



# SUPPLEMENTAL

## City of Oakland

### Meeting Agenda

#### \*Rules & Legislation Committee

Office of the City Clerk  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, California 94612  
LaTonda Simmons, City Clerk

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

City of Oakland Website: <http://www.oaklandnet.com>

---

Thursday, January 15, 2009

10:30 AM

City Council Chambers - 3rd Floor

---

#### **DEFINITION OF TERMS:**

**Consent Item:** any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

**Non-Consent Item:** any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

**Action Item:** any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

**Informational Item:** an item of the agenda consisting only of an informational report that does not require or permit Council action.

#### **Roll Call / Call to Order**

#### **COMMITTEE MEMBERSHIP:**

Vice Mayor Ignacio De La Fuente, District 5; Larry Reid, District 7; Jean Quan, District 4; and Chairperson Jane Brunner, District 1

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of January 1, 2009

**There are no minutes to approve**

- 3 Determination of Schedule of Outstanding Committee Items  
(01-15 Rules Pending)
- 4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of January 20, 2009 (SUPPLEMENTAL)  
(01-15 Rules Item 4)

# SUPPLEMENTAL

\*Rules & Legislation Committee

Thursday, January 15, 2009

---

S-4-1

Subject: Permitted Bingo Operations - Annual Hall Fees  
From: Office of the City Administrator  
Recommendation: A Request To Withdraw From The February 3, 2009  
City Council Agenda The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 5.10, "Bingo" To: 1) Require A Bingo Hall Permit When The Bingo Hall Operator Is A Separate Entity From The Bingo Game Operator, 2) Specify Application Requirements For Bingo Halls, 3) Prohibit Bingo Hall Operators From Charging Bingo Game Operators More Than Fair Market Value For The Facilities, Goods And Services Provided By The Halls, 4) Prohibit Bingo Hall Operators From Transactions With Bingo Game Operators When Specified Familial And/Or Business Relationships Exist Between The Two Entities, 5) Subject Bingo Hall Operators To Audit Of Their Oakland Bingo Activities, 6) Specify That The Annual Bingo Hall Permit Fee, Audit Fee, And Police Services Fee Are Established By The Master Fee Schedule, 7) Establish That The Bingo Game Operators' Fee For Law Enforcement And Public Safety Costs Is Established By The Master Fee Schedule, 8) Require That Most Profits Or Proceeds Be Donated To Oakland Charitable Causes Annually, 9) Require Bingo Game Permittees To Conduct Traditional Called Bingo Every Day That Electronic Bingo Is Available, 10) Prohibit Use Of Illegal Bingo Machines, 11) Provide For Administrative Penalty For Violations, 12) Prohibit Door Prize Bingo Games, 13) Add Criteria For Denial, Suspension, Revocation, Or Conditional Approval Of Permits, And 14) Increase The Maximum Game Pay-Out From \$250 To \$500 (TITLE CHANGE); And

[\(07-1233\)](#)

2) An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Move The Annual Bingo Hall Fee From Chapter 5.10 To The Master Fee Schedule, To Establish A Monthly Fee For Bingo Game Operators To Offset The City's Costs Of Law Enforcement And Public Safety, And To Include In The Annual Bingo Hall Permit Fee That Portion Of Law Enforcement And Public Safety Costs Attributable To Bingo Halls; And Reschedule To The March 3, 2009 City Council Agenda

Reason: Staff Will Be Out Of The Country On The Date Currently Scheduled

[\(07-1233-1\)](#)

# SUPPLEMENTAL

\*Rules & Legislation Committee

Thursday, January 15, 2009

---

- S-4-2      Subject:      Sidewalk Safety And Maintenance - Liability  
From:          Office of the City Attorney  
Recommendation: A Request To Withdraw From The January 20, 2009  
City Council Agenda An Ordinance Of The City Of Oakland Adding  
Chapter 12.22 To The Oakland Municipal Code To Establish Landowner  
Responsibility And Liability For Sidewalk Safety And Maintenance; And  
Reschedule To The February 3, 2009 City Council Agenda
- Reason: Councilmember Nadel Has Been Asked By District 3 Constituents  
To Request That The Rules Committee Reschedule The Sidewalk Liability  
Issue To A Day Other Than Inauguration Day Because It Is A Very  
Controversial Issue
- [\(07-1731\)](#)
- S-4-3      Subject:      Schedule For The Week Of February 9, 2009  
From:          Office of the City Clerk  
Recommendation: A Request To Review The Meeting And Agenda  
Production And Distribution Schedule For The Week Of February 9, 2009
- [\(09-0030\)](#)
- S-4-4      Subject:      Fuels Management Report  
From:          Councilmember Jean Quan  
Recommendation: A Request To Withdraw From the February 10, 2009  
Public Safety Committee Agenda A Report On The Status Of The City Of  
Oakland Regional Fuels Management Project PDMC-PJ-CA-2006-004 And  
Issues Related To The Environmental Assessment For The Project; With  
No New Date
- [\(07-1910\)](#)
- S-4-5      Subject:      Solar Power Financing Program  
From:          Council President Brunner  
Recommendation: Adopt A Resolution And Implementation Plan To Create  
An "Oakland First" Solar Power Financing Program; On The February 24,  
2009 Finance And Management Committee Agenda
- [\(09-0029\)](#)
- S-4-6      Subject:      Public Arts Plan  
From:          Cultural Arts and Marketing  
Recommendation: Adopt A Resolution Adopting The 2009 Public Art  
Projects Plan; On The February 10, 2009 Life Enrichment Committee  
Agenda
- [\(09-0010\)](#)

