



# 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, February 21, 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 11:04 a.m., 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

2 Approval Of The Draft Minutes From The Committee Meeting Of January 31, 2013 and February 7, 2013

**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

3 Determination 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

[rules022113](#)

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4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10 Day Agendas (SUPPLEMENTAL)

**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

S-4.1 Subject: Renne Sloan Holtzman Sakai, LLP Second Contract Amendment  
From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Contract With Renne Sloan Holtzman Sakai, LLP To Complete Additional Investigation-Related Work On Police Misconduct Claims Resulting From Occupy Oakland Protest Incidents, Increasing The Budget By Twenty Five Thousand Dollars (\$25,000) For A Total Contract Amount Of One Hundred Forty-Five Thousand Dollars (\$145,000)  
[12-0316](#)

**Scheduled to \*Public Safety Committee on 3/12/2013**

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S-4.2 Subject: Settlement Agreement - Allen  
From: Office Of The City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Settle Attorney Fees And Costs Arising Out Of The Receivership Proceedings In The Case Of Delphine Allen, Et Al. V. City Of Oakland, Et Al., United States District Court Case No. C00-4599-Teh, City Attorney's File No: R20752, In The Total Amount Of Six Hundred Eighty-One Thousand Six Hundred Twenty-Eight Dollars And Forty Cents (\$681,628.40) Made Payable, In Separate Drafts, To Plaintiffs' Counsel As Follows: James B. Chanin, In The Amount Of Two Hundred Eighty-Five Thousand One Hundred Forty Dollars And Twenty Cents (\$285,140.20); Julie M. Houk, In The Amount Of Two Hundred Fifty-Two Thousand Six Hundred Three Dollars And No Cents (\$252,603.00); And John L. Burris, In The Amount Of One Hundred Forty-Three Thousand Eight Hundred Eighty-Five Dollars And Twenty Cents (\$143,885.20) (Police Services Agency)  
[12-0321](#)

**Scheduled to \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council on 3/5/2013**

*This item will be placed on the Consent portion of the City Council Agenda.*

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S-4.3      Subject:      Settlement Agreement - PFRS  
From:          Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Single Issue Raised In The Appeal By The Police And Fire Retirement System From Judgment In The Case Of City Of Oakland v. Oakland Police And Fire Retirement System, et al., Alameda County Superior Court Case No. RG 11580626 In Exchange For The Parties Mutual Agreement To Follow Procedural Notice Protocols Prior To Filing A Lawsuit  
[12-0322](#)

**Scheduled to \* Concurrent Meeting of the Oakland Redevelopment  
Successor Agency and the City Council on 3/5/2013**

*This item will be placed on the Consent portion of the City Council Agenda.*  
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S-4.4      Subject:      City Audits Since November 2011  
From:          Office Of The City Auditor  
Recommendation: Receive An Informational Report From The Office Of The City Auditor On All Audits Issued Since November 2011  
[12-0315](#)

**Scheduled to \*Finance & Management Committee on 3/12/2013**

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[View Supplemental Report.pdf](#)

S-4.5      Subject:      Modification of the Taxi Vehicle Permit (Medallion) Fee  
From:          Vice Mayor Reid and Councilmember De La Fuente  
Recommendation: Request to Withdraw and Reschedule An Agenda Item From The March 19, 2013 City Council Agenda To The April 16, 2013 City Council Agenda

Adopt An Ordinance Amending Ordinance No. 13078 C.M.S., The Master Fee Schedule, As Amended, To Modify The Annual Fee Of The Taxi Vehicle Permit (Medallion) Assessed By The Office Of The City Administrator

Additional Time Is Needed For The Presenter To Work With The City Attorney's Office After His Return From Vacation.

[12-0216](#)

**\*Rescheduled to \* Concurrent Meeting of the Oakland Redevelopment  
Successor Agency and the City Council on 4/16/2013**

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S-4.6      Subject:    MOU For 6701 San Pablo Avenue  
From:        Department Of Planning And Building  
Recommendation: Adopt A Resolution Authorizing A Memorandum Of Understanding By  
And Among The City Of Oakland, The City Of Berkeley And The City Of Emeryville For The  
Development Of 6701 San Pablo Avenue, A Property Located Within Each Of The Three  
Jurisdictions  
[12-0313](#)

**Scheduled to \*Community & Economic Development Committee on  
3/12/2013**

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S-4.7      Subject:    Delinquent Transient Occupancy 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 Transient Occupancy Taxes And Confirming  
The Recordation Of Liens With Administrative And Assessment Charges As Necessary -  
Pursuant To Chapter 4.24 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  
[12-0308](#)

**Scheduled to \* Concurrent Meeting of the Oakland Redevelopment  
Successor Agency and the City Council on 3/19/2013**

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S-4.8      Subject:    Mandatory Garbage Fees  
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 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  
[12-0309](#)

**Scheduled to \* Concurrent Meeting of the Oakland Redevelopment  
Successor Agency and the City Council on 3/19/2013**

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S-4.9      Subject:    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  
[12-0310](#)

**Scheduled to \* Concurrent Meeting of the Oakland Redevelopment  
Successor Agency and the City Council on 3/19/2013**  
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S-4.10      Subject:    Debarment Process For Goldman Sachs  
From:        Finance And Management Agency  
Recommendation: Receive An Informational Report With Possible Action Updating And Explaining The Process Of Debarring Goldman Sachs From Doing Any Future Business With The City  
[12-0314](#)

