



# City of Oakland Meeting Minutes

Office of the City Clerk  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, California 94612  
LaTonda Simmons, City Clerk

## \*Rules & Legislation Committee

**Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612**

**City of Oakland Website: <http://www.oaklandnet.com>**

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**Thursday, October 31, 2013**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call To Order

Excused: Vice Mayor Reid

Present: Council President Kernighan, Member Schaaf and Member Kalb

*The Oakland City Council Rules & Legislation Committee convened at 11:01 am, with Councilmember Kernighan presiding as Chairperson.*

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  
*Closed Session November 5, 2013 2:30pm*

2 Approval Of The Draft Minutes From The Committee Meetings Of October 3, 2013 And  
October 17, 2013

**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

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

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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 with the following amendments. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Reid

S-4.1 Subject: Metropolitan Medical Response System (MMRS) Grant Funds  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Accept, Appropriate, And Administer Federal Fiscal Year 2011 Statewide Homeland Security (SHSP) Grant Funds In An Amount Of Two Hundred And Eighty Thousand Dollars (\$280,000) From The Alameda County (ALCO) Sheriff's Department; And 2) Expend Fiscal Year 2011 SHSP Funds Including Funding The Oakland Fire Department Metropolitan Medical Response System (MMRS) Planning Staff, Equipment And Training Program And Entering Into Service And Purchasing Agreements To Expend Such Grant Funds Without Further Council Review Or Action Provided Competitive Solicitation And Purchasing Programs/Policies Are Followed  
[13-0150](#)

**Scheduled to \*Public Safety Committee on 11/12/2013**

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[84714 C.M.S.pdf](#)

S-4.2 Subject: Quarterly Cash Management Report  
From: Office of the City Administrator  
Recommendation: Receive An Informational Cash Management Report For the Quarter Ended September 30, 2013  
[13-0140](#)

**Scheduled to \*Finance & Management Committee on 11/12/2013**

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S-4.3 Subject: Domain Awareness Center (DAC) Phase II  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract For Phase II Of The Domain Awareness Center (DAC) Project Implementation To A Vendor In An Amount Not To Exceed Two Million Dollars (\$2,000,000) To Be Selected Later Without Return To Council; On The November 12, 2013 Public Safety Committee Agenda  
[13-0141](#)

**Scheduled to \*Public Safety Committee on 11/12/2013**

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S-4.4      Subject:    LDDA With Oakland Maritime Support Services (OMSS)  
From:        Office Of The City Administrator  
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Lease Disposition And Development Agreement And Ground Lease Between The City Of Oakland And Oakland Maritime Support Services, LLC, A California Limited Liability Company, Or Its Affiliate, In A Form And Content Substantially In Conformance With The Attached Documents, For The Development Of An Ancillary Maritime Support Facility To Provide Truck Parking And Truck-Related Services On Approximately 17 Acres In The Central And North Gateway Areas Of The Former Oakland Army Base, Without Returning To The City Council  
[13-0145](#)

**Scheduled to \*Community & Economic Development Committee on  
11/12/2013**  
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[13201 CMS.pdf](#)

S-4.5      Subject:    Oakland Army Base Utility Agreements  
From:        Office Of The City Administrator  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Authorizing The City Administrator To Negotiate And Execute Temporary Easements With Pacific Bell Telephone Company, A California Corporation, DBA AT&T California ("AT&T"), For Temporary Relocation Of Telecommunication Lines And Any Associated Or Related Equipment Or Facilities To Facilitate The Public Infrastructure Project On The Former Oakland Army Base; And  
[13-0148](#)

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2) An Ordinance Authorizing The City Administrator To Negotiate And Execute Easements With Pacific Gas And Electric Company, A California Corporation ("PG&E"), For Installation, Maintenance, And Operation Of A High Pressure Gas Line, Gas Regulator Stations, And Any Associated Or Related Equipment Or Facilities, To Facilitate The Public Infrastructure Project On The Former Oakland Army Base; And  
[13-0148-1](#)

[13204 CMS.pdf](#)

3) An Ordinance Authorizing The City Administrator To Negotiate And Execute Easements With Pacific Gas And Electric Company, A California Corporation ("PG&E"), For Installation, Maintenance, And Operation Of Transmission Gas Lines, Distribution Gas Lines, And Any Associated Or Related Equipment Or Facilities, To Facilitate The Public Infrastructure Project On The Former Oakland Army Base  
[13-0148-2](#)

