

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, January 25, 2007

10:30 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Excused: Member Brunner

Present: Vice Mayor Chang, Member Reid and Chair De La Fuente

1
Closed Session

The office of the City Attorney scheduled a Closed Session for 1:00 PM on

Tuesday, February 6, 2007

2
Approval of the Draft Minutes from the Committee meeting of January 11, 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 - Member Brunner

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

3
Determination of Schedule of Outstanding Committee Items
There was no action necessary for this item

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

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

following vote:

Votes:

Excused; 1 - Member Brunner

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

Subject: Urban Search And Rescue - FEMA Grant

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1)

Apply For, Accept And Appropriate A Grant From The Federal Emergency

Management Agency (FEMA) For The Period June 01, 2007 To September 30,

2008 In The Amount Of Seven Hundred Sixty Nine Thousand Five Hundred

Dollars (\$769,500) To Meet Continuing Management, Training And Equipment

Needs Of The Fire Department's Urban Search And Rescue (USAR) Team, 2)

Waive The City's Competitive Bidding Requirements And Authorize Procurement

Of Equipment From The General Services Administration Agency, And 3) Award

Equipment Contracts Without Return To Council

[06-1109](#)

Scheduled to *Public Safety Committee on 2/27/2007

[View Report.pdf](#)

4-2

Subject: Tobacco Related Products - Planning and Zoning Code Amendment

From: Councilmember Larry Reid

Recommendation: Adopt An Ordinance Amendment To Chapter 17.10 of the

Planning and Zoning Use Classifications for the Sale of Tobacco Related Products,

Requiring A Major Conditional Use Permit for These Activities; As Soon As

Possible On The Community And Economic Development Committee Agenda

06-1080

***Withdrawn with No New Date**

S-4-3

Subject: Education Partnership Committee Meeting

From: Vice Mayor Henry Chang

Recommendation: A Request To Cancel The February 27, 2007 Life Enrichment

Committee Meeting And Schedule An Education Partnership Committee Meeting

On February 27, 2007 To Discuss A Proposed Resolution Regarding Truancy

06-1085

Not Accepted

S-4-4

Subject: Priority Project Funds - District 7

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Authorizing Immediate Allocation Of

\$10,000 From Councilmember Larry E. Reid's Priority Project Funds To East

Oakland Senior Citizens, Inc.

06-1089

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 2/6/2007**

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[80419 CMS.pdf](#)

S-4-5

Subject: Implementation Of Funding Various Propositions

From: City Council

Recommendation: Action On A Report Presented By Townsend Public Affairs On

The Implementation Of Funding From Propositions 1C, 1D, 1E And Proposition

84; On The February 20, 2007 City Council Agenda

06-1097

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 2/20/2007

S-4-6

Subject: Councilmembers Larry Reid And Jean Quan - Travel Authorization

From: Councilmembers Larry Reid and Jean Quan

Recommendation: Adopt A Resolution Authorizing Councilmember Larry Reid

And Councilmember Jean Quan To Travel To Washington, DC To Attend The

National League Of Cities 2007 Annual Conference From March 10-14, 2007

06-1100

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 2/6/2007

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[80388 CMS.pdf](#)

S-4-7

Subject: Traffic Impact Program - Municipal Code Amendment

From: Councilmember Larry Reid

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The

Following Pieces Of Legislation:

1) 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 Areas

In Oakland, Where Housing Developments Are Having A Major Impact On Traffic

Conditions, Including Procedural Requirements For The Adoption, Imposition,

And Adjustment Of Traffic Impact Fees (TIF); And

06-1107

Accepted

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

Implementation Of The Traffic Impact Program (TIP) For The Areas In Oakland, Where

Housing Development Projects Are Having A Major Impact Of Traffic Conditions, Including

The Adoption And Imposition Of Traffic Impact Fees (TIF) And Designated Projects; As Soon

As Possible On The Community And Economic Development Committee Agenda; And As A

Public Hearing On A City Council Agenda

06-1107-1

Accepted

S-4-8

Subject: Lakeshore/Lake Park Business Improvement District

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Approving The Annual Reports Of The

Lakeshore/Lake Park Business Improvement Management District, The

Temescal/Telegraph Avenue Property Business Improvement District Of 2005,

And The Laurel Property Business Improvement District Of 2005 Advisory Boards

And Confirming The Continuing Annual Assessment For Each District For Fiscal

Year 2006/2007

06-1091

Scheduled to *Community & Economic Development Committee on

2/27/2007

[View Report.pdf](#)

S-4-9

Subject: Affordable Housing Development Activities

From: Community and Economic Development Agency

Recommendation: Adopt A Series Of City And Redevelopment Agency

Resolutions Regarding Affordable Housing Development Activities, Including

Authorizing \$26 Million In Affordable Housing Development Loans And

Appropriating Funds For The Affordable Housing Development Program

06-1092

Scheduled to *Community & Economic Development Committee on

3/13/2007

S-4-10

Subject: 333 17th Street - Revocable And Conditional Permit

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Granting Howden Building Investors LP A

Revocable And Conditional Permit To Allow An Existing Basement For A

Building At 333 17th Street To Encroach Under The Public Sidewalk Along 17th

Street And Webster Street

06-1093

Scheduled to *Public Works Committee on 2/27/2007

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

- *Sanjiv Handa*

[View Report.pdf](#)

S-4-11

Subject: 1300 Broadway - Revocable and Conditional Permit

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Granting Mash Petroleum, Inc., And the

Mashhoon Revocable Trust A Revocable And Conditional Permit For A Building

At 1300 Broadway To Allow An Existing Basement To Encroach Under The

Public Sidewalk Along Broadway and 13th Street

[06-1094](#)

