



City of Oakland

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

Meeting Minutes

*Rules & Legislation Committee

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

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

Thursday, October 16, 2014

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call To Order

*The Oakland City Council Rules & Legislation Committee convened at 10:57 a.m.,
with Council President Kernighan presiding as Chairperson.*

Present 4 - Laurence E. Reid, Patricia Kernighan, Libby Schaaf, and Dan Kalb

1 Determinations Of Closed Session

A Special Closed Session has been scheduled for 2:30 p.m. on October 21, 2014.

A motion was made by Reid, seconded by Kalb, that this matter be Approve as Submitted. The motion carried by the following vote:

Aye: 4 - Reid, Kernighan, Schaaf, and Kalb

2 Approval Of The Draft Minutes From The Committee Meeting Of October 2, 2014

A motion was made by Kalb, seconded by Schaaf, that this matter be Approve as Submitted. The motion carried by the following vote:

Aye: 4 - Reid, Kernighan, Schaaf, and Kalb

3 Determination Of Schedule Of Outstanding Committee Items

A motion was made by Reid, seconded by Schaaf, that this matter be Approve as Submitted. The motion carried by the following vote:

Aye: 4 - Reid, Kernighan, Schaaf, and Kalb

[Rules101614Item3](#)

Attachments: [View Report.pdf](#)

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

A motion was made by Schaaf, seconded by Kalb, that this matter be Approve with the following amendments. The motion carried by the following vote:

Aye: 4 - Reid, Kernighan, Schaaf, and Kalb

- 4.1 Subject: Contract To Provide Fire Fighter Physical Exams
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Enter Into An Agreement With Emeryville Occupational Medical Center To Provide Annual Physical Examinations Of Sworn Oakland Fire Department Employees For The Period Of November 13, 2014 Through November 12, 2016 With An Optional Two year Extension, In An Amount Not-To-Exceed Six Hundred Thousand Dollars (\$600,000) For The Initial Two Year Term And Not-To-Exceed Six Hundred Thousand Dollars (\$600,000) For The Two-Year Extension For A Total Contract Amount Not To Exceed One Million Two Hundred Thousand Dollars (\$1,200,000) For The Period Of November 13, 2014 Through November 12, 2018
[14-0119](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report](#)
[85255 CMS.pdf](#)

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 10/28/2014

- 4.2 Subject: Cultural And Service Learning Trip To Ethiopia Report
From: Councilmember Desley Brooks
Recommendation: Receive An Informational Report On The Outstanding Work Of Edom Tadesse And 14 Students From The French American School Who Participated In The Cultural And Service Learning Trip To Ethiopia
[14-0111](#)

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

This Informational Report was Scheduled.to the *Life Enrichment Committee to be heard 10/28/2014

- 4.3 Subject: Report On The Outstanding Work Of Hanna Solomon
From: Councilmember Desley Brooks
Recommendation: Receive An Informational Report On The Outstanding Work Of 16 Year Old Hanna Solomon In Organizing A Coat Drive For Deserving Individuals [TITLE CHANGE]
[14-0112](#)

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

This Informational Report was Scheduled.to the *Life Enrichment Committee to be heard 10/28/2014

- 4.4** Subject: Report On The Outstanding Work Of Natthan Mesfin
From: Councilmember Desley Brooks
Recommendation: Receive An Informational Report On The Outstanding Work Of 9 Year Old Natthan Mesfin In Organizing And Raising Funds For A Sleeping Bag Give-Away To Homeless Individuals [TITLE CHANGE]
[14-0113](#)

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

This Informational Report was Scheduled.to the *Life Enrichment Committee to be heard 10/28/2014

- 4.5** Subject: Privately Owned Camera Registry
From: Councilmember Delsey Brooks
Recommendation: Receive An Informational Report And Overview On The Steps Required To Implement A Voluntary Registry Of Privately Owned Security Cameras As A Means Of Assisting The Police Department In Its Investigations; On The December 2, 2014 Public Safety Committee Agenda
[14-0130](#)

