



# City of Oakland Meeting Minutes

## \*Rules & Legislation Committee

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

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

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

---

**Thursday, December 08, 2011**

**10:45 AM**

**City Council Chambers - 3rd Floor**

---

### Roll Call / Call to Order

*The Oakland City Council Rules and Legislation Committee convened at 10:50 a.m., with Council President Pro Tempore De La Fuente presiding as Chairperson.*

### COMMITTEE MEMBERSHIP:

Absent: Member Reid

Present: Member Brooks, Member Schaaf and President Pro Tempore De La Fuente

1 Scheduling Determinations of Closed Session

2 Approval of the Draft Minutes from the Committee Meeting of November 24, 2011

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

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

3 Determination of Schedule of Outstanding Committee Items

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

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

[rules120811](#)

[View Report.pdf](#)

4 Scheduling of Agenda Items and revisions to the agenda(s) for the Council Committee meetings of December 13, 2011

[rules120811item4](#)

[View Report.pdf](#)

[View Report.pdf](#)

S-4.1      Subject:      Certification Of Election Results  
From:          Office Of The City Clerk  
Recommendation:      Adopt A Resolution Declaring The Results Of The City Of Oakland's  
Special Municipal "Mail Ballot" Election Held On Tuesday, November 15, 2011  
[11-0188](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 12/20/2011**

[View Report.pdf](#)  
[83663 CMS.pdf](#)

S-4.2      Subject:      Two Tier Retirement Amendment - Safety  
From:          Department Of Human Resources  
Recommendation:      Adopt The Following Pieces Of Legislation:  
1) A CalPERS Resolution Of Intention To Approve An Amendment To The Contract Between  
The City Of Oakland And The Board Of Administration Of The California Public Employees'  
Retirement System (CalPERS) To Provide 1) Section 20475, Different Level Of Benefits,  
Section 21363.1 (3% @ 55 Full Formula And Section 20037 (Three-Year Final Compensation)  
Applicable To Local Safety Members Entering Membership For The First Time In The Safety  
Classification After The Effective Date Of This Amendment To Contract; And 2) To Include  
Section 20516 (4% Employees Sharing Cost Of Additional Benefits) For Second Tier Local  
Fire Members; And

2) Adopt An Ordinance Of The City Of Oakland To Approve An Amendment To The Contract  
Between The City Of Oakland And The Board Of Administration Of The California Public  
Employees' Retirement System (CalPERS) To Provide 1) Section 20475, Different Level Of  
Benefits, Section 21363.1 (3% @ 55 Full Formula And Section 20037 (Three-Year Final  
Compensation) Applicable To Local Safety Members Entering Membership For The First  
Time In The Safety Classification After The Effective Date Of This Amendment To Contract;  
And 2) To Include Section 20516 (4% Employees Sharing Cost Of Additional Benefits) For  
Second Tier Local Fire Members; On The December 20, 2011 City Council Agenda  
[11-0191](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 12/20/2011**

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

S-4.3      Subject:      Maintaining Vacant Or Occupied Properties  
From:          Councilmember Jane Brunner  
Recommendation:      Adopt A Resolution To Require Mortgage Lenders Who Have Issued  
Notices Of Default (NODS) To Maintain Vacant Or Occupied Properties  
[11-0189](#)

**Scheduled to \*Community & Economic Development Committee on  
1/24/2012**

S-4.4      Subject:    Honoring Frank Fanelli  
From:        Council President Larry Reid  
Recommendation: Adopt A Resolution Recognizing And Honoring Frank Fanelli Upon His Retirement After 21 Years Of Dedicated Services To The City Of Oakland  
[11-0190](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 12/20/2011**

[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[83656 CMS.pdf](#)

S-4.5      Subject:    January 3, 2012 Cancellation  
From:        Council President Reid  
Recommendation: A Request To Cancel The ORA/City Council Meeting Of January 3, 2012  
[11-0192](#)

S-4.6      Subject:    Opposition To Citizens United  
From:        Council President Reid And Barbara J. Parker, City Attorney  
Recommendation: Adopt A Resolution (1) Declaring The City Of Oakland's Opposition To The United States Supreme Courts Decision In Citizens United V. Federal Election Commission Which Rolled Back Restrictions On Corporate Spending In The Electoral Process, Ruling That Corporate Campaign Spending Is Constitutionally Protected Speech And (2) Supporting A Constitutional Amendment To Overturn Citizens United  
[11-0193](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 12/20/2011**

*As a Consent Item.*

[View Report.pdf](#)  
[83662 CMS.pdf](#)

#1         Requests Submitted on the Dais

S-4.7      Subject:    Management Agreement - Chabot Golf Course  
From:        Office Of Parks And Recreation  
Recommendation: Adopt A Resolution Waiving The Request For Proposal Requirements For The Operation And Management Of Lake Chabot Golf Course And Major Capital Improvement Project And Authorizing The City Administrator To Extend The Existing Operation And Management Agreement With Touchstone Golf, LLC For An Additional Five Year Term With Five One Year Options For Extension In An Annual Amount Not To Exceed \$96,000 A Year Or \$480,000 For The Initial Five Year Period With Increase Based On The Consumer Price Index For The Five One Year Options In Subsequent Years  
[11-0076](#)

[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[83671 CMS.pdf](#)

- 5 A review of the Agendas for the ORA/City Council meeting of December 20, 2011 and Rules and Legislation Committee of December 22, 2011

[rules120811item5](#)

[View Report.pdf](#)

**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 10:57 a.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

[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*