



City of Oakland Meeting Minutes

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, July 15, 2010

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Excused: Member Reid

Present: Member Quan, Chair Brunner and Member De La Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:55a.m., with Councilmember Brunner presiding as Chairperson.

1 Closed Session

A motion was made by Member De La Fuente, seconded by Member Quan, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Member Reid

Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente

[7-15-10 Rules item 1](#)

[View Report.pdf](#)

2 Approval of the Draft Minutes from the Committee meeting of June 24, 2010

A motion was made by Member De La Fuente, seconded by Member Quan, to *Approve the Minutes. The motion carried by the following vote:

Votes: Excused; 1 - Member Reid

Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente

3 Determination of Schedule of Outstanding Committee Items

A motion was made by Member De La Fuente, seconded by Member Quan, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Member Reid

Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente

4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of July 20, 2010 (SUPPLEMENTAL)

[715item4](#)

[View Report.pdf](#)

S-4-1 Subject: Statewide General Election
From: Office of The City Clerk
Recommendation: Adopt An Ordinance Requesting Consolidation Of The City Of
Oakland General Municipal Election With The Statewide General Election To Be
Held In The City Of Oakland On Tuesday, November 2, 2010
[09-1658](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 7/20/2010**

This item requires an Urgency Finding.

The following individual spoke on this item:

- David Mix
 - Sanjiv Handa
- [View Report.pdf](#)
[13032 CMS.pdf](#)

S-4-2 Subject: Quan's Pay-Go Funds - Snapshot Mosaics
From: Vice Mayor Quan
Recommendation: Adopt A Resolution Authorizing A Professional Services
Contract Of \$25,000.00 Funded By Council Member Jean Quan's Pay-Go Funds,
To Gina Dominguez Of Snapshot Mosaics For The Fabrication And Installation Of
Five "Way Finding" Ceramic Mosaic Sidewalk Panels And To Waive The
Competitive Process
[09-1478](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 7/20/2010**

This item requires an urgency finding.

The following individual spoke on this item:

- David Mix
- [View Report.pdf](#)
[82938 CMS.pdf](#)

S-4-3 Subject: Pension Reform Ballot Measure
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Submitting On The Council's Own Motion, To The Electors At The November 2nd 2010 Election, A Measure Amending Article IX Of The Oakland City Charter Relating To Sworn Personnel Pensions To Enact Pension Reform. Measure To Require Employees Pay Employee Share Of Pension Contribution, Providing That Future Increases In Pension Must Be Approved By Voters, Exempt Pensions From Binding Arbitration Provision And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The Law And Authorizing Certain Other Election Activities; And Directing Staff To Conduct Any Necessary Negotiations In Furtherance Of This Resolution; On The July 29, 2010 City Council Agenda

[09-1634](#)

***Withdrawn with No New Date**

The following individual spoke on this item:

- David Mix
- Sanjiv Handa

S-4-4 Subject: Citywide Project Labor Agreement
From: Council President Brunner
Recommendation: Discussion And Possible Action On The Development Of A Citywide Project Labor Agreement

[09-1647](#)

Scheduled to *Community & Economic Development Committee on 7/27/2010

The following individual spoke on this item:

- David Mix
- [View Repor.pdf](#)

S-4-5 Subject: Oakland Pride Festival
From: Councilmembers Kaplan and Kernighan
Recommendation: Adopt A Resolution Celebrating The First Annual Oakland
Pride Festival And Honoring The Oakland Pride Organization For Their
Commitment To Oakland And The Lesbian, Gay, Bisexual, Transgender, Queer
And Allied Communities
[09-1648](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 7/20/2010**

This item requires an Urgency Finding.

The following individual spoke on this item:

- David Mix
[View Report.pdf](#)
[82882 CMS.pdf](#)

S-4-6 Subject: Tax Cannabis
From: Councilmember Kaplan
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Submitting, On The Council's Own Motion, To The Voters At The
November 2, 2010 Statewide General Election, A Proposed Ordinance Amending
The City's Business Tax, Chapter 5.04 Of The Oakland Municipal Code, To
Increase The Business Tax Rate For Cannabis Businesses From \$18.00 Per \$1,000
Of Gross Receipts To [E.G., \$80.00 Or, \$100.00 Or \$112.00] Per \$1,000 Of Gross
Receipts; Consolidating The Election With The Statewide General Election;
Requesting The Services Of The Registrar Of Voters; And Directing The City
Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And
Publication In Accordance With The November 2, 2010 Statewide General
Election; Or Alternatively,
[09-1649](#)

**Scheduled to *Special Concurrent Meeting of the Oakland Redevelopment
Agency/City Council on 7/22/2010**

Staff directed to rewrite title and include 8%, 10% and 12 % in the Resolution.

