



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, October 10, 2013

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call To Order

Excused: Vice Chair Reid

Present: Council President Kernighan, Member Schaaf and Member Kalb

COMMITTEE MEMBERSHIP: Dan Kalb, District 1; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Chairperson: Council President Patricia Kernighan, District 2

The Oakland City Council Rules Committee convened at 11:07AM, 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 September 26, 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

Item 4 continued to next week Rules Meeting

Item 10 Withdrawn

Item 12 Title Change

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

[rules101013item3](#)

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

S-4.1 Subject: Local Amendments to State Model Housing Code
From: Department Of Planning And Building
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Adopting Amendments To The 2013 Edition Of The California Housing Law, California Code Of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Division 32, And Amending The Oakland Municipal Code, Chapter 15.08; And
[13-0094](#)

**Scheduled to *Community & Economic Development Committee on
10/22/2013**

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2) A Resolution Of Findings Made And Supporting Amendments To The 2013 Edition Of The California Housing Law, California Code Of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Section 32; On The October 22, 2013 Community & Economic Development Committee Agenda
[13-0094-1](#)

S-4.2 Subject: Local Amendments to State Model Building Code
 From: Department Of Planning And Building
 Recommendation: Request For Title Change To The Following Pieces Of Legislation:

NEW TITLE:

Adopt The Following Pieces Of Legislation:

1) An Ordinance Repealing The Oakland Amendments To The 2010 Editions Of The California Model Building Codes And Adopting Local Amendments To The 2013 Editions Of The California Building Standards Code, California Code Of Regulations, Title 24, Parts 2 (Building), 2.5 (Residential), 3 (Electrical), 4 (Mechanical), 5 (Plumbing), 6 (Energy), And 11 (Green Building Standards), And Amending Oakland Municipal Code Chapter 15.04 To Comply With Changes To State Law; And

2) A Resolution Of Findings Supporting Non-Administrative Local Amendments To The 2013 Editions Of The California Building Standards Code, California Code Of Regulations, Title 24, Parts 2 (Building), 2.5 (Residential), 3 (Electrical), 4 (Mechanical), 5 (Plumbing), 6 (Energy), And 11 (Green Building Standards) To Comply With Changes To State Law

EXPLANATION: The City Attorney Revised Ordinance Title To State That Action Includes Repeal Of Previous Triennial Action To Incorporate Local Housing Code Amendment.

OLD TITLE:

Adopt The Following Pieces Of Legislation:

1) An Ordinance Adopting Amendments To The 2013 Editions Of The California Model Building Construction Codes, California Code Of Regulations, Title 24, Part 2 (Building), Part 2.5 (Residential), Part 3 (Electrical), Part 4 (Mechanical), Part 5 (Plumbing), Part 6 (Energy), And Part 11 (Green Building Standards), And Amending Oakland Municipal Code Chapter 15.04; And
[13-0095](#)

**Scheduled to *Community & Economic Development Committee on
 10/22/2013**

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2) A Resolution Of Findings Made And Supporting Non-Administrative Amendments To The 2013 Editions Of The California Model Building Construction Codes, California Code Of Regulations, Title 24, Part 2 (Building), Part 2.5 (Residential), Part 3 (Electrical), Part 4 (Mechanical), Part 5 (Plumbing), Part 6 (Energy), And Part 11 (Green Building Standards); On The October 22, 2013 Community & Economic Development Committee Agenda
[13-0095-1](#)

S-4.3 Subject: Chief Of Police Recruitment Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On The Chief of Police Recruitment
[13-0106](#)

Scheduled to *Public Safety Committee on 10/22/2013

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S-4.4 Subject: Encroachment For Kaiser Hospital Project
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Amending And Restating A Previously Approved
Conditional And Revocable Major Encroachment Permit To Kaiser Foundation Hospitals To
Allow (1) Telecommunications Conduits, Electrical Transformers And Vaults, A Portion Of A
Building Foundation And Sewage Storage Vault For Phase II Buildings At 275 West
MacArthur Boulevard To Encroach Under The Public Right-Of-Way Along Broadway, West
MacArthur Boulevard, And Piedmont Avenue, And (2) Soil Nailing, A Planter Box,
Rectangular Curb Drains, The Foundation For A Gate Post, Six Benches, Four Trash Cans,
Four Sanitary Sewer Manholes And A Concrete Driveway Approach With Nonstandard Color
At 3600 Broadway To Encroach Into The Public Right-Of-Way Along Broadway, MacArthur
Boulevard, And Piedmont Avenue
[13-0109](#)

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

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S-4.5 Subject: Encroachment At 251 28th Street
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major
Encroachment Permit To The Christian Church Homes Of Northern California To Allow A
Surface Mounted Electrical Transformer And Retaining Wall At 251 28th Street To Encroach
Into The Public Right-Of-Way Along 28th Street
[13-0110](#)

Scheduled to *Public Works Committee on 10/22/2013

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S-4.6 Subject: CPS HR Consulting Contract For Human Resources Services
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Waiving The Competitive Request For
Proposal/Qualifications (RFP/Q) Process And Awarding A Professional Services Contract In
The Amount Not To Exceed \$200,000 (Two Hundred Thousand Dollars) To CPS HR
Consulting To Include But Not Be Limited To Recruitment And Testing Services For The
Oakland Police Department, Public Works Agency And Other City Departments For A Two
Year Term
[13-0111](#)

