



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 10, 2013

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:

- 1 Determinations of Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of December 13, 2012
- 3 Determination of Schedule of Outstanding Committee Items
([rules011013](#))
- 4 Scheduling of Agenda Items and revisions to previously distributed 10 Day Agendas(SUPPLEMENTAL)
- S-4.1 Subject: Settlement Agreement - Allen
From: Offices Of The City Administrator And City Attorney
Recommendation: Adopt A Resolution Authorizing Expedited Purchasing Of Goods And Services Directed By Court Appointed Compliance Director In Accordance With The United States Federal District Court's December 12, 2012 Order, To Assist The City In Achieving Compliance With The Negotiated Settlement Agreement ("NSA") And The Amended Memorandum Of Understanding ("AMOU") In Delphine Allen v. City Of

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Oakland By: 1) Waiving Competitive Advertising, Bidding And Request For Proposal/Qualifications Purchasing Processes Set Forth In Oakland Municipal Code Chapter 2.04; 2) Waiving The Arizona Boycott Policy, Resolution No. 82727; 3) Authorizing The City Administrator To Execute On Behalf Of The City Contracts For The Purchase Of Goods And Services Directed By The Compliance Director In An Amount Up To \$250,000 Per Contract In Order For The City To Comply With The AMOU And The Court's December 12, 2012 Order; 4) Authorizing Direct Scheduling To Council Of Any NSA/AMOU Compliance-Related Purchases That Require Council Approval; 5) Establishing Unlimited Summer Recess Purchasing Authority For City Administrator For Such Purchases; And 6) Directing The City Administrator To Provide Periodic Reports To The City Council Regarding The Amounts, Nature And Purposes Of Purchases Of Goods And Services Made Pursuant To The Court's Order; On The January 22, 2013 Special City Council Agenda
[\(12-0240\)](#)

S-4.2 Subject: Settlement Agreement - Mendoza
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Roberto Mendoza In The Amount Of Thirteen Thousand Five Hundred Twenty Dollars (\$13,520.00) As A Result Of Property Damage Sustained During An Oakland Police Department Operation; On The January 22, 2013 Special City Council Agenda
[\(12-0236\)](#)

S-4.3 Subject: Settlement Agreement - Hamilton And Bowers
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Fred Hamilton And Stephanie Bowers In The Amount Of Thirty-Nine Thousand Five Hundred Forty-Seven Dollars And Twenty-Four Cents (\$39,547.24), As A Result Of Property Damage Sustained During An Oakland Police Department Operation; On The January 22, 2013 Special City Council Agenda
[\(12-0237\)](#)

S-4.4 Subject: Travel Request
From: Councilmembers Gallo, Kalb, Gibson McElhaney
Recommendation: Adopt A Resolution Authorizing Councilmembers Noel Gallo, Dan Kalb, And Lynette Gibson McElhaney To Travel To Sacramento To Attend The 2013 National League Of Cities New Mayors And Councilmembers Academy From January 16 To 18, 2013; On The January 22, 2013 Special City Council Agenda
[\(12-0242\)](#)

S-4.5 Subject: Equal Access Ordinance Supplemental Report
From: Department Of Human Services
Recommendation: Receive The Equal Access To Services Ordinance (Ordinance No. 12324 CMS) Compliance Supplemental Report; On The January 29, 2013 Special Finance And Management Committee Agenda
[\(12-0191-1\)](#)

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- S-4.6 Subject: Workers' Compensation Report - First Quarter
From: Department Of Human Resources Management
Recommendation: Receive A First Quarter Informational Report Regarding The City's Workers' Compensation Program For Fiscal Year 2012-2013; On The January 29, 2013 Special Finance And Management Committee Agenda
[\(12-0233\)](#)
- S-4.7 Subject: Add New EBMUD Treatment Facility
From: Public Works Agency
Recommendation: Adopt A Resolution Adopting The Third Amendment To The City's Non-Disposal Facility Element (A Recycling Planning Document Required By The State Of California), Which Describes And Identifies Solid Waste, Recycling, And Processing Facilities City Residents, Businesses And Members Of The Public Use To Reduce Materials Sent To Landfills, To Add A New Facility At The East Bay Municipal Utility District's Main Waste Water Treatment Plant; On The January 29, 2013 Special Public Works Committee Agenda
[\(12-0234\)](#)
- S-4.8 Subject: Energy Council And Waste Management Joint Exercise Of Powers
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution To Authorize And Direct The City Administrator To Execute A Joint Exercise Of Powers Agreement (JPA) For Oakland To Become A Member Of The Energy Council, Subject To The JPA Being Amended To Provide That Votes By Oakland's Representative Shall Be Weighted To Count For A Minimum Of Fifteen (15) Percent Of The Total Weighted Vote; And
[\(12-0235\)](#)
 - 2) A Resolution To Approve An Amendment Of The Joint Exercise Of Powers Agreement (JPA) Creating The Alameda County Waste Management Authority (ACWMA); And
[\(12-0235-1\)](#)
 - 3) A Resolution To Approve Designation Of The Alameda County Source Reduction And Recycling Board As The Local Task Force Under State Law For The Purpose Of Reviewing And Commenting On County Integrated Waste Management Plan Amendments; On The January 29, 2013 Special Public Works Committee Agenda And As A Public Hearing On The February 5, 2013 City Council Agenda
[\(12-0235-2\)](#)
- S-4.9 Subject: Recognition Of Service - Danziger
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Recognizing Steve Danziger For Twenty-Five (25) Years Of Commitment And Service To The Departments Of The City Of Oakland; On The January 22, 2013 Special City Council Agenda As A Ceremonial Item
[\(12-0241\)](#)

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- S-4.10 Subject: Proposed Committee Meeting Times
From: Council President Patricia Kernighan
Recommendation: Adopt An Action On A Motion Pursuant To Rule 4 Of The Council's Rules Of Procedure (Resolution No.79006 C.M.S. As Amended By Resolution No.82580 C.M.S.) To Set The Meeting Times Of The Public Works, Finance & Management, Community & Economic Development, Life Enrichment, Public Safety, Rules & Legislation, Education Partnership And City-Port Liaison Committees; On The January 24, 2013 Rules And Legislation Committee Agenda
([12-0244](#))
- S-4.11 Subject: Presentation On The Status Of Oakland Parks
From: Councilmember Rebecca Kaplan
Recommendation: Receive A Presentation Of The Oakland Parks Coalition's Report On The Status Of Oakland Parks, Based On Its 2012 Annual Survey; On The February 13, 2013 Special Public Works Committee Agenda
([12-0243](#))
([rules011013item4](#))
- 5 A review of the Draft Agendas for the January 22, 2013 Special Meeting of the Oakland City Council and the January 24, 2013 Rules and Legislation Committee Meeting
([rules011013item5](#))

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
Phone: (510) 238-3226
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([TTD](#))

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

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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.

**LaTonda Simmons
City Clerk and
Clerk of the Council**