The following individual spoke on this item:

- David Mix
- Sanjiv Handa
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Report.pdf](#)
[View Report.pdf](#)

S-4-7 Subject: Measure Amending City Charter
From: Councilmember De La Fuente
Recommendation: Adopt A Resolution Submitting On The Council's Own Motion To Be Voted Upon At The Municipal General Election To Be Held On November 2, 2010, A Proposed Charter Amendment, Entitled "Measure Amending City Charter Sections And Adding Section , Declaring It To Be Official City Policy That No New Funding Set-Asides Or Other Mandatory Appropriations Be Added To The City Charter Unless The Measure Also Provides The Required Specific And Adequate New Source Of Funds; On The July 22, 2010 City Council Agenda [09-1657](#)

Scheduled to *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 7/22/2010

The following individual spoke on this item:

- David Mix

S-4-8 Subject: Small Local Business Enterprise Program
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Adopting The Modifications To The City's Local And Small Local Business Enterprise Program As Recommended By The Fairness In Contracting And Purchasing Disparity Study [09-1651](#)

Scheduled to *Community & Economic Development Committee on 9/14/2010

The following individual spoke on this item:

- David Mix

- Sanjiv Handa

S-4-9 Subject: Oakland Gang Prevention Task Force
From: Department of Human Services
Recommendation: Receive An Informational Report From The Oakland Gang Prevention Task Force Detailing Their 2010-2011 Strategic Plan [09-1373](#)

Scheduled to *Public Safety Committee on 9/14/2010

The following individual spoke on this item:

- David Mix

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S-4-10 Subject: Regulations On Laundromats
From: Community And Economic Development Agency
Recommendation: A Request To Retitle An Item Already Scheduled To The July 27, 2010 Community And Economic Development Committee Agenda

NEW TITLE: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Alternative Ordinances:

- 1) An Ordinance Amending the Planning Code (Title 17) to Impose Regulations on Laundromats. In Addition, to Improve Consistency Among Chapters, Chapters 17.58, 17.73, 17.86, and 17.98 Are Being Revised to Include the Standard "Other Zoning Provisions" Section; Or

- 2) An Ordinance Amending the Planning Code (Title 17) to Improve Consistency Among Chapters by Revising Chapters 17.58, 17.73, 17.86, and 17.98 to Include the Standard "Other Zoning Provisions" Section.

OLD TITLE: Public Hearing to Adopt an Ordinance Amending the Planning Code (Title 17) to Impose Regulations on Laundromats. In Addition, to Improve Consistency Among Chapters, Chapters 17.58, 17.73, 17.86, And 17.98 Are Being Revised to Include the Standard "Other Zoning Provisions" Section.

REASON: An alternative Ordinance has been added to reflect the recommendation of the Planning Commission.
[09-1606](#)

No Action Taken

The following individual spoke on this item:

- David Mix
- Sanjiv Handa
[View Report.pdf](#)
[View Reports.pdf](#)
[View Report.pdf](#)

S-4-11 Subject: Oakland Neighborhood Projects Initiative Program
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution:

(A) Authorizing Funding In An Amount Not To Exceed \$320,765 Under The West Oakland Neighborhood Projects Initiative Program For 1) Façade, Fencing And Street Tree Improvements In The Dogtown Neighborhood, 2) Improvements To The Meltzer Boys And Girls Club Building, 3) Installation Of An Aquaponics Garden On 5th And Union Streets, 4) Installation Of Speedbumps And Outdoor Lighting On And Around Milton Street, 5) Tree Planting And Landscape Improvements Along 27th Street, 31st Street, 40th Street, And At Various Locations Throughout The Longfellow Neighborhood;

(B) Authorizing A Contribution Of Agency Funds To The City In An Amount Not To Exceed \$217,265 For City Public Improvements Under The Program; And

(C) Authorizing The Agency Administrator To Enter Into Agreements With Project Sponsors And Make Necessary Expenditures To Implement Projects Under The Program Without Returning To The Agency; And

[09-1652](#)

Scheduled to *Community & Economic Development Committee on 9/14/2010

[View Report.pdf](#)

[2010-0105 CMS.pdf](#)

2) A City Resolution Accepting And Appropriating Agency Funds In An Amount Not To Exceed \$217,265 Under The Cooperation Agreement To Implement Public Improvement Projects Funded Through The NPI Project, And Authorizing The City Administrator To Enter Into Agreements With Project Sponsors And Make Necessary Expenditures To Implement Projects Under The Program Without Returning To The City Council; On The September 14, 2010 Community And Economic Development Committee Agenda
[09-1652-1](#)

Scheduled to *Community & Economic Development Committee on 9/14/2010

The following individual spoke on this item:

- David Mix

[82979 CMS.pdf](#)

S-4-12 Subject: Guidelines For First-Time Homebuyers
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Amending Resolution No. 79132 C.M.S.
To Modify The Mortgage Assistance Program Guidelines For First-Time
Homebuyers To Set The Maximum Allowable Purchase Price From The Current
95 Percent Of The Median Sales Price Of Single Family Homes In Oakland To An
Amount Equal To A Sales Price That Is Affordable For Households Earning 100
Percent Of Area Median Income
[09-1653](#)