Scheduled to *Public Works Committee on 2/27/2007

[View Report.pdf](#)

S-4-12

Subject: 3701 Broadway - Revocable And Conditional Permit

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Granting Kaiser Foundation Hospitals A

Revocable And Conditional Permit To Allow Soil Shoring For New Buildings At

3701 Broadway To Encroach Under The Public Right-Of-Way Along Broadway

and 38th Street

06-1095

Scheduled to *Public Works Committee on 2/27/2007

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

- *Sanjiv Handa*

[View Report.pdf](#)
S-4-13

Subject: 534 Thomas L. Berkley Way - Revocable And Conditional Permit

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Granting Buttner Properties, Inc. A

Revocable And Conditional Permit To Allow Vaults And Electrical Transformers

For A Building At 534 Thomas L. Berkley Way To Encroach Under The Public

Sidewalk Along 21st Street

06-1096

Scheduled to *Public Works Committee on 2/27/2007

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

- *Sanjiv Handa*

[View Report.pdf](#)

S-4-14

Subject: West Oakland Community Advisory Group Report

From: Community and Economic Development Agency

Recommendation: Receive An Informational Report Regarding The Continuation

Of The West Oakland Community Advisory Group (WOCAG)

06-1108

Scheduled to *Public Works Committee on 2/27/2007

[View Report.pdf](#)

S-4-15

Subject: St. Francis Electric - Agreement

From: Public Works Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Award

A Construction Contract To St. Francis Electric For The Oak Center Historical

Marker Project (No. P260210) In The Amount Of Four Hundred Fifty Three

Thousand Three Hundred Twenty Five Dollars (\$453,325.00)

[06-0821](#)

Scheduled to *Public Works Committee on 2/13/2007

[View Report.pdf,](#)

[80405 CMS.pdf](#)

S-4-16

Subject: Medical Cannabis Dispensary Permits

From: Office of the City Administrator

Recommendation: Receive An Annual Report On The Operation Of Oakland's

Permitted Medical Cannabis Dispensaries

[06-0867](#)

Scheduled to *Public Safety Committee on 2/27/2007

[View Report.pdf](#)

S-4-17

Subject: Distribution Of Local Contract Dollars

From: Office of the City Administrator

Recommendation: Action On A Report On The Council Policy To Encourage

Wider Distributions Of Local Contract Dollars Among Subcontractors And

Subconsultants; On The March 13, 2007 Public Works Committee Agenda

[06-1090](#)

Continued to *Rules & Legislation Committee on 2/1/2007

S-4-18

Subject: Oakland's Taxi Operation

From: Office of the City Administrator

Recommendation: Action On A Report And Recommendations On The Current

Structure Of Oakland's Taxi Industry, Problems Reported To The City Regarding

Taxis, Results Of Oakland Municipal Code (OMC) Mandated Biennial Taxi

Hearing, And Recommendations For Amendments To Certain Sections Of

Oakland's Taxi Ordinance

06-1098

Scheduled to *Public Safety Committee on 2/27/2007

[View Report.pdf](#)

S-4-19

Subject: Taxi Permitting Ordinance Amendment

From: Office of the City Administrator

Recommendation: Action On A Report On The Proposed Amendment To

Oakland's Taxi Permitting Ordinance, OMC Chapter 5.64; On The March 13, 2007

Public Safety Committee Agenda

06-1099

***Withdrawn with No New Date**

ADDITIONAL ITEM SUBMITTED ON THE DAIS

Subject: Tobacco Shop - Moratorium

From: Councilmember Larry Reid

Recommendation: Adopt An Interim Ordinance Of The City Of Oakland Adopted As An

Urgency Measure Pursuant To California Government Code Section 65858 Making Findings

And Establishing A Temporary Moratorium On The Establishment Of Any New Activity Or

Facility Selling Tobacco Or Tobacco Related Products Or Paraphernalia

06-1110

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /

[View Report.pdf,](#)

[12785 CMS.pdf](#)

4.1

A review of the Council Committees' actions from January 23, 2007 and determination of scheduling to the ORA/City Council meeting of February 6, 2007 (MATRIX)

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

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

Votes:

Excused; 1 - Member Brunner

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

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

- Sanjiv Handa

[01-25 Rules Item 4.1](#)

[View Item.pdf](#)

5

A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of February 6, 2007 and the Rules and Legislation Committee meeting of February 8, 2007

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 - Member Brunner

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

[01-25 Rules Item 5](#)

[View Item.pdf](#)

6

Subject: Mayor's Salary

From: Office Of The City Administrator

Recommendation: Action On A Report Calculating The Salary Of The Mayor Of The City Of

Oakland, In Conformance With The Procedures Set Forth In Article III, Section 300 Of The

Oakland City Charter

[06-1041](#)

A motion was made by Vice Mayor Chang, seconded by Member Reid, that

this matter be *Approve the Recommendation of Staff, and Forward to the

Concurrent Meeting of the Oakland Redevelopment Agency / City Council,

due back on February 6, 2007 as a Non-Consent item. The motion carried

by the following vote:

Votes:

Excused; 1 - Member Brunner

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

The Committee approved a motion by Vice Mayor Chang to approve

recommendations and set the Mayor's salary at 80% of the average estimated at

\$163,000, Councilmember Reid seconded the motion at 84% for the estimated

salary of \$163,000

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

- *Sanjiv Handa*

- *Lateeshi Dixon*

[View Report.pdf](#),

[View Report.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 Legislation Committee adjourned the meeting at 11:48

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.

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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