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 12/16/2014

- 4.6** Subject: Additional Audit Related Services
From: Finance Department
Recommendation: Adopt A City Resolution Amending City Council Resolution No. 82682 C.M.S, Which Authorized A Contract With Macias Gini & O'connell LLP ("MGO") To Provide Audit Services To Increase The Contract For The City Audit Services For An Additional Amount Not-To-Exceed \$75,193. The Additional Services Requested Are To Cover Governmental Accounting Standards Board (GASB) 67 Testing, Planning And Implementing GASB 68, And Agreed-Upon Procedures Testing The City Procurement Policies And Procedures For Fiscal Year Ending June 30, 2014 And A Waiver For Advertising And Request For Proposals For These Additional Audit Related Services.
[14-0117](#)

Attachments: [View Report.pdf](#)
[85242 CMS.pdf](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 10/28/2014

4.7 Subject: Extension Of Auditing Service Contract
From: Finance Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution By The City Council Of The City Of Oakland Authorizing The City Administrator To Execute A One (1) Year Extension With Macias Gini & O'connell, LLP ("MGO") To Provide Audit Services For Fiscal Year Ending June 30, 2015 In An Amount Not To Exceed \$674,560 And Waiving The Competitive Request For Proposals Process; And

[14-0118](#)

Attachments: [View Report.pdf](#)
[85243 CMS.pdf](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 10/28/2014

2) A Resolution Authorizing The Agency Administrator To Waive The Competitive Requesting For Proposals Process And Execute A One (1) Year Contract Extension With Macias Gini & O'connell, LLP ("MGO") To Provide For Audit Services For Fiscal Year Ending June 30, 2015 In An Amount Not To Exceed \$25,000

[14-0118-1](#)

Attachments: [2014-011 ORSA.pdf](#)

This ORSA Resolution was Scheduled.to the *Finance & Management Committee to be heard 10/28/2014

4.8 Subject: FY 2013-2014 4th Quarter Revenue & Expenditure Report
From: Finance Department
Recommendation: Adopt A Resolution Accepting The Unaudited FY 2013-2014 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 General Purpose Fund Expenditure Appropriations In The Amount Of \$0.50 Million Over Budget By Departments Listed In Exhibit A Attached Herein

[14-0127](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report](#)
[85257 CMS.pdf](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 10/28/2014

4.9 Subject: Inclement Weather Response System Strategy
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator: 1) To Accept And Appropriate An Estimated Amount Of \$15,000 From The City Of Emeryville For Winter Shelter And Warming Centers; 2) To Enter Into Grant Agreements For The Provision Of Emergency Winter Shelter Beds In An Aggregate Amount Of \$53,000 With St. Mary's Center And East Oakland Community Project; 3) To Enter Into Grant Agreements For The Provision Of Warming Centers In An Aggregate Amount Of \$54,000 With Dignity Housing West And Bay Area Community Services; And 4) To Allocate Up To \$15,115 In Existing Funds And Accept, Appropriate And Allocate Any Additional Funds From Other Sources To Amend The Grant Agreements For Additional Shelter Beds And/Or Warming Center Accommodations, And Purchase Miscellaneous Supplies For The Operation Of The Winter Shelters For The Period Beginning November 15, 2014 Through April 15, 2015 Without Returning To Council

[14-0125](#)

Attachments: [View Report.pdf](#)
[85253 CMS.pdf](#)

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 10/28/2014

4.10 Subject: Establishing A Rainy Day Policy And Consolidated Fiscal Policy
From: Office Of The City Administrator And Councilmember Schaaf
Recommendation: Adopt An Ordinance Amending The City Of Oakland Financial Policies, To Establish A New Rainy Day Policy And Consolidating All Fiscal Policies Into The City Of Oakland Consolidated Fiscal Policy

[14-0120](#)

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

This Ordinance was Scheduled.to the *Finance & Management Committee to be heard 10/28/2014

4.11 Subject: Oakland Unite Violence Prevention Programs Evaluation
From: Office Of The City Administrator
Recommendation: Receive An Informational Report From Resource Development Associates (RDA) On The Oakland Unite Violence Prevention Programs Retrospective Evaluation 2005-2013

