



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, October 15, 2009

10:45 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:

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

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meetings September 24, 2009 and October 1, 2009
- 3 Determination of Schedule of Outstanding Committee Items
([Rul2101509](#))
- 4 Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting October 20, 2009(SUPPLEMENTAL)
([10-15 Rules Item 4](#))

SUPPLEMENTAL

*Rules & Legislation Committee

Thursday, October 15, 2009

S-4-1 Subject: Elmhurst Weed And Seed Initiative - Operations Funding
From: Office of the City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator,
On Behalf Of The City Of Oakland, To Accept And Appropriate Grant
Funds In An Amount Not To Exceed One Hundred Forty-Two Thousand
Dollars (\$142,000) From The U.S. Department Of Justice, Office Of Justice
Programs, Community Capacity Development Office, In Support Of Fourth
Year Program Operations Associated With The Elmhurst Weed And Seed
Initiative In The Police Department; On The November 10, 2009 Public
Safety Committee Agenda

[\(09-0915\)](#)

S-4-2 Subject: Municipal Code Amendment - Cabarets
From: Councilmember Nancy Nadel
Recommendation: A Request To Re-Title An Item Already Scheduled To
The October 27, 2009 Public Safety Committee Agenda:

(OLD TITLE) Adopt An Ordinance Amending Oakland Municipal Code
Chapter 5.12, "Cabarets" To 1) Create An Exemption For "Small Cabarets"
Defined As Establishments With Occupancy Load Of Less Than Fifty And
With Zoning Clearance For Business's Primary Activity That Is Not Group
Assembly Commercial Activity - Entertainment, 2) Create A Separate
Process For Registering "Small Cabarets", And 3) Create An Exemption
For Establishments Employing Disc Jockeys To Provide "Background
Music" And Where The Disc Jockey Is Not A Draw For Customers

(NEW TITLE) Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 5.12,
"Cabarets" To 1) Create An Exemption For "Small Cabarets" Defined As
Establishments With Occupancy Load Of Less Than Fifty And With Zoning
Clearance For Business's Primary Activity That Is Not Group Assembly
Commercial Activity - Entertainment, 2) Create A Separate Process For
Registering Small Cabarets, 3) Allow The Discretionary Issuance Of Late
Night Permits To Cabarets To Remain Open Past 2 A.M. Through A
Two-Year Pilot Program; And

2) An Ordinance Amending The Master Fee Schedule To Set And Change
Fees For Small Cabaret Registration, Late Night Cabaret Permits And
Cabaret Annual Renewal

[\(09-0623\)](#)

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S-4-3 Subject: Raul Godinez - Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Honoring Director Raul Godinez II For His Distinguished Leadership And Service To The City Of Oakland Public Works Agency And His Dedicated Stewardship Of Oakland's Physical And Environmental Infrastructure; On The October 20, 2009 City Council Agenda

Reason For Urgency: This Item Is Presently Scheduled For The October 20th Council Meeting. However, The Resolution Did Not Get Submitted For The 10-Day Agenda Packet. We Are Requesting An Urgency Finding To Add The Resolution To The Supplemental Packet As Mr. Godinez Will No Longer Be Available After The October 20th Council Meeting Due To His New Post In Santa Ana. Therefore, The Upcoming Council Meeting Is The Only Opportunity Where Mr. Godinez Can Be Honored.

[\(09-0868\)](#)

S-4-4 Subject: Do Not Mail Registry
From: Councilmembers Nancy Nadel And Jean Quan
Recommendation: Adopt A Resolution Urging Both The California State Legislature And United States Congress To Establish A Do Not Mail Registry; On The November 5, 2009 Rules And Legislation Committee Agenda

[\(09-0912\)](#)

S-4-5 Subject: Parks And Recreation Enterprise Facilities Impact
From: Councilmember Nancy Nadel
Recommendation: Action On A Report And Recommendations From The Office Of Parks And Recreation (OPR) On The Impact Of OPR's Enterprise Facilities In Relationship To The City's Budget, Current Rates Charged, Comparison With Comparable Local Facilities, Revenue Estimates And Trends, Current Expenditures, And Options To Increase Fees; On The December 1, 2009 Life Enrichment Committee Agenda

[\(09-0913\)](#)

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S-4-6 Subject: The Jobs/Housing Impact Fee
 From: Community And Economic Development Agency
 Recommendation: A Request To Withdraw From The October 27, 2009
 Community And Economic Development Committee Agenda An Ordinance
 Amending Oakland Municipal Code Chapter 15.68, The Jobs/Housing
 Impact Fee And Affordable Housing Trust Fund, To Correct The Definition
 Of "Warehouse/Distribution]; With No New Date

Reason: The Process Of Reconciling All Definitions And References In The
Current Jobs/Housing Impact Fee To Recent Changes In The Planning
Code, While Ensuring No Substantive Changes, Is Proving More Extensive
Than Expected.