**Scheduled to \*Finance & Management Committee on 3/12/2013**

S-4.11      Subject:    First Friday Security Report  
From:        Vice Mayor Larry Reid  
Recommendation: Receive An Informational Report On The Costs Of Providing Security For The First Friday Events In Downtown Oakland And An Informational Report On The Existing Contract Agreement For The Private Security Company Providing Services For The Frank Ogawa Plaza And/Or For First Friday Events  
[12-0323](#)

**Scheduled to \*Public Safety Committee on 3/12/2013**  
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S-4.12      Subject:    ARRA National Emergency Grant Report  
From:        Council President Kernighan  
Recommendation: Receive An Informational Report On The Circumstances Surrounding The ARRA National Emergency Grant To The City, With An Explanation Of Why Most Of The Grant Money Could Not Be Used And Had To Be Returned To The Federal Government  
[12-0307](#)

**Scheduled to \*Community & Economic Development Committee on  
3/12/2013**  
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S-4.13      Subject:    ABAG Appointments  
From:        Council President Kernighan  
Recommendation: Adopt A Resolution Appointing The Following To Positions To The Executive Board And General Assembly Of The Association Of Bay Area Governments: Oakland Mayor Jean Quan And Councilmember Libby Schaaf To The Executive Board, Councilmembers Lynette Gibson McElhaney And Dan Kalb As Alternate Members Of The Executive Board, To Complete The Two-Year Terms That Commenced On July 1, 2012 And End On June 30, 2014, And Councilmember Libby Schaaf As An Alternate Member To The General Assembly  
[12-0317](#)

**Scheduled to \* Concurrent Meeting of the Oakland Redevelopment  
Successor Agency and the City Council on 3/5/2013**

*This item will be placed on the Non-Consent portion of the City Council  
Agenda.*

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S-4.14      Subject:    ACTC Alternate Appointment  
From:        Council President Kernighan  
Recommendation: Adopt A Resolution Appointing Councilmember Dan Kalb As An Alternate To The Alameda County Transportation Commission  
[12-0318](#)

**Scheduled to \* Concurrent Meeting of the Oakland Redevelopment  
Successor Agency and the City Council on 3/5/2013**

*This item will be placed on the Non-Consent portion of the City Council  
Agenda.*

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S-4.15      Subject:    ACWMA Appointment  
From:        Council President Kernighan  
Recommendation: Adopt A Resolution Appointing Councilmember Dan Kalb As A Member Of The Alameda County Waste Management Authority (ACWMA) And Appointing President Pro Tem Rebecca Kaplan As An Alternate Member Of The ACWMA  
[12-0319](#)

**Scheduled to \* Concurrent Meeting of the Oakland Redevelopment  
Successor Agency and the City Council on 3/5/2013**

*This item will be placed on the Non-Consent portion of the City Council  
Agenda.*

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S-4.16      Subject:    BRT Policy Steering Committee Appointment  
From:        Council President Kernighan  
Recommendation: Adopt A Resolution Appointing Councilmember Noel Gallo As A Member  
And Councilmember Dan Kalb As An Alternate Member To The Alameda-Contra Costa  
Transit District's Bus Rapid Transit (BRT) Policy Steering Committee  
[12-0320](#)

**Scheduled to \* Concurrent Meeting of the Oakland Redevelopment  
Successor Agency and the City Council on 3/5/2013**

*This item will be placed on the Non-Consent portion of the City Council  
Agenda.*

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S-4.17      Subject:    Youth Ventures JPA Appointment  
From:        Council President Kernighan  
Recommendation: Adopt A Resolution Appointing Council President Patricia Kernighan And  
Councilmember Lynette Gibson McElhaney To The Youth Ventures Joint Powers Authority;  
On The March 5, 2013 City Council Agenda  
[12-0324](#)

**\*Withdrawn with No New Date**

[rules022113item4](#)  
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5            A Review Of The Draft Agendas For The Council's Committees For The Meetings on  
February 26, 2013 and the February 28, 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

*Note: Review was of the Draft Agendas for Council Meeting of March 5, 2013  
and the March 7, 2013 Rules and Legislation Committee Meeting.*

*The March 5, 2013 Special Closed Session will begin at 2:30 p.m. rather than  
3:00 p.m.*

[rules022113item5](#)  
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6 Subject: Electronic Filing Of Campaign Statements  
 From: Offices Of Councilmember Schaaf, The City Attorney, And The City Clerk  
 Recommendation: Adopt An Ordinance Amending Title Three Chapter 3.12 Articles I, II, VI And VII Of The Oakland Municipal Code And Adding Article IX Requiring Electronic Filing Of Campaign Statements For (1) Candidates Seeking Election In The City Of Oakland, (2) Committees Formed Or Existing Primarily To Support Or Oppose An Oakland Candidate(s) Or To Support Or Oppose The Qualification Of Or Passage Of, An Oakland Ballot Measure, And (3) General Purpose Committees Active Only In Oakland  
[12-0258](#)

**A motion was made by Member Schaaf, seconded by Member Kalb, that this matter be \*Approve the Recommendation of Staff, and Forward to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, due back on March 5, 2013. The motion carried by the following vote:**

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

*This item will be placed on the Non-Consent portion of the City Council Agenda.*

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

*There were no speakers on this item.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:31 a.m.*

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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*