[14-0122](#)

Attachments: [View Report.pdf](#)

This Informational Report was Scheduled.to the *Public Safety Committee to be heard 10/28/2014

- 4.12** Subject: Enforcement Efforts Related To Cannabis Dispensaries
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On Enforcement Efforts Related To "Measure Z Clubs" And Unpermitted Cannabis Dispensaries
[14-0123](#)

Attachments: [View Reports.pdf](#)

This Informational Report was Scheduled.to the *Public Safety Committee to be heard 10/28/2014

- 4.13** Subject: EBRCSA Transition Status Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On Outstanding Issues Pertaining To The City's Transition To The East Bay Regional Communication Systems Authority (EBRCSA)
[14-0124](#)

Attachments: [View Report](#)

[View Supplemental Report.pdf](#)

This Informational Report was Scheduled.to the *Finance & Management Committee to be heard 11/12/2014

- 4.14** Subject: Oakland Animal Shelter Update
From: Office of the City Administrator
Recommendation: Receive An Informational Report Providing An Update On The Status Of: 1) The Transition Of Oakland Animal Services (OAS) From The Oakland Police Department To A Standalone Department; 2) The Hiring Of A Permanent OAS Director And Other Key Staff Positions; 3) The Work To Date Performed By The Short-Term Community Advisory Committee; And 4) Implementation Of Suggestions For Improved Operations.
[14-0126](#)

Attachments: [View Report.pdf](#)

This Informational Report was Scheduled.to the *Public Safety Committee to be heard 10/28/2014

4.15 Subject: Amendments To The Fiscal Year 2014-2015 Midcycle Budget
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Amending The City Of Oakland's Fiscal Year 2013-2015 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 84466 C.M.S. On June 27, 2013 And Amended By Resolution 84897 C.M.S. On March 18, 2014, And Further Amended By Resolution No. 85085 C.M.S. On July 1, 2014 To: (1) Appropriate Fiscal Year 2014-2015 General Purpose Fund Expenditures In An Amount Not To Exceed \$6,832,586 As Detailed In Exhibit 1; And (2) Increase General Purpose Fund Reserve In An Amount Of \$414,301 [NEW TITLE]
[14-0128](#)

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

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 10/28/2014

4.16 Subject: Community Policing Advisory Board Appointments - Leonard & Bulls
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Cathy Leonard And Derrick C. Bulls As Members Of The Community Policing Advisory Board
[14-0114](#)

Attachments: [View Report.pdf](#)
[85232 CMS.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/5/2014

4.17 Subject: State Legislative Activities & Proposed 2015 State Legislative Priorities
From: Council President Patricia Kernighan
Recommendation: Receive An Informational Report On 2014 State Legislative Activities, Accomplishments And Proposed 2014-2015 State Legislative Priorities
[14-0129](#)

This City Resolution was Scheduled.to the *Rules & Legislation Committee to be heard 12/4/2014

4.18 Subject: Lake Merritt Station Area Plan And Related Actions
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution (A) Certifying The Environmental Impact Report And Making Related CEQA Findings And Adopting The Lake Merritt Station Area Plan And Related General Plan Amendments And Design Guidelines; (B) Authorizing The Installation Of Bicycle Lanes On Eighth (8th) Street From Harrison Street To Fallon Street, On Tenth (10th) Street From Madison Street To Oak Street, Madison Street From Fifth (5th) Street To Nineteenth (19th) Street, And On Oak Street From Fifth (5th) Street To Thirteenth (13th) Street; And (C) Adopting A General Plan Amendment To The Community Commercial Land Use Classification Text For The Broadway Valdez District Specific Plan (BVDSP) Area To Allow A Maximum Density Of 250 Units Per Gross Acre And Making Related CEQA Findings; And

[14-0121](#)

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

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 10/28/2014

2) An Ordinance, Amending The Oakland Planning Code To Create The D-LM Lake Merritt Station Area District Zone Regulations And Make Conforming Changes To Other Planning Code Sections, As Well As Adopting Zoning And Height Area Maps