**Scheduled to \*Community & Economic Development Committee on  
11/12/2013**  
[13205 CMS.pdf](#)

S-4.6 Subject: Fiscal Year 2013-2014 Cultural Funding Grants  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Sixty-Nine (69) Cultural Services Grants To Sixty (60) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2013-2014 In A Total Amount Not To Exceed \$950,000  
[13-0154](#)

**Scheduled to \*Life Enrichment Committee on 11/12/2013**

*Title Change*

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S-4.7 Subject: Allocating Measure C Funding For Community Festivals  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Allocate \$50,000 Previously Budgeted In FY 13-14 General Fund Appropriation For Community Festivals To Reimburse The City For Fees And Costs Incurred By First Fridays  
[13-0155](#)

**Scheduled to \*Life Enrichment Committee on 11/12/2013**

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S-4.8 Subject: Appeal Of Planning Commission Approved Project At 4311-4317 MacArthur  
From: Department Of Planning And Building  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal Of CRADL And Citizens4Oakland And Upholding The City Planning Commission's Certification Of An Environmental Impact Report And Approval Of A Mixed-Use Project, Consisting Of 115 Senior Housing Units And 3,446 Square Feet Of Retail Space, At 4311-4317 Macarthur Boulevard  
[13-0158](#)

**Scheduled to Meeting of the Oakland City Council on 11/19/2013**

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S-4.9 Subject: Funds To Represent Low Income Clients In Rent Adjustment Hearings  
From: Department Of Housing And CommunityDevelopment  
Recommendation: Adopt A Resolution Approving A Grant In The Amount Of \$100,000 Per Year For Two Years With The Option For Three One-Year Extensions To Represent Low Income Landlords And Tenants In Rent Adjustment Program Hearings And Appeals To The Rent Board With \$90,000 Allocated To Centro Legal De La Raza To Provide Representation To Tenants And \$10,000 Allocated For Landlord Representation By An Agency As A Sub Grantee Or By Separate Contract For The Low Income Client Representation Program For Rent Adjustment  
[13-0147](#)

**Scheduled to \*Community & Economic Development Committee on 11/12/2013**

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S-4.10      Subject:      Foreclosure Prevention/Mitigation Grants  
From:          Department Of Housing And Community Development  
Recommendation: Adopt A Resolution 1) Authorizing The City To Accept Grant Funds From The County Of Alameda For Up To \$75,000, And Allocating Such Funds To The Healthy Housing Pilot Program To Address Housing Conditions Contributing To Negative Health Outcomes For Oakland Residents, Including Those Impacted By The Foreclosure Crisis; And 2) Authorizing A Grant Of Up To \$50,000 From Community Development Block Grant Funds To Community Housing Development Corporation For Foreclosure And Housing Counseling For Oakland Homeowners  
[13-0153](#)

**Scheduled to \*Community & Economic Development Committee on 11/12/2013**  
*Title Change*

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S-4.11      Subject:      Oakland Head Start & St. Vincent's Day Home Partnership  
From:          Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, Head Start/Early Head Start Program, To Enter Into A Grant Agreement With St. Vincent's Day Home, To Fund Comprehensive Child Development Services In Accord With The 2013-14 Head Start/Early Head Start Grant, From U.S. Department Of Health And Human Services, Administration For Children And Families (DHHS/ACF), For Program Year 2013-14, In An Estimated Amount Of (\$54,000.00) To Serve 24 Head Start Eligible Families And Children And An Estimated Amount Of (\$42,813.60) To Serve 12 Early Head Start Eligible Families And Children For A Total Estimated Amount Of (\$96,813.60), With An Estimated Start Date Of November 1, 2013 Through August 31, 2014  
[13-0143](#)

**Scheduled to \*Life Enrichment Committee on 11/12/2013**

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S-4.12      Subject:      Informational Report On PATH Strategy To End Homelessness  
From:          Department Of Human Services  
Recommendation: Receive An Informational Report From The Department Of Human Services, Community Housing Services On Its Permanent Access To Housing (PATH) Strategy To End Homelessness  
[13-0144](#)

**Scheduled to \*Life Enrichment Committee on 11/12/2013**

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S-4.13      Subject:    Amending Oakland Municipal Code - Residential Permit Parking  
From:        Public Works Agency  
Recommendation: Adopt An Ordinance Amending Title 10.44 Of The Oakland Municipal Code Clarifying And Updating Residential Permit Parking  
[13-0142](#)