# SUPPLEMENTAL

\*Rules & Legislation Committee

Thursday, January 15, 2009

---

S-4-7            Subject:    Central City East Formation Procedures Amendment  
From:            Community and Economic Development Agency  
Recommendation: Adopt A Resolution Amending The Formation  
Procedures For The Central City East Redevelopment Project Area  
Committee: 1) To Remove The Age Requirement For Existing Community  
Organization Appointees; And 2) To Add Castlemont Leadership  
Preparatory High School And Mandela High School As Alternating “At  
Large” Community Organizations; On The February 10, 2009 Community  
And Economic Development Committee Agenda

[\(09-0019\)](#)

S-4-8            Subject:    Lion Creek Crossings - Phase IV  
From:            Community and Economic Development Agency  
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) A City Resolution Amending The General Plan Land Use Designation  
For The Project Site From Mixed Housing Type Residential And Urban  
Residential To Neighborhood Center Mixed Use;

[\(09-0026\)](#)

2) A City Ordinance Adopting An Amendment To The Coliseum Area Redevelopment  
Plan Revising The Land Use Designation For The Project Site From Mixed Housing Type  
Residential And Urban Residential To Neighborhood Center Mixed Use;

[\(09-0026-1\)](#)

3) An Agency Resolution Approving And Recommending Adoption Of An Amendment  
To The Coliseum Area Redevelopment Plan Revising The Land Use Designation For The  
Project Site From Mixed Housing Type Residential And Urban Residential To  
Neighborhood Center Mixed Use;

[\(09-0026-2\)](#)

4) A City Ordinance Rezoning The Project Site From The R-36 Small Lot Residential,  
R-50 Medium Density Residential And M-30 General Industrial Districts To The C-25  
Office Commercial District; And

[\(09-0026-3\)](#)

5) A City Resolution Affirming And Sustaining The Planning Commission Decision To  
Approve The Development Permits (Design Review, Conditional Use Permit, And  
Variances) For The Project; On The February 24, 2009 Community And Economic  
Development Committee Agenda; And As A Public Hearing On The March 3, 2009 City  
Council Agenda

[\(09-0026-4\)](#)

# SUPPLEMENTAL

\*Rules & Legislation Committee

Thursday, January 15, 2009

---

S-4-9            Subject:    Revocable And Conditional Permit - 1755 Broadway LLC  
From:            Community and Economic Development Agency  
Recommendation: Adopt A Resolution Granting 1755 Broadway LLC A  
Revocable And Conditional Permit To Allow An Existing Basement For A  
Building At 1755 Broadway To Encroach Under The Public Sidewalk  
Along Telegraph Avenue; On The February 24, 2009 Public Works  
Committee

[\(09-0027\)](#)

S-4-10            Subject:    Broadway/MacArthur/San Pablo Area Façade Improvement  
Program  
From:            Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Allocating \$300,000 To The  
Broadway/MacArthur/San Pablo Redevelopment Project Area Façade  
Improvement Program And \$300,000 To The Broadway/MacArthur/San  
Pablo Redevelopment Project Area Tenant Improvement Program; And

[\(09-0028\)](#)

2) An Agency Resolution Reallocating \$500,000 From The Downtown Tenant  
Improvement Program (Retail Entertainment Catalyst Project) To The Downtown Façade  
Improvement Program; On The February 10, 2009 Community And Economic  
Development Committee Agenda

[\(09-0028-1\)](#)

5            A review of the Council Committees' actions from January 13, 2009 and determination of  
scheduling to the ORA/City Council meeting of January 20, 2009 or future dates  
(MATRIX)

[\(01-15 Rules Item 5\)](#)

6            A review of the Agendas for the Council Committees for the meetings of January 27,  
2009 and the Rules and Legislation Committee for the meeting of January 29, 2009

[\(01-15 Rules Item 6\)](#)

## **OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)**

### **Adjournment**

NOTE:            Americans With Disabilities Act  
If you need special assistance to participate in Oakland City Council and Committee  
meetings 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

# SUPPLEMENTAL

\*Rules & Legislation Committee

Thursday, January 15, 2009

---

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451

(TDD)

**MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM**

\* 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.

**LATONDA SIMMONS**  
**Agency Secretary/City Clerk**  
**and Clerk of the Council**

ORA - Oakland Redevelopment Agency

S - Supplemental Item