



# City of Oakland Meeting Minutes

## \*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>**

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**Thursday, January 24, 2008**

**10:30 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call to Order

Excused: Member Brunner

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

*The Oakland City Council Rules and Legislation Committee convened at 10:45 AM, with Council President De La Fuente presiding as Chairperson.*

1 Closed Session

2 Approval of the Draft Minutes from the Committee meeting of January 10, 2008

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

**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

[01-24-08 Rules Pend](#)

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4 Scheduling of Agenda Items and revisions to the agenda(s) for the ORA/City Council meeting of January 29, 2008 (SUPPLEMENTAL)

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

S-4-1      Subject:     Winter Storms - Local Emergency  
              From:        Oakland Fire Department  
              Recommendation: Adopt A Resolution Renewing And Continuing The City  
                          Council's Declaration Of A Local Emergency Due To The Severe Impacts And  
                          Calamities Caused By The Series Of Winter Storms That Commenced On Or About  
                          January 3, 2008  
                          [07-0972](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment  
Agency/City Council on 2/5/2008**

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[81044 CMS.pdf](#)

S-4-2      Subject:     Support Of Assembly Bill 1634  
              From:        Oakland Police Department  
              Recommendation: Adopt A Resolution Declaring The City Council's Support Of  
                          Assembly Bill 1634, Which Prohibits Any Person From Owning Any Cat Or Dog  
                          Over The Age Of Six Months That Has Not Been Spayed Or Neutered Unless That  
                          Person Possesses An Intact Permit, And Subjecting Any Violator To A Prescribed  
                          Civil Penalty  
                          [07-0984](#)

**Scheduled to \*Rules & Legislation Committee on 2/14/2008**

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

- *Sanjiv Handa*  
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S-4-3      Subject:      2006 Library Bond Measure - Cure and Correct Determination  
From:            Office of the City Attorney  
Recommendation: Pursuant To Sunshine Ordinance (Oakland Municipal Code) Section 2.20.270, Determine Whether To Cure And Correct The Violation That The Public Ethics Commission Found Regarding The Noticing Of The Library Bond Measure For The Council's July 18, 2006 Special Meeting -

Option 6 - A Resolution Determining And Declaring That The Public Interest And Necessity Demand Library Facility Improvement Repairs And New Library Construction To Be Financed Through The Issuance Of General Obligation Bonds In An Amount Not To Exceed \$148,000,000 (Resolution No. 80080 C.M.S.); And

An Ordinance Of The City Of Oakland Ordering The Submission Of A Ballot Measure To Incur Bonded Indebtedness Not To Exceed \$148,000,000 For The Purpose Of Constructing A New Main Library To The Qualified Voters Of The City Of Oakland At An Election To Be Held November 7, 2006 (Ordinance No. 12763 C.M.S.)

[07-0973](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 2/19/2008**

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

- Sanjiv Handa

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S-4-4      Subject:      Update On Instant Run-Off Voting  
From:            Office of the City Clerk  
Subject: Receive An Update On The Implementation Of Instant Run-Off Voting And Adopt The Following Pieces Of Legislation:

1) A Resolution Declaring That The City Of Oakland Is Unable To Use Ranked Choice Voting For The 2008 Elections; And

[07-0985](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 2/5/2008**

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[81055 CMS.pdf](#)

- S-4-5      Subject:      Oakland Municipal Nominating Election  
From:          Office of the City Clerk  
Recommendation: Adopt An Ordinance Establishing The Date Of The Oakland Municipal Nominating Election  
[07-0986](#)  
**\*Approve the Recommendation of Staff, and Forward to Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 2/5/2008**
- S-4-6      Subject:      Parking Citation Fines  
From:          Councilmember Patricia Kernighan  
Recommendation: Action On A Report On The City's Policy And Procedures For Assessing And Collecting Unpaid Parking Citation Fines; On The February 26, 2008 Finance And Management Committee Agenda  
[07-0946](#)  
**\*Withdrawn with No New Date**
- S-4-7      Subject:      Bay Area Blues Society - Grant  
From:          Councilmember Nancy Nadel  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2,000 From Councilmember Nancy J. Nadel's Pay-Go Funds To The Bay Area Blues Society To Offset Expenses Incurred For The City-Sponsored 12th Annual 'Home Grown Blues Festival'  
[07-0974](#)  
**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 2/5/2008**  
[View Report.pdf](#)  
[81049 CMS.pdf](#)
- S-4-8      Subject:      Jack London District - Three Year Parking Permit Program  
From:          Councilmember Nancy Nadel  
Recommendation: Adopt The Following Pieces Of Legislation:  
  
