



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>

Thursday, January 19, 2012

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Present: Vice Mayor Brooks, Member Schaaf, Member Reid and President Pro Tempore De La Fuente
The Oakland City Council Rules and Legislation Committee convened at 10:42 a.m., with Council President Reid presiding as Chairperson.

1 Determinations of Closed Session

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A motion was made by President Pro Tempore De La Fuente, seconded by Vice Mayor Brooks, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

2 Approval of the Draft Minutes from the Committee meetings of December 15, 2011 and January 5, 2012

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A motion was made by President Pro Tempore De La Fuente, seconded by Vice Mayor Brooks, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

3 Determination of Schedule of Outstanding Committee Items

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

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

[rules011912](#)

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4 Scheduling of Agenda Items and revisions to the agendas for the Council Committee meetings of January 24, 2012 and the Rules and Legislation Committee Meeting of January 26, 2012 (SUPPLEMENTAL)

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A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

[rules011912item4](#)

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S-4.1 Subject: Port of Oakland Shut-Downs
From: President Pro Tem De La Fuente and Councilmember Schaaf
Recommendation: Adopt A Resolution Opposing Any Purposeful Upcoming Or Future Port Of Oakland Shut-Downs, Directing The City Administrator And Urging The Mayor To Use Whatever Lawful Tools We Have, Including Enforcement Of All State Laws And Local Municipal Code Regulations And Requirements, To Prevent Future Shut Downs Or Disruptions Of Any Port Operations

[11-0206](#)

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Scheduled to * Meeting of the Oakland City Council on 2/7/2012

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S-4.2 Subject: Sanjiv Handa Sunshine Ordinance
From: President Reid and Vice Mayor Brooks
Recommendation: Adopt An Ordinance Amending Ordinance No. 11957 C.M.S., As Amended By Ordinance No. 12483 C.M.S., To Change The Citation And Title Of The "Oakland Sunshine Ordinance" To The "Sanjiv Handa Oakland Sunshine Ordinance" In Memory Of Sanjiv Handa, A Longtime Oakland Resident Who Devoted More Than 20 Years Of His Life To Advocating For Open Government And Transparency To Assure That Deliberations Of The City's Council, Commissions, Boards, And Advisory Bodies And The City's Operations Were Open To The Public

[11-0236](#)

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Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 2/7/2012

As a Non-Consent item.

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S-4.3 Subject: Professional Services Agreement- JRDV Urban International
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee To Negotiate And Enter Into A Professional Services Agreement(s) With JRDV Urban International As Consultant(s), In An Amount Not To Exceed \$3.5 Million, Including Contingencies, For Consulting Services Related To The Coliseum Area Specific Plan's Environmental Impact Report And Other Professional Services, Without Further Council Action
[11-0237](#)
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Scheduled to *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 1/25/2012

S-4.4 Subject: Supporting The California Cancer Research Act
From: Councilmember Brunner
Recommendation: Adopt A Resolution Supporting Proposition 29 "The California Cancer Research Act Of 2012" To Reduce Smoking, Especially Among Children And Fund Critical Research To Prevent And Treat Cancer, Heart Disease And Stroke, Lung Disease And Other Tobacco-Related Illnesses
[11-0234](#)
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Scheduled to *Rules & Legislation Committee on 2/2/2012
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[83697 CMS.pdf](#)

S-4.5 Subject: Special Meeting Of The ORA/City Council
From: Council President Reid
Recommendation: A Request To Schedule A Special Meeting Of The ORA/City Council On Tuesday, January 25, 2012 At 5:30 P.M.
[11-0239](#)
[Play Video](#)
No Action Taken
At this time a Special ORA/City Council meeting was scheduled for Wednesday, January 25, 2012 at 5:30 P.M.

S-4.6 Subject: Special Meeting Of The ORA/City Council
From: Council President Reid
Recommendation: A Request To Schedule A Special Meeting Of The ORA/City Council On Tuesday, January 31, 2012 At 5:30 P.M.
[11-0240](#)
[Play Video](#)
No Action Taken
At this time a special ORA/City Council meeting was scheduled for Tuesday, January 31, 2012 at 5:30 P.M.

S-4.7 Subject: Open Data Policy
From: Councilmember Schaaf
Recommendation: Adopt A Resolution Adopting An Open Data Policy In The City Of
Oakland; On The March 27, 2012 Finance And Management Committee Agenda
[11-0235](#)
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Scheduled to *Finance & Management Committee on 3/27/2012

S-4.8 Subject: Late Night Live in the Park
From: Councilmember Patricia Kernighan
Recommendation: Receive A Report And Approve Recommendations Regarding Late Night
Live In The Park Program To Be Funded By Measure Y For The Fiscal Year 2012-15 Funding
Cycle
[11-0242](#)
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Scheduled to *Public Safety Committee on 3/13/2012