**Scheduled to \*Public Works Committee on 11/12/2013**

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S-4.14      Subject:    Contract For Operation And Management Of Parking Facilities  
From:        Public Works Agency  
Recommendation: Adopt A Resolution Directing The City Administrator (1) To Negotiate A Multi-Year Contract For The Operation And Management Of Eight (8) City-Owned Parking Garages With Standard Parking Corporation And Its Partners Under The Name City Of Oakland Parking Partners, The Highest Scoring Respondent To A Competitive Request For Proposal And (2) To Return To The City Council Upon Conclusion Of Negotiations For Final Approval Of Said Contract And Other Parking Related Matters  
[13-0152](#)

**Scheduled to \*Public Works Committee on 11/12/2013**

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S-4.15      Subject:    Assigning Oakland Animal Services To More Appropriate Department  
From:        Councilmembers Schaaf, Gallo And Kaplan  
Recommendation: Receive An Informational Report And Possible Action On The Process For Moving Oakland Animal Services From Oakland Police Department To A More Appropriate City Department  
[13-0151](#)

**Scheduled to \*Public Safety Committee on 1/14/2014**

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S-4.16      Subject:    Vehicle Abatement Program Procedure Report  
From:        Oakland Police Department  
Recommendation: Receive An Informational Report From Oakland Police Department On The Vehicle Abatement Program  
[13-0146](#)

**Scheduled to \*Public Safety Committee on 11/12/2013**

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S-4.17      Subject:    Community Oriented Policing Services (COPS) Grant Funds  
 From:        Oakland Police Department  
 Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland (City) To: 1) Accept And Appropriate Grant Funds In The Amount Of Four Million Five Hundred Fifteen Thousand And Seven Hundred Thirty Dollars (\$4,515,730) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS), (2) To Fund The Entry-Level Salary And Fringe Benefit Costs Of Ten (10.0) Full-Time Equivalent (FTE) Police Officers Positions For A Thirty-Six Month Period From September 1, 2013 Through August 31, 2016, And Appropriate Said Funds To The Oakland Police Department (OPD); (3) Authorize An Appropriation Of Eighty Five Thousand Dollars (\$85,000) From The Undesignated General Purpose Fund Balance To Cover Costs Associated With Holding A Lateral Police Academy To Hire And Train Additional Police Officers, In The FY 2013-14 OPD General Purpose Fund Budget; And 4) Authorize A Contribution Of Central Services Overhead  
[13-0149](#)

**Scheduled to \*Public Safety Committee on 11/12/2013**

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S-4.18      Subject:    Oakland-Alameda County Coliseum Authority Board Reappointments  
 From:        Council President Patricia Kernighan  
 Recommendation: Adopt A Resolution Re-Appointing Aaron Goodwin And Yui Hay Lee As Members Of The Oakland-Alameda County Coliseum Authority Board Of Commissioners For Terms Commencing October 9, 2013 And Expiring October 8, 2015  
[13-0156](#)

**Scheduled to Meeting of the Oakland City Council on 11/19/2013**

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5            A Review Of The Draft Agendas For The City Council's Committee Meetings Of November 12, 2013 And The Rules And Legislation Committee Of November 14, 2013.

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

**Votes:** Excused; 1 - Vice Mayor Reid  
 Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

**Items Submitted On The Dais**

S-#1      Subject:    Report On State Legislative Activities And Priorities  
 From:        Council President Patricia Kernighan  
 Recommendation: Receive An Informational Report On 2013 State Legislative Activities And  
 Proposed 2014 State Legislative Priorities  
[13-0159](#)

**Scheduled to \*Rules & Legislation Committee on 12/5/2013**

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#2        Subject:    Fiscal Year 2012-13 Adjusted Budget  
 From:        Office Of The City Administrator  
 Recommendation: Adopt A Resolution Accepting The Unaudited FY 2012-13 Fourth Quarter  
 Revenue And Expenditure Results And Year-End Summaries For Four Selected Funds:  
 General Purpose Fund (GPF, 1010), Landscape & Lighting Assessment District Fund (2310),  
 Equipment Fund (4100) And Facilities Fund (4400); And Overtime Analysis For The General  
 Purpose Fund (1010) And All Funds; And Authorizing The City Administrator To Adjust The  
 GPF Revenue Appropriations In The Amount Of \$18.89 Million And Expenditure  
 Appropriations In The Net Amount Of \$28.00 Million Over Or Under Budget By Department  
 Listed In Exhibits A And B Attached Herein  
[13-0160](#)