[\(09-0855\)](#)

S-4-7 Subject: 2009-2011 Park Projects
 From: Community and Economic Development Agency
 Recommendation: A Request To Schedule And Re-Title The Following
 Item:

(OLD TITLE) A Resolution Adopting The Updated Fiscal Year 2009-2011
Park Project Prioritization List For City Of Oakland Park Capital
Improvement Projects And Authorizing The City Administrator, Or His/Her
Designee, To Apply For Grants Without Further Council Action For
Projects On The Park Project Prioritization List;

(NEW TITLE) A Resolution Adopting The Updated Fiscal Year 2009-2011
Park Project Prioritization List For City Of Oakland Park Capital
Improvement Projects; On The October 27, 2009 Public Works Committee

[\(09-0874\)](#)

S-4-8 Subject: Comprehensive Marketing Campaign Implementation
 From: Community and Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Contributing \$50,000 In Redevelopment Agency
Funds To The City Of Oakland Under The Cooperative Agreement To
Support The Implementation Of A Comprehensive Marketing Campaign
For Redevelopment Project Areas, Including A Special Campaign To
Promote Oakland Restaurants, And Authorizing Professional Services
Contracts Without Returning To The Agency As Needed For The Design
And Production Of Quarterly Redevelopment Newsletters In An Amount
Not To Exceed \$50,000 For Fiscal Year 2009/2010; And

[\(09-0903\)](#)

2) A City Resolution Accepting And Appropriating Redevelopment Agency Funds In An
Amount Not To Exceed \$50,000 Under The Cooperative Agreement To Implement A

SUPPLEMENTAL

Comprehensive Marketing Campaign For Redevelopment Project Areas Including A Special Campaign To Promote Oakland Restaurants; On The December 1, 2009 Community And Economic Development Committee Agenda
[\(09-0903-1\)](#)

S-4-9 Subject: Coliseum Redevelopment Project Area - Amendment Eight
From: Community and Economic Development Committee
Recommendation: Adopt An Ordinance Adopting The Eighth Amendment To The Coliseum Redevelopment Project Area Authorizing The City Administrator To Extend The Eminent Domain Authority For An Additional Twelve Years, From July 2007 To July 2019, And To Confirm And Set A Bonded Indebtedness Limit; On The December 1, 2009 Community And Economic Development Committee Agenda; And As A Public Hearing On The December 8, 2009 City Council Agenda
[\(09-0904\)](#)

S-4-10 Subject: Historic Preservation Study - Highland Hospital
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing An Owner Participation Agreement With The County Of Alameda To Grant \$415,000 Of Central City East Redevelopment Funds For A Historic Preservation Study And Minor Infrastructure Improvements Along 14th Avenue For The Alameda County Medical Center Highland Hospital Campus; On The December 1, 2009 Community And Economic Development Committee Agenda
[\(09-0905\)](#)

S-4-11 Subject: Business Improvement Districts - Annual Reports
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) 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, The Laurel Property Business Improvement District Of 2005, The Fruitvale Property Business Improvement District Of 2006, The Koreatown/Northgate Community Benefit District Of 2007, The Downtown Oakland Community Benefit District Of 2008, And The Lake Merritt/Uptown Community Benefit District Of 2008 Advisory Boards And Confirming The Continuing Annual Assessment For Each District For Fiscal Year 2009/2010; And
[\(09-0906\)](#)

2) An Agency Resolution Authorizing Payment Of The Koreatown/Northgate Community Benefit District Of 2007 Assessment For One (1) Agency-Owned Property On Which An Assessment Is To Be Levied (Located At 2016 Telegraph Avenue APN 008-0649-010-00) In An Amount Not To Exceed \$2,035.50 For The Fiscal Year 2009/2010 Assessment Period; On The December 1, 2009 Community And Economic

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Development Committee Agenda

[\(09-0906-1\)](#)

S-4-12 Subject: Redevelopment Project Areas - Five Year Implementation Plan
From: Community and Economic Development Agency
Recommendation: Adopt Resolutions Adopting Five-Year Implementation Plans For The Acorn, Broadway/MacArthur/San Pablo, Central District, Coliseum, Oak Center, Oakland Army Base And Stanford/Adeline Redevelopment Project Areas; On The December 1, 2009 Community And Economic Development Committee Agenda; And As A Public Hearing On The December 8, 2009 City Council Agenda
[\(09-0907\)](#)

