



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>

Thursday, January 10, 2013

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Excused: Vice Mayor Reid

Present: Council President Kernighan, Member Schaaf and Member Kalb

The Oakland City Council Rules and Legislation Committee convened at 11:00 a.m. with Council President Kernighan presiding as Chairperson.

COMMITTEE MEMBERSHIP:

1 Determinations of Closed Session

A motion was made by Member Schaaf, seconded by Member Kalb, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

2 Approval of the Draft Minutes from the Committee meeting of December 13, 2012

A motion was made by Member Schaaf, seconded by Council President Kernighan, to *Approve as Submitted. The motion carried by the following vote:

Votes: Abstained; 1 - Member Kalb

Excused; 1 - Vice Mayor Reid

Aye; 2 - Member Schaaf and Council President Kernighan

3 Determination of Schedule of Outstanding Committee Items

A motion was made by Member Schaaf, seconded by Member Kalb, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

[rules011013](#)

[View Report.pdf](#)

4 Scheduling of Agenda Items and revisions to previously distributed 10 Day Agendas(SUPPLEMENTAL)

A motion was made by Member Kalb, seconded by Member Schaaf, to *Approve as Submitted. The motion carried by the following vote:

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

S-4.1 Subject: Court Order - Delphine 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 Courts 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 Oakland By: 1) Waiving Competitive Advertising, Bidding And Request For Proposals/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 \$250,000.00 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

[12-0240](#)

Scheduled to * Special Meeting of the Oakland City Council on 1/22/2013

As a Non-Consent Item.

[View Report.pdf](#)

[84189 CMS.pdf](#)

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 \$13,520.00, Arising Out Of An Oakland Police Operation (Oakland Police Department)

[12-0236](#)

Scheduled to * Special Meeting of the Oakland City Council on 1/22/2013

As a consent item.

[View Report.pdf](#)

[84172 CMS.pdf](#)

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 \$39,547.24, Arising Out Of An Oakland Police Operation (Oakland Police Department)
[12-0237](#)

Scheduled to * Special Meeting of the Oakland City Council on 1/22/2013

[View Report.pdf](#)
[84180 CMS.pdf](#)

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
[12-0242](#)

Scheduled to * Special Meeting of the Oakland City Council on 1/22/2013

[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[84179 CMS.pdf](#)

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
[12-0191-1](#)

Scheduled to *Special Finance & Management Committee on 1/29/2013

[View Report.pdf](#)
[View Report.pdf](#)

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
[12-0233](#)

Scheduled to *Special Finance & Management Committee on 2/13/2013

[View Report.pdf](#)

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 That 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
[12-0234](#)

Scheduled to *Special Public Works Committee on 1/29/2013

[View Report.pdf](#)
[View Supplemental Report.pdf](#)

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 Approving The Joint Exercise Of Powers Agreement Creating The Energy Council And Agreeing To Become A Member Of The Energy Council; And
[12-0235](#)

Scheduled to *Special Public Works Committee on 1/29/2013

And as a Public Hearing on February 5, 2013.

[View Report.pdf](#)

2) A Resolution Approving 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
[12-0235-1](#)

3) A Resolution Approving An Amendment Of The Joint Exercise Of Powers Agreement Creating The Alameda County Waste Management Authority
[12-0235-2](#)

[View Report.pdf](#)

S-4.9 Subject: Recognition Of Service - Danziger
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Recognizing Steve Danziger For 25 Years Of Commitment And Service To The Departments Of The City Of Oakland
[12-0241](#)

Scheduled to * Special Meeting of the Oakland City Council on 1/22/2013

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[84169 CMS.pdf](#)

S-4.10 Subject: Proposed Committee Meeting Times
From: Council President Patricia Kernighan
Recommendation: 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
[12-0244](#)

Scheduled to * Special Meeting of the Oakland City Council on 1/22/2013

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

S-4.11 Subject: Presentation On The Status Of Oakland Parks
From: President Pro Tem 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
[12-0243](#)

Scheduled to *Special Public Works Committee on 2/13/2013

[View Report.pdf](#)

[rules011013item4](#)

[View Report.pdf](#)

Items Submitted on the Dais

Subject: Appointment - County Coliseum Authority Board of Commissioners
From: Council President Kernighan
Recommendation: Adopt A Resolution Appointing Council Member Rebecca Kaplan As A Member Of The Oakland-Alameda County Coliseum Authority Board Of Commissioners Replacing Outgoing Council Member Desley Brooks Beginning January 21, 2013 And Ending January 20, 2015
[12-0245](#)

Scheduled to * Special Meeting of the Oakland City Council on 1/22/2013

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[84188 CMS.pdf](#)

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

**A motion was made by Member Schaaf, seconded by Member Kalb, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

[rules011013item5](#)

[View Report.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:21 a.m.

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
Fax: (510) 238-6699
Recorded Agenda: (510) 238-2386
Telecommunications Display Device: (510) 839-6451
[TTD](#)

*

City Clerk and Clerk of the Council