[View Report.pdf](#)

S-4-8

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

Accepted as Amended

This item was broken up into separate items for each agency and forwarded as

a for scheduling item on the upcoming committee agendas

S-4-9

Subject: Medical Cannabis Dispensary Permits

From: Office of the City Administrator

Recommendation: Receive An Informational Report On The Operation Of

Oakland's Permitted Medical Cannabis Dispensaries And Action On Proposals

From Dispensary Operators To Amend Chapter 5.80 Of The Oakland Municipal

Code (OMC) - Medical Cannabis Dispensary Permits, To Permit The Use Of

On-Site Vaporizers And Permit The Growing Of Medicinal Cannabis At Specified,

Regulated, Off-Site Facilities; On The November 14, 2006 Public Safety

Committee Agenda

[06-0867](#)

Continued to *Rules & Legislation Committee on 10/26/2006
for scheduling
S-4-10

Subject: Violence Prevention And Public Safety Act Of 2004 (Measure Y)

From: Office of the City Administrator

Recommendation: Adopt A Resolution Regarding Implementation Of Programs

And Services Funded By The Violence Prevention & Public Safety Act Of 2004

(Measure Y) From The City Administrator's Office, Department Of Human

Services, Oakland Police Department And Oakland Fire Department

[06-0868](#)

Scheduled to *Public Safety Committee on 11/28/2006

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

- *Sanjiv Handa*

S-4-11

Subject: Lobbyist Registration Act Amendment

From: Public Ethics Commission

Recommendation: An Ordinance Amending Chapter 3.20 Of The Oakland

Municipal Code (AKA "The Lobbyist Registration Act") To Provide 1) A

Restriction On Elected Officials From Acting As Professional Lobbyists For One

Year After Leaving Office; 2) A Limitation On The Amount Of Gifts Lobbyists

Can Give To City Officials, Staff And Their Immediate Families; 3) Quarterly

Disclosure Of A Lobbyist's Campaign Fundraising Activities; 4) Quarterly

Disclosure Of Any Employment Relationship Among Lobbyists, City Officials

And Staff; 5) Disclosure Of The Names And Titles Of The Persons Whom A

Lobbyist Attempts To Influence; And 6) Misdemeanor Prosecution For Knowing

And Willful Violations Of The Act And A One-Year Practice Ban Upon

Conviction

[06-0863](#)

Scheduled to *Rules & Legislation Committee on 11/16/2006

[View Item.pdf](#)

ADDITIONAL ITEMS SUBMITTED ON THE DAIS

Subject: Steve Frasier - Settlement

From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To

Compromise And Settle The Case Of Steve Frasier v. City Of Oakland Alameda County

Superior Court Case No. RG 03080150 (Public Works Agency-Traffic)

[06-0879](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 10/31/2006**

Subject: Conversions To Homeowner Condominiums

From: Council President De La Fuente, Councilmembers Brooks and Chang

Recommendation: Action On Consideration Of Revisions To The City Of Oakland Subdivision

Regulations (Title 16 Of The Oakland Municipal Code - Condominium Conversions)

Regarding Conversion Of Rental Housing To Condominium Ownership As Requested By

Councilmembers De La Fuente, Brooks And Chang; Changes Include Substituting A Fee To

Be Paid To A Housing Trust Fund Rather Than The Requirement For Purchasing A Conversion

Right In The Private Market; Establishment Of A Cap Of 1,500 Units Per Year And Changes

To The Required Tenant Assistance Program; New Chapter 16 Would Be Entitled

"Conversions To Homeownership"

06-0880

**Scheduled to *Community & Economic Development Committee on
11/14/2006**

*This item will also be heard on the November 28, 2006 Community And
Economic Development Committee Agenda*

[View Report.pdf](#)

Subject: Fiscal Year 2005-2006 Performance Results

From: Office of the City Administrator

Recommendation: Receive An Informational Report On Fiscal Year 2005-2006 Performance

Measure Results For The Office Of The City Administrator, Office Of The City Attorney,

Office Of The City Clerk, And Finance And Management Agency

06-0881

**Scheduled to *Finance & Management Committee on 10/24/2006
for scheduling**

[View Report.pdf](#)

Subject: Fiscal Year 2005-2006 Performance Results

From: Office Of The City Administrator

Recommendation: Receive An Informational Report On Fiscal Year 2005-2006 Department Of

Human Services, Library, Museum, And Office Of Parks And Recreation Performance Results

[06-0882](#)

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

Subject: Fiscal Year 2005-2006 Performance Results

From: Office of the City Administrator

Recommendation: Receive An Informational Report On Fiscal Year 2005-2006 Fire Services

And Police Services Performance Results

[06-0883](#)

Scheduled to *Public Safety Committee on 10/24/2006
for scheduling

Subject: Fiscal Year 2005-2006 Performance Results

From: Office of the City Administrator

Recommendation: Receive An Informational Report On Fiscal Year 2005-2006 Performance

Measure Results For the Public Works Agency

[06-0884](#)

Scheduled to *Public Works Committee on 10/24/2006
for scheduling
[View Report.pdf](#)

Subject: Fiscal Year 2005-2006 Performance Results

From: Office of the City Administrator

Recommendation: Receive An Informational Report On Fiscal Year 2005-2006 Community

And Economic Development Agency Performance Results

06-0885

Scheduled to *Community & Economic Development Committee on

10/24/2006

for scheduling

FROM THE NOVEMBER 14, 2006 COMMUNITY AND ECONOMIC DEVELOPMENT

COMMITTEE AGENDA

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

pending list

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](#)

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
pending list

Subject: Conley Consulting - Agreement

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing A Professional Services Agreement With

Conley Consulting Group To Develop A Citywide Retail Recruitment Strategy And

Implementation Plan In An Amount Not To Exceed \$485,000

[06-0787](#)

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

11/28/2006

Subject: St. Francis Electric - Agreement

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing An Additional \$163,325 Dollars For An

Agreement With St. Francis Electric In An Amount Not To Exceed \$453,325 For The

Historical Demarcation Markers Project In The Oak Center Redevelopment Project Area

[06-0821](#)

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

11/28/2006

[Rules 10-19 Item 4](#)

[View Item.pdf](#)

5

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

meeting(s) of October 31, 2006 and the Rules and Legislation Committee of November 2,

2006

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

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

Votes:

Excused; 1 - Member Brunner

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

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

- *Sanjiv Handa*

[Rules 10-19 Item 5](#)

[View Item.pdf](#)

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 Legislatioin 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.

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chemical sensitivities, please refrain from wearing strongly scented products to meetings.

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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