1) Approve The Introduction (First Reading) Of An Ordinance Amending Oakland Municipal Code 10.45 Establishing Boundaries Of The Jack London District Interim Mixed-Use Permit Parking Program Through The Location Of Parking Limitation Signs And The Inclusion Of A Map With Boundaries OF the Program; And  
[07-0982](#)  
**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 2/19/2008**  
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2) Approve The Introduction (First Reading) Of An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Establish Permit Fees Assessed By The Parking Division For The "Interim Mixed-Use Parking Permit Program For The Jack London District," At The Amount Of \$150 For The First Year Of The Temporary Three-Year Program [07-0982-1](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 2/19/2008**

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

S-4-9      Subject:      June 2008 - Eminent Domain Initiatives  
From:          Councilmember Nancy Nadel  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Support The Homeowners And Private Property Protection Act;  
And  
[07-0983](#)

**Scheduled to \*Rules & Legislation Committee on 2/21/2008**

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S-4-10      Subject:      81st Avenue Library - Construction Contract  
From:          Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract To BBI Construction For The 81st Avenue Library Project In Accord With Specification No. C274410 In The Amount Of Eight Million Ninety Thousand Nine Hundred Ninety-Three Dollars (\$8,090,993) And To Accept And Appropriate Four Hundred Ninety-Seven Thousand Sixty-Five Dollars (\$497,065) From The Oakland Unified School District For The 81st Avenue Library Project; On The February 26, 2008 Public Works Committee Agenda  
[07-0975](#)

**\*Withdrawn with No New Date**

S-4-11      Subject:      Real Property Purchase - 2777 Foothill Boulevard  
From:          Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 2777 Foothill Boulevard, Oakland From Hooi H. Yeap For \$1,050,000, Plus Approximately \$30,000 For Real Estate Closing Costs  
[07-0976](#)

**Scheduled to \*Finance & Management Committee on 2/26/2008**

*The following individual(s) spoke and did not indicate a position on this item:*  
- Sanjiv Handa  
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S-4-12      Subject:      Real Property Purchase - Sunshine Court  
From:            Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At Sunshine Court, Oakland From Laren Hirst, For \$9,000, Plus Real Estate Closing Costs  
[07-0977](#)  
**Scheduled to \*Finance & Management Committee on 2/26/2008**  
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S-4-13      Subject:      Planning Code Amendments  
From:            Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Making The Following Amendments To The Oakland Planning Code:  
(1) Adding Chapter 17.33 "CIX-1, CIX-2, IG And IO Industrial Zones", Which Will Create The Following Four New Zones: Commercial Industrial Mix-1, Commercial Industrial Mix-2, General Industrial And Industrial Office;  
(2) Amending The City's Zoning Maps To Map These Proposed Zones In Areas In The City That Currently Have The General Plan Land Use Designations Of Business Mix And General Industrial/Transportation;  
(3) Amending Chapter 17.10 "Use Classifications";  
(4) Adding Chapter 17.21 "Health And Safety Protection Overlay Zone";  
(5) Amending Chapter 17.120 "Performance Standards"; On The March 11, 2008 Community And Economic Development Committee Agenda; And As A Public Hearing On The March 18, 2008 City Council Agenda  
[07-0978](#)  
**Scheduled to \*Community & Economic Development Committee on 3/11/2008**

