



# 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>**

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**Thursday, May 23, 2013**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### ***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:**

**Dan Kalb, District 1; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Chairperson: Council President Patricia Kernighan, District 2**

- 1 Determinations Of Closed Session
  - 2 Approval Of The Draft Minutes From The Committee Meeting Of April 25, 2013
  - 3 Determination Of Schedule Of Outstanding Committee Items  
([RLC052313](#))
  - 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
- S-4.1 Subject: Oak Knoll and Central City East Five Year Implementation Plan  
From: Office Of The City Administrator  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting The Five Year Implementation Plan, 2011-2016, For The Oak Knoll Redevelopment Project; And  
[\(12-0552\)](#)

2) A Resolution Adopting The Five Year Implementation Plan, 2013-2018, For The Central City East Redevelopment Project; On The June 11, 2013 Community And Economic Development Committee Agenda And As Public Hearing On June 18, 2013  
[\(12-0552-1\)](#)

S-4.2      Subject:      Citywide Zoning Text Amendments  
From:          Department Of Planning And Building  
Recommendation:      Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending The Oakland Planning Code To:

1) Update References, Reduce Redundancy, And Clarify Language In Various Chapters Of The Planning Code; 2) Modify Truck Weight Classifications Language To Conform With Industry Standards; 3) Modify The Setback Requirement For The Portion Of Buildings Above 55 Feet In Height In The CBD-R Zone; 4) Add Design Review Requirement For Residential Facilities And Historic Properties In The CIX, IG, And IO Zones; 5) Eliminate The Increased Parking Requirement For Expansions Of Activities Across Zone Boundaries; And 6) Add Sidewalk Cafes As A Permitted Facility In The M-Industrial Zones; On The June 11, 2013 Community And Economic Development Committee Agenda And As Public Hearing On June 18, 2013  
[\(12-0553\)](#)

S-4.3      Subject:      Body Armor Vest Contract  
From:          Office of The City Administrator  
Recommendation:      Adopt A Resolution Awarding A Contract To Bricker-Mincolla Uniform Company, A Small Local Business, In An Amount Not To Exceed Three Hundred Four Thousand, Seven Hundred Sixty-Four Dollars (\$304,764.00) Per Year For The Contract Period Of July 1, 2013 To June 30, 2015, To Provide Soft Body Armor Vests, To The City Of Oakland In Accordance With Specification No. 13-680-08/Request For Quote (RFQ) No. 4444 And The General Conditions Therefore On File In Purchasing According To Its Bid Filed With The City On February 25, 2013; On The June 11, 2013 Finance and Management Committee Agenda  
[\(12-0555\)](#)

S-4.4      Subject:      Fiscal Year 2012-2013 Third Quarter Revenue And Expenditure Report  
From:          Office Of The City Administrator  
Recommendation:      Receive the Fiscal Year 2012-2013 Third Quarter Revenue and Expenditure Report; On The June 11, 2013 Finance And Management Committee Agenda  
[\(12-0559\)](#)

S-4.5      Subject:      Amendment To The Fiscal Year 2012-13 Master Fee Schedule  
From:          Office Of The City Administrator  
Recommendation:      Conduct a Public Hearing And Upon Conclusion Accept An Ordinance Amending Ordinance Number 13133 C.M.S. (The Fiscal Year 2012-2013 Master Fee Schedule, Or "MFS"), To Establish, Modify And Delete Fees And Penalties

Assessed By The Office Of The City Administrator, The City Attorney's Office, The Finance And Management Agency, The Oakland Police Department, The Oakland Fire Department, The Oakland Public Library, The Office Of Parks And Recreation, The Department Of Human Services, The Public Works Agency, The Department Of Housing & Community Development And The Department Of Planning & Building; On The June 13, 2013 Special City Council Agenda As a Public Hearing  
[\(12-0560\)](#)

S-4.6 Subject: Council Redistricting Criteria  
From: Department Of Planning And Rebuilding  
Recommendation: Receive A Report And Recommend Possible Action On The Proposed Redistricting Process And Schedule; And  
[\(12-0561\)](#)

2) Adopt A Resolution Establishing Criteria And Guidelines For The 2013 City Of Oakland Redistricting; On The June 4, 2013 City Council Agenda  
[\(12-0561-1\)](#)

S-4.7 Subject: Delinquent Business Taxes  
From: Office Of The City Administrator  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or  
[\(12-0562\)](#)

2) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code; Or  
[\(12-0562-1\)](#)

3) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City Administrator On The Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; On The June 18, 2013 City Council Agenda As A Public Hearing  
[\(12-0562-2\)](#)