[14-0121-1](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 10/28/2014

[rules101614item4](#)

Attachments: [View Report.pdf](#)

Items Submitted On The Dais

Subject: Prohibition Against Use Of Weapons Against Elephants
From: Councilmembers Gallo And Kalb
Recommendation: Adopt An Ordinance Amending Titles 1 And 6 Of The Oakland Municipal Code To Add Provisions Prohibiting In The City Of Oakland The Use Of A Bullhook, Ankus, Or Other Implement Or Tool Designed To Inflict Pain On Elephants To Train Them Or Control Their Behavior, And Prohibiting The Use Of Baseball Bats, Axe Handles Or Pitchforks To Train And/Or Control Elephants

[14-0131](#)

Attachments: [View Report.pdf](#)

This was Scheduled.to the *Public Safety Committee to be heard 12/2/2014

5 A Review Of The Council Committees' Actions From October 14, 2014 And Determination Of Scheduling To The City Council Meeting Of October 21, 2014 (MATRIX)

A motion was made by Schaaf, seconded by Kalb, that this matter be Approve as Submitted. The motion carried by the following vote:

Aye: 4 - Reid, Kernighan, Schaaf, and Kalb

[Rules101614Ite
m5](#)

Attachments: [View Report.pdf](#)

6 A Review Of The Draft Agendas For The Council Committee Meetings Of October 28, 2014 And The Rules And Legislation Committee Of October 30, 2014

A motion was made by Schaaf, seconded by Kalb, that this matter be Approve as Submitted. The motion carried by the following vote:

Aye: 4 - Reid, Kernighan, Schaaf, and Kalb

[Rules101614Ite
m6](#)

Attachments: [View Report.pdf](#)

- 7** Subject: Accountability & Transparency In High-Stakes Negotiations Act
From: Councilmember Libby Schaaf And The Office Of The City Attorney
Recommendation: Adopt The Accountability And Transparency In High Stakes Negotiations Policy Resolution Amending Rule 25 Of The Council's Rules Of Procedure, Resolution No. 82580 C.M.S. And Resolution No. 84758 C.M.S., To Require City Councilmembers Appointed To Serve On Boards, Commissions, Agencies, Joint Powers Authorities, ("Representatives") To: (1) Notify The City Council As Soon As High-Stakes Negotiations Commence; (2) Provide Real-Time Reports On High-Stakes Negotiations And Annual Reports On General Business; And (3) Participate In Training Regarding Their Duties And Obligations Of Representation Within 30 Days Of Appointment

[13-0744](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[85256 CMS.pdf](#)

A motion was made by Schaaf, seconded by Kalb, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 10/21/2014. The motion carried by the following vote:

Aye: 3 - Kernighan, Schaaf, and Kalb

Absent: 1 - Reid

8 Subject: Government Ethics Act
From: Councilmember Dan Kalb And The Office Of The City Attorney
Recommendation: Adopt A "Government Ethics Act" Ordinance (A) Adopting And Expanding Local Oversight Over Ethical Requirements Regarding Conflicts Of Interest, Revolving Door, Use Of City Resources For Private Gain, Gifts, City Officers Contracting With The City, And Other Ethics Issues; (B) Adopting And Expanding State Governmental Ethics Laws Applicable To Local Government Officials And Public Servants; (C) Granting The Public Ethics Commission Authority To Impose Penalties For Violations Of Certain Charter Provisions Including Sections 218 (Noninterference In Administrative Affairs) And 907 (Nepotism); (D) Requiring That The Public Ethics Commission Provide Training, Advice And Assistance Regarding Compliance With The Act; And (E) Authorizing The Commission To Impose Penalties And Fines For Violations [TITLE CHANGE]
[14-0078](#)

- Attachments:** [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)

A motion was made by Kalb, seconded by Schaaf, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 11/18/2014. The motion carried by the following vote:

Aye: 3 - Kernighan, Schaaf, and Kalb

Absent: 1 - Reid

Open Forum (Total Time Available: 15 Minutes)

There were no Open Forum speakers.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 12:14 p.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) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 238-3254

[ITD](#)

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.**