S-4.9 Subject: Unattended Boxes For Donated Clothing
From: Councilmembers Kernighan and Brunner
Recommendation: Adopt A Resolution To Regulate Unattended Boxes For Donated Clothing
And Other Items On Public And Private Property
[11-0244](#)
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**Scheduled to *Community & Economic Development Committee on
3/13/2012**

S-4.10 Subject: Prohibiting Loitering In Possession Of An Illegal Firearm
From: Councilmember Kaplan
Recommendation: Adopt An Ordinance Adding Chapter 9.37 To The Oakland Municipal Code
(1) Prohibiting Loitering In Possession Of An Illegal Firearm For The Purpose Of Engaging In
Enumerated Gun Activities; And (2) Providing For Civil Penalties, Infractions And Other Civil
Remedies; On The March 13, 2012 Public Safety Committee Agenda
[11-0238](#)
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Scheduled to *Rules & Legislation Committee on 1/26/2012

Items Submitted on the Dais

Subject: Amendment to The Enforceable Obligation Payment Schedule
From: Office Of The City Administrator
Recommendation: Adopt An Agency Resolution Approving An Amendment To The Enforceable Obligation Payment Schedule Identifying Enforceable Obligations Payable With Redevelopment Agency Funds From January Through June 2012.

[11-0245](#)

Scheduled to *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 1/25/2012

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Subject: Amending the City of Oakland's FY 2011-13 Biennial Budget
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Amending The City Of Oakland's FY2011-13 Biennial Budget, Which Was Adopted Pursuant To Resolution C.M.S. 83444 On June 30, 2011.

[11-0246](#)

Scheduled to *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 1/25/2012

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[Amendments to Attachment A.pdf](#)

Subject: Budget Advisory Committee Appointment - Houston
From: Vice Mayor Desley Brooks
Recommendation: Adopt A Resolution Appointing Ken Houston As A Member Of The Budget Advisory Committee

[11-0248](#)

A motion was made that this matter be Scheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, to be heard at the February 7, 2012 meeting. The motion carried by the following vote:

Votes: No; 1 - Member Schaaf
Aye; 3 - Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

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[83705 CMS.pdf](#)

CHANGES TO THE JANUARY 24, 2012 COMMITTEE AGENDAS

Subject: Street Sweeper Purchase
 From: Public Works Agency
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Appropriate Two Million Four Hundred Thousand Dollars (\$2,400,000) Of Savings From The 2009-2011 Operating Budget In The Comprehensive Cleanup Fund 1720 To Replace Six Street Sweepers, One Twenty-Five (25) Cubic Yard Packer Truck, One Leaf Sweeper, And One Aerial Lift Truck With Thirty-Seven Feet (37') Boom And Purchase Three New Mini Packer Trucks, One Green Machine Sweeper, One Aerial Lift Truck With Thirty-Seven Feet (37') Boom, One Leaf Machine And One Tow Behind Packer For The Public Works Agency, Department Of Facilities And Environment, Keep Oakland Clean And Beautiful Division And Park Services Division; On The December 13, 2011 Finance And Management Committee Agenda
[11-0179](#)

***Withdrawn and Rescheduled to *Finance & Management Committee on 2/14/2012**

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[83726 CMS.pdf](#)

CHANGES TO COMMITTEE PENDING LIST

Subject: Pulte Homes Contract Increase - Rainbow Teen Center
 From: Community And Economic Development Agency
 Recommendation: Adopt A Resolution Amending Resolution No. 83165 C.M.S. To Authorize An Increase In The Contract With Pulte Homes For The Construction Of The Rainbow Teen Center By \$30,699 From \$121,000 To \$151,699 To Pay For Prevailing Wage Costs; To Appropriate Pro-Rated Onetime Funds For FY 2011-2012 In The Amount Of \$67,000; And Amending Resolution 83344 C.M.S. For The FY 2011 Annual Action Plan, Submitted To The U.S. Department Of Housing And Urban Development (HUD) Which Included The FY 2011 Community Development Block Grant (CDBG) Allocations, To Assign \$48,000 Of \$62,250 Earmarked For The Oakland Citizens Committee For Urban Renewal (Occur) To The Office Of Parks & Recreation In Order To Provide Funding For The Rainbow Teen Center, If Permissible Under CDBG Regulations, For Expenditures For Period July 1, 2011 - June 30, 2013
[11-0090](#)

***Withdrawn and Rescheduled to *Public Works Committee on 2/28/2012**

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5 A review of the Agendas for the meetings of January 31, 2011 and the Rules and Legislation Committee Meeting of February 2, 2012
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A motion was made by Vice Mayor Brooks, seconded by President Pro Tempore De La Fuente, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

[rules011912item5](#)
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6 Subject: Resolution In Favor Of A.B. 1148
From: Councilmembers Kernighan And Schaaf
Recommendation: Adopt A Resolution In Favor Of A.B. 1148, The California Disclosure Act
[11-0224](#)
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A motion was made by Member Schaaf, seconded by Member Reid, that this matter be *Approve the Recommendation of Staff, and Forward. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente
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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 11:29 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.

City Clerk and Clerk of the Council