S-4-13 Subject: Real Property Purchase - 5844 Bancroft Avenue
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 5844 Bancroft Avenue, In The Central City East Redevelopment Project Area, From Robert Fields For \$240,000, Less The Cost Of Any Environmental Site Remediation, And Authorizing Up To \$85,000 For Demolition, Removal And Disposal Of Demolition Related Hazardous Materials, And Real Estate Closing Costs; On The November 10, 2009 Community And Economic Development Committee Agenda
[\(09-0908\)](#)

S-4-14 Subject: Bay Area World Trade Center - Business Plan
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Waiving The Competitive Request For Proposals/Qualifications Process And Authorizing The Agency Administrator To Negotiate And Execute A Professional Services Agreement With Olivia Global Communications In An Amount Not To Exceed Twenty Four Thousand Nine Hundred Fifty Dollars (\$24,950) To Develop A Comprehensive, Strategic Business Plan To Develop The Bay Area World Trade Center; On The November 10, 2009 Community And Economic Development Committee Agenda
[\(09-0909\)](#)

S-4-15 Subject: Gazzali's Supermarket - Grant
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A \$65,000 Grant To Gazzali's Supermarket From Central City East Redevelopment Project Area Funds To Pay Off An Economic Development Administration Working Capital Loan And Maintain The Supermarket's Operation; On The November 10, 2009 Community And Economic Development Committee Agenda
[\(09-0911\)](#)

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*Rules & Legislation Committee

Thursday, October 15, 2009

S-4-16 Subject: San Pablo Pedestrian Streetlights
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Allocating Up To An Additional \$350,000 From The Broadway/MacArthur/San Pablo Tax Allocation Bond Series 2006C-TE To The City Of Oakland Under The Cooperation Agreement For The San Pablo Golden Gate District Pedestrian Streetlights Project, Increasing The Total Project Budget From \$1,500,000 To \$1,850,000; And [\(09-0833\)](#)

2) A Resolution Accepting An Additional \$350,000 Contribution From The Redevelopment Agency Under The Cooperation Agreement For The San Pablo Pedestrian Streetlights Project, For A Total Project Budget Of \$1,850,000, And Waiving The City's Competitive Bidding Requirement And Increasing The Contract With Ray's Electric In The Amount Of \$218,000, For A Total Contract Amount Of \$835,000 For The Project;; And Reschedule To The November 10, 2009 Public Works Committee Agenda

Reason: Staff Needs Additional Time To Resolve Funding Issues
[\(09-0833-1\)](#)

S-4-17 Subject: 2935 Telegraph Avenue - Tree Removal Appeal
From: Public Works Agency
Recommendation: Adopt A Resolution Denying The Appeal Filed By Scott Harrison Against The Decision Of The Public Works Agency Approving The Issuance Of Tree Removal Permit T0900020 At 2935 Telegraph Avenue (Agent: Trammell Crow Residential); As A Public Hearing On The October 20, 2009 City Council Agenda
[\(09-0910\)](#)

S-4-18 Subject: 2008-2009 Workforce Investment Subcontracts
From: Office of the Mayor
Recommendation: Adopt A Resolution Approving Fiscal Year 2008-2009 American Recovery And Reinvestment Act (ARRA) Workforce Investment Subcontracts To The English Center In The Amount Of \$311,229, Lao Family Community Development, Inc. In The Amount Of \$311,229, And The Unity Council, Inc. In The Amount Of \$311,229, To Provide Adult Employment Services; On The November 17, 2009 City Council Agenda
[\(09-0916\)](#)

5 A review of the Council Committees' actions from October 13, 2009 and determination of scheduling to the ORA/City Council meeting of October 20, 2009 or future dates
(MATRIX)
[\(10-15 Rules Item 5\)](#)

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Thursday, October 15, 2009

- 6 A review of the Agendas for the Council Committees for the meetings of October 27, 2009 and the Rules and Legislation Committee for the meeting of October 29, 2009
[\(10-15 Rules Item 6\)](#)
- 7 Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")
[\(09-0188\)](#)
- S-8 Subject: Boards And Commissions Vacancy Report
From: Council President Jane Brunner
Recommendation: Receive A Status Report And List Of Vacancies On All City Of Oakland Boards And Commissions, Along With The Date Vacated
[\(09-0718\)](#)

This item was continued from the October 8, 2009 Rules And Legislation Committee Agenda

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.

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[\(TDD\)](#)

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.

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Thursday, October 15, 2009

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

ORA - Oakland Redevelopment Agency
S - Supplemental Item