**Scheduled to *Community & Economic Development Committee on
9/14/2010**

The following individual spoke on this item:

- David Mix
 - Sanjiv Handa
- [View Report.pdf](#)
[82989 CMS.pdf](#)

S-4-13 Subject: California Model Housing Code Amendments
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance, And Resolution Adopting Local
Amendments To The 2010 Edition Of The California Model Housing Code,
California Code Of Regulations (CCR), Title 25, Part 1, Chapter 1, Subchapter 1,
Section 32, And Amending Oakland Muncpal Code Chapter 15.08; On The
October 12, 2010 Community And Economic Development Committee Agenda
And As A Public Hearing On The October 19, 2010 City Council Agenda
[09-1654](#)

**Scheduled to *Community & Economic Development Committee on
10/12/2010**

Also as a Public Hearing on the October 19, 2010 City Council agenda.

The following individual spoke on this item:

- David Mix
- Sanjiv Handa

S-4-14 Subject: California Model Building Codes- Amendments
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance, And Resolution Adopting Local Amendments To The 2010 Editions Of The California Model Building Codes, California Code Of Regulations (CCR), Title 24, Parts 2, 4, And 5 (Building Code, Plumbing Code, Mechanical Code), And Amending Oakland Muncipal Code Chapter 15.04; On The October 12, 2010 Community And Economic Development Committee Agenda And As A Public Hearing On The October 19, 2010 City Council Agenda

[09-1655](#)

Scheduled to *Community & Economic Development Committee on 10/12/2010

Also as a Public Hearing on the October 19, 2010 City Council agenda.

The following individual spoke on this item:

- David Mix
- Sanjiv Handa

S-4-15 Subject: Joint TIGER II Planning Grant
From: Community And Economic Development Agency
Recommendation: Receive An Informational Report On Potential Applications For Grants For Planning Activities For Transit-Oriented Development Under The Joint TIGER II Planning Grant From The U.S. Department Of Transportation And Community Challenge Planning Grant From The U.S. Department Of Housing And Urban Development

[09-1656](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/20/2010

This item requires an Urgency Finding.

The following individual spoke on this item:

- David Mix
- [View Report.pdf](#)

S-4-16 Subject: Proposition 84- Safe Drinking Water
 From: Public Works Agency
 Recommendation: Adopt A Resolution Authorizing A Grant Application To The California Strategic Growth Council For Up To One Million Dollars (\$1,000,000) For The Sustainable Communities Planning Grant And Incentives Program Under The Safe Drinking Water, Water Quality And Supply, Flood Control, River And Coastal Protection Bond Act Of 2006 (Proposition 84) To Prepare A Comprehensive Transportation Policy Plan To Meet The City's Sustainable Community And Energy And Climate Action Plan Goals
[09-1650](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/20/2010

This item requires an Urgency Finding.

The following individual spoke on this item:

- David Mix
- [View Report.pdf](#)
- [82939 CMS.pdf](#)

Request submitted on the dias.

#1 Subject: Recovery Zone Bond Issuance
 From: Finance And Management Agency
 Recommendation: Adopt A Revised Resolution Approving The Application Of The City's Recovery Zone Economic Development Bond Issuance Authority Initial Allocation \$5,045,000 And Any Additional Allocations To The MacArthur Transit Village Within The Redevelopment Agency Of The City Of Oakland Broadway/MacArthur/San Pablo Redevelopment Project Area And The Obligations To Be Issued With Respect Thereto [TITLE CHANGE]
[09-1615](#)

Scheduled to *Community & Economic Development Committee on 7/27/2010

- [View Report.pdf](#)
- [View Supplemental Report.pdf](#)
- [View Report.pdf](#)
- [82953 CMS.pdf](#)

5 A review of the Council Committees' actions from July 13, 2010 and determination of scheduling to the ORA/City Council meeting of July 20, 2010 (MATRIX)

A motion was made by Member Quan, seconded by Member De La Fuente, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Member Reid
 Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente

The following individual spoke on this item:

- David Mix
- Sanjiv Handa

[715item5](#)

[View Report.pdf](#)

- 6 A review of the Agendas for the Council Committees meeting (s) of July 27, 2010 and Rules and Legislation Committee meeting of July 29, 2010
A motion was made by Member De La Fuente, seconded by Member Quan, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Member Reid
Aye; 3 - Member Quan, Chair Brunner and Member De La Fuente
The following individual spoke on this item:
- David Mix
- Sanjiv Handa

[715item6](#)

[View Report.pdf](#)

- 7 Subject: Tracking Of Council Items
From: Office Of The City Administrator
Recommendation: Receive A Monthly Report Tracking Significant Items Passed by Council As Identified By The Council President
[09-0488-11](#)

The following individual spoke on this item:
- David Mix
- Sanjiv Handa
[View Report.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual spoke under Open Forum:
- David Mix
- Sanjiv Handa
- Faustina Fischer

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 12: 20 p.m.

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City Clerk and Clerk of the Council