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#3        Subject:    Allocation Of PEG Funds  
 From:        Office Of The City Administrator  
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Appropriate  
 Approximately \$2.5 Million In PEG Funds For Fiscal Year 2013-14 Through The End Of The  
 Cable And Video Franchise Agreement In December 2017, And Equally Apportion And  
 Distribute Those Funds To KTOP, KDOL And Peralta TV  
[13-0117](#)

*The title of the resolution was amended to read as follows:*

*"Resolution (1) Appropriating Approximately \$3.2 Million Total Estimated In  
 Public Education Government (PEG) Funds For Fiscal Year 2013-14 Through  
 Fiscal Year 2017-2018, From Funds Paid By Cable And Video Franchise  
 Holders Comcast And AT&T (PEG Funds) For The Capital Expenses Of  
 Public, Education And Government (PEG) Cable Television Channels  
 Operating In The City Of Oakland; (2) Authorizing Apportionment Of Equal  
 Shares Of The PEG Funds To PEG Channels Of The City Of Oakland (KTOP),  
 The Oakland Unified School District (KDOL) And The Peralta Community  
 College District (Peralta TV) For Their PEG Channel Cable And Video  
 Television Facilities, Subject To Equal Reapportionment In Fiscal Years When  
 There Are Fewer Or More PEG Channels Operating In Oakland; And (3)  
 Authorizing The City Administrator To Execute A Memoranda Of  
 Understanding To Effectuate The Distribution Of Said Funds"*

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[84701 C.M.S.pdf](#)

#4            Subject:    Juvenile Protection Curfew Ordinance  
                 From:           Councilmember Noel Gallo  
                 Recommendation: Receive A Discussion And Possible Action On The Previously Discussed  
(1) Juvenile Protection Curfew Ordinance And Authorizing Its Implementation To Begin  
Immediately To Help Remedy The Victimization, Exploitation, And Criminal Activities That  
Adversely Impact Youth In The City Of Oakland; And (2) Proposing An Ordinance Repealing  
Oakland Municipal Code Section 9.12.020 And 9.02.030 Prohibiting Minors From Loitering In  
Public Places  
[13-0071](#)

*The title of the resolution was amended to read as follows:*

*"A Discussion And Possible Action On Councilmember Gallo's Proposal To  
Prepare For Council's Consideration And Adoption A Juvenile Protection  
Curfew Ordinance To Help Remedy The Victimization, Exploitation, And  
Criminal Activities That Adversely Impact Youth In The City Of Oakland Using  
As A Framework The Draft Juvenile Curfew Ordinance City Council  
Considered At Its Meeting On October 4, 2011"*

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#5            Subject:    Closing Down/Banning Internet Café/Sweepstake Casinos  
                 From:           Councilmember Noel Gallo  
                 Recommendation: Receive An Informational Report To Draft An Ordinance - Or Revise An  
Existing Ordinance - Allowing The City Of Oakland To Close Down/Ban Internet  
Café/Sweepstake Casinos  
[13-0162](#)

**Scheduled to \*Public Safety Committee on 12/17/2013**

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#6            Subject:    Shattuck Gateway Mural Project  
                 From:           Councilmember Kalb  
                 Recommendation: Adopt A Resolution From The Oakland City Council Supporting The  
Installation Of A Mural At 54th Street And Shattuck Avenue On Caltrans State Route 24  
Support Columns And Authorizing The City Administrator To Take Any Actions Necessary To  
Provide Maintenance Of The Artwork  
[13-0163](#)

**Scheduled to \*Life Enrichment Committee on 11/12/2013**

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[rules103113item5](#)  
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6 Subject: City Council Censure Policy  
 From: Councilmember Noel Gallo  
 Recommendation: Receive A Discussion And Possible Action On The Policy And Procedure To Provide The Mechanism By Which The City Council, Acting As A Whole, Can Discipline Any Of Its Members Who Violate State Or Federal Laws, City Ordinances Or Policies  
[13-0074](#)

**A motion was made by Member Schaaf, seconded by Member Kalb, that this matter be \*Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on November 19, 2013. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Reid  
 Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan  
*The rules committee adopted with the following amendments:*  
*Omit provisions in section 4*  
*the Author will amend section 7 to include language for whistle blower and clarify hearing procedures.*  
*section 8, strike the 2/3 vote requirement*  
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**Open Forum (Total Time Available: 15 Minutes)**

*There was 1 Open Forum speaker.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 12:15p.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  
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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**

- \* 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*