S-4.8 Subject: Delinquent Mandatory Garbage Fees Monthly And Quarterly Accounts  
From: Office Of The City Administrator  
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For October/November/December 2012, Monthly Accounts And

January/February/March 2013, Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[\(12-0563\)](#)

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[\(12-0563-1\)](#)

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code; On The June 18, 2013 City Council Agenda As A Public Hearing

[\(12-0563-2\)](#)

S-4.9

Subject: Assessment Of Liens For Delinquent Real Property Transfer Taxes

From: Office Of The City Administrator

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[\(12-0564\)](#)

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or

[\(12-0564-1\)](#)

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; On The June 18,

2013 City Council Agenda As A Public Hearing

[\(12-0564-2\)](#)

- S-4.10      Subject:      Settlement Agreement - Audrey Montana  
From:          Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Audrey Montana v. City Of Oakland, United States District Court Case No. CV-11-04682 MEJ, City Attorney's File No. 28589, In The Amount Of Ninety-Six Thousand Dollars (\$96,000.00) (City Administrator); On The June 4, 2013 City Council Agenda  
[\(12-0546\)](#)
- S-4.11      Subject:      Settlement Agreement - Alison Fletcher  
From:          Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Alison Fletcher v. City Of Oakland, Alameda County Superior Court Case No. RG12-6200255, City Attorney's File No. 28621, In The Amount Of Twenty-Five Thousand Dollars And No Cents (\$25,00.00) (Public Works Agency - Trip And Fall); On The June 4, 2013 City Council Agenda  
[\(12-0547\)](#)
- S-4.12      Subject:      Settlement Agreement - Charles Toney  
From:          Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Charles Toney v. City Of Oakland, Alameda County Superior Court Case No. RG12-632052, City Attorney's File No. 29022, In The Amount Of Twelve Thousand Dollars And No Cents (\$12,00.00) (Public Works Agency - Trip And Fall); On The June 4, 2013 City Council Agenda  
[\(12-0549\)](#)
- S-4.13      Subject:      Amendments To Debt Service Rent Increase Regulations  
From:          Department Of Housing And Community Development  
Recommendation: Adopt Two Of The Following Pieces Of Legislation:
- 1) A Resolution Adopting Amendments Rent Adjustment Regulations Appendix A, Section 10.4 To Require That Debt Service Rent Increases For Newly Purchased Rental Properties Not Exceed Debt Service Calculated On A Standard Financing Model, To Limit Debt Service Rent Increases To A One-Time Cap Of Seven Percent Over The Current Allowable Rent Increase, And To Adopt A Grandparent Clause; And  
[\(12-0550\)](#)
  - 2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. 8.22.090b) To Require Property Owners Seeking Rent Increases Based On Debt Service To File Owner Petitions; Or  
[\(12-0550-1\)](#)
- 1) A Resolution To Adopt Amendments To The Rent Adjustment Regulations Appendix A, Section 10.4 To Provide For A Grandparent Clause For Rental Properties With A Purchaser At The Enactment Of Elimination Of Debt Service As A Justification For A Rent Increase; And

[\(12-0550-2\)](#)

2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. Sections 8.22.020 And 8.22.070) To Eliminate Debt Service As A Justification For A Rent Increase; On The June 11, 2013 Community And Economic Development Committee Agenda

[\(12-0550-2A\)](#)

S-4.14 Subject: Oakland Fund For Children And Youth Grant Awards 2013-2014  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Direct Services For Children And Youth For A Total Amount Not To Exceed \$10,762,224 For Fiscal Year 2013-2014 Renewable For Two One-Year Periods With Council Approval; On The June 11, 2013 Life Enrichment Committee Agenda

[\(12-0554\)](#)

S-4.15 Subject: Youth Advisory Commission 2013 Annual Report  
From: Department OF Human Services  
Recommendation: Receive The Annual Report Of The Oakland Youth Advisory Commission For 2013; On The June 11, 2013 Life Enrichment Committee Agenda

[\(12-0557\)](#)

S-4.16 Subject: Honoring Sergeant Robert Crawford  
From: Councilmember Libby Schaaf  
Recommendation: Adopt A Resolution Honoring Sergeant Robert Crawford For Forty Five Years Of Service To The City Of Oakland

[\(12-0484\)](#)

S-4.17 Subject: Eliminate Requirement of Council Approval for Creation of Standing Committees  
From: Oakland Public Library  
Recommendation: Adopt An Ordinance Amending City of Oakland Ordinance No. 11730 C.M.S. to Eliminate the Requirement of City Council Prior Approval for Creation of Standing Committees of the Library Advisory Commission; On The June 18, 2013 City Council Meeting Agenda

[\(12-0558\)](#)