S-4-14      Subject:      Zoning Regulations Amendment  
From:            Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Amending The Zoning Regulations To Update References, Improve Consistency Among Chapters, Clarify Language, And Make Other Minor Planning Code Revisions; On The March 11, 2008 Community And Economic Development Committee Agenda; And As A Public Hearing On The March 18, 2008 City Council Agenda  
[07-0979](#)  
**Scheduled to \*Community & Economic Development Committee on 3/11/2008**

S-4-15      Subject:      Replacement Housing Plan - Tassafaronga Village  
 From:            Community and Economic Development Agency  
 Recommendation: Adopt A Resolution Approving A Replacement Housing Plan For  
 The Tassafaronga Village Project; On The March 11, 2008 Community And  
 Economic Development Committee Agenda  
[07-0980](#)  
**Scheduled to \*Community & Economic Development Committee on  
 3/11/2008**

**ADDITIONAL ITEMS SUBMITTED ON THE DAIS**

Subject:      2007-2009 Projects And Programs Status Report  
 From:            The Budget Office  
 Recommendation: Action On A Report Regarding The Status Of The City Council Modifications  
 To The Fiscal Year 2007-2009 Policy Budget (Exhibit A To Resolution No. 80674 C.M.S.) And  
 Fiscal Year 2007-2009 Oakland Redevelopment Agency Budget (Exhibit A To Resolution No.  
 2007-0054 C.M.S.) To Fund The Following Projects and Programs: (1) nuisance Enforcement  
 Position; (2) Museum Roof; (3) Park Improvements; (4) Sidewalk Repairs; (5) Tree Trimming;  
 (6) Teen Centers; (7) Instant Run-Off Voter Education; (8) Pay-Go Funding; (9) Reuse Of  
 California Hotel For Transitional Housing; (10) Additional Funding For City-County  
 Collaboration For Re-Entry; (11) Create 311 Non-Emergency Help Line; (12) Expand 211 Help  
 Line For Health And Human Services; (13) Seismic Retrofit Incentive Program; (14) Various  
 Operating Grants To Outside Agencies; (15) Ten Police Service Technician II Positions; (16)  
 Replace Fire Station #18; (17) Ambassador Security Program; and (18) Grade 10-14 Job  
 Training & Recruitment  
[07-0981](#)

**Scheduled to \*Finance & Management Committee on 2/26/2008**  
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[01-24 Rules Item 4](#)  
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5            A review of the Council Committees' actions from January 22, 2008 and determination of  
 scheduling to the ORA/City Council meeting of January 29, 2008 or future dates (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

[01-24 Rules Item 5](#)  
[View Item.pdf](#)

6 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of February 5, 2008 and the Rules and Legislation Committee for the meeting of February 7, 2008

**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

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

- Sanjiv Handa

[01-24 Rules Item 6](#)

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7 ~~Subject: State Legislative Proposals And Agenda  
From: City Council  
Recommendation: Action On The City Council's State Legislative Proposals And Agenda  
[07-0948](#)~~

**Withdrawn and Rescheduled to \*Rules & Legislation Committee on 2/28/2008**

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

- Sanjiv Handa

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8 Subject: Limited Public Financing  
From: Public Ethics Commission  
Recommendation: Action On Required Transmission Of Adopted Regulations Administering And Interpreting Chapter 3.13 Of The Oakland Municipal Code (AKA "The Limited Public Financing Act")  
[07-0938](#)

**Continued to \*Rules & Legislation Committee on 1/31/2008**

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

- Sanjiv Handa

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9 Subject: Schedule Of Budget Presentations  
From: Budget Office  
Recommendation: Action On The Preliminary Schedule Of The Special Meetings For The Fiscal Year 2008-2009 Mid-Cycle Budget Presentations And Workshops  
[07-0955](#)

**Scheduled to \*Rules & Legislation Committee on 2/14/2008**

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

- Sanjiv Handa

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

*The following individual(s) spoke under open forum:*

- Sanjiv Handa
- Stephen Kraull

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:26 AM*

NOTE:

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Office of the City Clerk - Agenda Management Unit

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[TDD](#)

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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.

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*City Clerk and Clerk of the Council*