



City of Oakland Meeting Agenda

*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, February 28, 2013

10:45 AM

City Council Chambers - 3rd Floor

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

Roll Call / Call To Order

COMMITTEE MEMBERSHIP:

Dan Kalb, District 1; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Chairperson: Council President Pat Kernighan

1 Determinations Of Closed Session

2 Approval of the Draft Minutes from the Committee meeting of February 14, 2013

There Are No Draft Minutes To Approve As The Committee Meeting On February 14, 2013 Was Cancelled

3 Determination Of Schedule Of Outstanding Committee Items

[\(rules022613\)](#)

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

[\(rules022813item4\)](#)

- S-4.1 Subject: Ordinance Amending OMC Chapter 5.64 "Taxicab Operations"
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (OMC) Chapter 5.64, "Taxicabs", To Establish Criteria, As Required By State Law, To Investigate Unpermitted Taxicab Operations; Correct Conflicting Provisions Regarding Use Of Credit Cards; Removal Of Dispatch Service Requirement For Companies With Fewer Than Five Taxis; Add Option Of Electronic Waybills For Documenting Taxi Usage; Establish A Fleet Of Ramped Taxis For Transporting Passengers With Disabilities And A Ratio Of Such Taxis To Oakland's Regular Taxis; Establish Vehicle Age And Alternative Fuel Requirements; Authorize The City Administrator To Promulgate Standards Of Comportment For Drivers And To Provide For Permit Suspension, Revocation, And Non-Renewal On The Basis Of Violations; Add References To OMC Chapters 1.08 And 1.16 Regarding Administrative Abatement Of Violations And Penalties; And Eliminate Expired Sections Of OMC Chapter 5.64; On The April 16, 2013 City Council Agenda
[\(12-0328\)](#)
- S-4.2 Subject: City Attorney's Protocols Regarding Outside Counsel
From: Office Of The City Attorney
Recommendation: Request To Withdraw An Item From The March 12, 2013 Finance & Management Committee Agenda And Reschedule The Item To The April 9, 2013 Finance & Management Committee

Receive An Informational Report From City Attorney Regarding City Attorney's Powers, Procedures And Protocols For Retention Of Outside Counsel
[\(12-0299\)](#)
- S-4.3 Subject: Realignment Of Existing Harbord Drive Sewer Easement
From: Department Of Building, Planning And Neighborhood Preservation
Recommendation: Adopt A Resolution Approving A Realignment Of An Existing Sanitary Sewer Easement Located At 4845, 4851, And 4857 Harbord Drive And Accepting Offers Of Dedication From The Property Owners To Widen The Easement To Facilitate Maintenance By The City; On The March 12, 2013 Public Works Committee Agenda
[\(12-0329\)](#)
- S-4.4 Subject: 2148 Broadway, Existing Under-Sidewalk Basement Encroachment
From: Department Of Building, Planning And Neighborhood Preservation
Recommendation: Adopt A Resolution Granting Dudley Franklin Investors LLC A Conditional And Revocable Permit To Allow The Existing Under Sidewalk Basement Located At 2148 Broadway To Encroach Into The Public Right-Of-Way Along Broadway; On The March 12, 2013 Public Works Committee Agenda
[\(12-0330\)](#)
- S-4.5 Subject: Existing Building Facade Encroachment, 427 Clifton Street
From: Department Of Building, Planning And Neighborhood Preservation
Recommendation: Adopt A Resolution Granting Clifton And Boyd LLC A Revocable And Conditional Permit To Allow Portions Of The Existing Facade, Utility Meters, And Irrigation Piping For A Building Located At 427 Clifton Street To Encroach Into The

Public Right-Of-Way Along Clifton Street And Boyd Avenue; On The March 12, 2013
Public Works Committee Agenda
[\(12-0331\)](#)

- S-4.6 Subject: Resolution Honoring Kevin Grant
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Honoring Kevin Grant For His Work Toward
Non-Violence In The Oakland Community; On The March 19, 2013 City Council
Agenda As A Ceremonial Item
[\(12-0332\)](#)

- S-4.7 Subject: ABAG Appointments
From: Council President Kernighan
Recommendation: Request To Withdraw An Item From The March 5, 2013 City
Council Agenda And Reschedule The Item To The March 19, 2013 City Council Agenda

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

Reason: More Time Is Needed To Comply With The Maddy Act.
[\(12-0317\)](#)

- S-4.8 Subject: ACTC Alternate Appointment
From: Council President Kernighan
Recommendation: Request To Withdraw An Item From The March 5, 2013 City
Council Agenda And Reschedule The Item To The March 19, 2013 City Council Agenda

Adopt A Resolution Appointing Councilmember Dan Kalb As An Alternate To The
Alameda County Transportation Commission

Reason: More Time Is Needed To Comply With The Maddy Act.
[\(12-0318\)](#)

- S-4.9 Subject: ACWMA Appointment
From: Council President Kernighan
Recommendation: Request To Withdraw An Item From The March 5, 2013 City
Council Agenda And Reschedule The Item To The March 19, 2013 City Council Agenda

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

Reason: More Time Is Needed To Comply With The Maddy Act.
[\(12-0319\)](#)

S-4.10 Subject: BRT Policy Steering Committee Appointment
From: Council President Kernighan
Recommendation: Request To Withdraw An Item From The March 5, 2013 City Council Agenda And Reschedule The Item To The March 19, 2013 City Council Agenda

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

Reason: More Time Is Needed To Comply With The Maddy Act.
[\(12-0320\)](#)

S-4.11 Subject: Internal Affairs Complaint Intake Transfer
From: Council President Kernighan
Recommendation: Receive A Report And Possible Action On The Status Of The Transfer Of The Internal Affairs Complaint Intake Function From OPD To The City Administrator's Office, The Funding For Which Was Approved By The City Council As Part Of The Fiscal Year 2011-2013 Budget; On The April 9, 2013 Public Safety Committee Agenda
[\(12-0333\)](#)

5 A Review Of The Council Committees' Actions From February 26, 2013 And Determination Of Scheduling To The City Council Meeting of March 5, 2013 Or Future Dates (MATRIX)
[\(rules022813item5\)](#)

6 A Review Of The Draft Agendas For The Council's Committee Meetings On March 12, 2013 And The Rules & Legislation Committee Meeting On March 14, 2013
[\(rules022813item6\)](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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.

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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.

**LaTonda Simmons
City Clerk and
Clerk of the Council**