S-4.18 Subject: Honoring Jim Ryugo On His Retirement  
From: Council President Patricia Kernighan  
Recommendation: Adopt A Resolution Honoring Jim Ryugo On His Retirement; On The June 18, 2013 City Council Agenda As A Ceremonial Item

[\(12-0543\)](#)

[\(rules052313item4\)](#)

5 A Review Of The Draft Agendas For The Meeting Of The Oakland City Council On June 4, 2013 And For The Rules & Legislation Committee Meeting On June 6, 2013

[\(rules052313item5\)](#)

6 Subject: Support For AB 1324: Increased Vehicle Registration Fees  
From: Councilmember Noel Gallo

Recommendation: Adopt A Resolution In Support Of Assembly Bill 1324 (Skinner And Bonta) Authorizing Alameda County To Increase Annual Vehicle Registration Fees, With The Proceeds To Be Used To Fund Local Investigation And Prosecution Of Vehicle Theft Crimes

[\(12-0500\)](#)

**Pursuant to Rule 28(b) of Resolution 82580 C.M.S., this item was added to this agenda.**

- 7 Subject: Support For SB 299: Requiring Reporting Of Lost Or Stolen Firearms  
From: Councilmember Noel Gallo  
Recommendation: Adopt A Resolution In Support Of Senate Bill 299 (DeSaulnier) Regarding Firearms, Which Would Require Every Person Whose Firearm Is Lost Or Stolen To Notify Local Law Enforcement That Their Firearm Was Lost Or Stolen  
[\(12-0501\)](#)

**Pursuant to Rule 28(b) of Resolution 82580 C.M.S., this item was added to this agenda.**

- 8 Subject: Support For SB 47: Broadening The Definition Of "Assault Weapon"  
From: Councilmember Noel Gallo  
Recommendation: Adopt A Resolution In Support Of Senate Bill 47(Yee) Regarding Assault Weapons Which Seeks To (1) Revise The Statewide Definition Of "Assault Weapon" To Include All Semiauto-Matic Pistols And Semiautomatic Centerfire Rifles Which Have Enumerated Features, But Do Not Have A Fixed Ammunition Magazine, And (2) Require Registration With The Department Of Justice Of Assault Weapons Fitting The Revised Definition  
[\(12-0502\)](#)

**Pursuant to Rule 28(b) of Resolution 82580 C.M.S., this item was added to this agenda.**

- 9 Subject: Support For Senate Bill 254: Recycling And Recovery Of Used Mattresses  
From: Council President Kernighan And Pro Tempore Rebecca Kaplan  
Recommendation: Adopt A Adopt Resolution Expressing Support For Senate Bill 254(Hancock), The Used Mattress Recovery And Recycling act, An Act To Add Chapter 21 (Commencing With Section42985) To Part 3 Of Division 30 Of The Public Resources Code, Which Will Require Manufacturers Of Mattresses Sold In This State To Develop, Finance And Implement A Convenient And Cost Effective Program To Collect And Recycle Used Mattresses  
[\(12-0497\)](#)

**Pursuant to Rule 28(b) of Resolution 82580 C.M.S., this item was added to this agenda.**

- 10 Subject: Clean Air Act- Reduce Heat Trapping Greenhouse Gas Pollution  
From: Councilmember Dan Kalb  
Recommendation: Adopt A Resolution In Support Of Reducing Heat-Trapping Greenhouse Gas Pollution Under The Clean Air Act  
[\(12-0498\)](#)

**Pursuant to Rule 28(b) of Resolution 82580 C.M.S., this item was added to**



**this agenda.**

- 11 Subject: Support For SB 33: Infrastructure Financing District  
From: Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution Supporting Senate Bill 33 (Senator Lois Wolk)  
To Use Infrastructure Financing Districts To Pay For Public Works Projects Without  
Impacting School District's Share Of Property Tax Or The State General Fund: Voter  
Approved Repeal  
(12-0489)

**Pursuant to Rule 28(b) of Resolution 82580 C.M.S., this item was added to this agenda.**

- 12 Subject: Support Of SB 613: Toll Revenue Expenditures  
From: Council President Kernighan  
Recommendation: Adopt A Resolution In Support Of SB 613 (DeSaulnier) Toll  
Revenue Expenditures, Which Would Impose Certain Limitations On The Use Of Toll  
Revenues From The Seven State-Owned Toll Bridges In The San Francisco Bay Area  
That Are Within The Jurisdiction Of The Bay Area Toll Authority  
(12-0503)

**Pursuant to Rule 28(b) of Resolution 82580 C.M.S., this item was added to this agenda.**

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

**Adjournment**

NOTE: Americans With Disabilities Act  
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**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  
City Clerk and  
Clerk of the Council**