Scheduled to *Finance & Management Committee on 10/22/2013

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S-4.7 Subject: Rescheduling Of October 22, 2013 Public Safety Committee Meeting
From: Office Of The City Administrator
Recommendation: Adopt A Request to Hold the October 22, 2013 Public Safety Committee at McClymonds High School, 2607 Myrtle Street, Oakland, CA 94607 at 6:00 p.m.
[13-0114](#)

Scheduled to *Public Safety Committee on 10/22/2013

S-4.8 Subject: Ending Of The Hiring Freeze
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Rescinding Resolution No. 82502 C.M.S., Passed In January 2010, Which Imposed A Hiring Freeze On All Positions Funded By The General Fund, And Rescinding Resolution No. 82532, Passed In February 2010, Which Established Criteria For Exempting Positions And Exempted Certain Critical Positions From The Hiring Freeze
[13-0112](#)

Scheduled to *Finance & Management Committee on 10/22/2013

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S-4.9 Subject: Senior Center Trust Funds
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept, Appropriate, And Expend Revenue Received For Senior Center Events, Activities And Donations
[13-0087](#)

Scheduled to *Life Enrichment Committee on 10/22/2013

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S-4.10 Subject: Information And Assistance Program For Seniors
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept And Appropriate A Grant In An Estimated Amount Of \$42,019 Per Year Or \$84,038 For Two Years From Alameda County Social Services Agency, Area Agency On Aging For Continued Operation Of The Information And Assistance (I&A) Program For Oakland Seniors For The Period Of July 1, 2013 Through June 30, 2015; And 2) Accept, Appropriate, And Expend An Additional Award Of \$2,902 Of The Fiscal Year 2012-2013 I&A Grant (Fund 2160, Project G420410) Not Yet Approved During The Fy 2012-2013 Midcycle Budget; And 3) Waive All Central Services Overhead Charges For Two Years In An Estimated Amount Of \$20,472; On the October 22, 2013 Life Enrichment Committee Agenda
[13-0088](#)

***Withdrawn with No New Date**

S-4.11 Subject: Winter Shelter Contracts
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Accept And Appropriate Estimated Amount Of \$62,500 From Alameda County For Winter Shelter Beds; And (2) Enter Into Several Agreements For The Provision Of Emergency Winter Shelter Beds For The Period Of November 1, 2013 Through May 15, 2014 In An Aggregate Estimated Amount Of \$168,161 With The Following Homeless Services Providers: Bay Area Community Services (BACS); St. Mary's Center; And With Cityteam Ministries For As Needed Overflow Beds; And (3) Authorize The Acceptance And Appropriation Of Any Additional Funds From Other Sources For The Same Purpose Without Returning To Council Through June 30, 2014; And (4) Authorize The Reprogramming Of \$17,103 In Carry Forward Funds And Allocation Of Said Funds To Provide Match Funding For The Abode Oakland Path Re-Housing Initiative (OPRI)
[13-0090](#)

Scheduled to *Life Enrichment Committee on 10/22/2013

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S-4.12 Subject: Eden Information & Referral Contract For 2-1-1 Services
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With Eden Information & Referral Inc., For The Provision Of 2-1-1 Telephone Line Services For Information And Referral Services For Social Services, Bank On Oakland (BOO), And The Earned Income Tax Credit Campaign (EITC) From July 1, 2013 - December 31, 2014 In An Estimated Amount Of \$125,000
[13-0093](#)

Scheduled to *Life Enrichment Committee on 10/22/2013

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S-4.13 Subject: List Of General Fund Set-Aside Funds
From: Councilmember Libby Schaaf
Recommendation: Receive An Informational Report On The List Of All Set-Aside Funds Within The General Fund Of The City Of Oakland
[13-0113](#)

Scheduled to *Finance & Management Committee on 10/22/2013

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S-4.14 Subject: United Nations Flag Parade And Flag Raising Day
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Designating October 19-27, 2013 As United Nations Week And October 26, 2013 As United Nations Flag Parade And Flag Raising Day At The United Nations Pole In Jack London Square
[13-0115](#)

Scheduled to Meeting of the Oakland City Council on 10/15/2013

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[rules101013item4](#)
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Items Submitted on the Dias

***Approve as Submitted**

#1 Subject: Condemning The Ongoing Impacts Of Predatory Lending
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution Condemning The Ongoing Impacts Of Predatory Lending And Excessive Foreclosures On Our Community; Commending The City Of Richmond And Allies For Taking Leadership To Address These Problems; Supporting The Goal Of Reducing Principle For Underwater Properties And Helping Families Stay In Their Homes; And, Declaring Oakland's Intention To Study Whether It Should Embark Upon A Similar Strategy
[13-0116](#)

Scheduled to *Community & Economic Development Committee on 11/12/2013
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#2 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](#)

Scheduled to *Finance & Management Committee on 11/12/2013
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5 A Review Of The Council Committees' Actions From October 8, 2013 And Determination Of Scheduling To The City Council Meeting Of October 15, 2013 (MATRIX)

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

[rules101013item5](#)
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6 A Review Of The Draft Agendas For The City Council Committee Meetings Of October 22, 2013 and The Rules & Legislation Committee Meeting Of October 24, 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

[rules101013item6](#)

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Open Forum (Total Time Available: 15 Minutes)

Adjournment

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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.

City Clerk and Clerk of the Council