



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, February 28, 2013

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call To Order

Present: Vice Mayor Reid, Council President Kernighan, Member Schaaf and Member Kalb

The Oakland City Council Rules & Legislation Committee convened at 10:53 a.m., with Council President Kernighan presiding as Chairperson.

1 Determinations Of Closed Session

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

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

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

The Committee meeting of February 14, 2013 was cancelled. No action was taken.

3 Determination Of Schedule Of Outstanding Committee Items

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

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

[rules022613](#)

[View Report.pdf](#)

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

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: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

There were 2 speakers on this item.

[rules022813item4](#)

[View Report.pdf](#)

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](#)

***Rescheduled to Meeting of the Oakland City Council on 5/7/2013**

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](#)

***Withdrawn and Rescheduled to *Finance & Management Committee on 4/9/2013**

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
[12-0329](#)

Scheduled to *Public Works Committee on 3/12/2013

[View Report.pdf](#)

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 An Existing Under-Sidewalk Basement For The Goldwater Building Located At 2148 Broadway To Encroach Into The Public Right-Of-Way Along The Building's Frontage On Broadway
[12-0330](#)

Scheduled to *Public Works Committee on 3/12/2013

[View Report.pdf](#)

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
[12-0331](#)

Scheduled to *Public Works Committee on 3/12/2013

[View Report.pdf](#)

S-4.6 Subject: Resolution Honoring Kevin Grant
From: Councilmember Libby Schaaf And Vice Mayor Larry Reid
Recommendation: Adopt A Resolution Honoring Kevin Grant For His Work Preventing Violence And For Being Awarded The 2012 California Peace Prize By The California Wellness Foundation
[12-0332](#)

***Withdrawn with No New Date**

Councilmember Libby Schaaf will bring this item back after adding an additional California Peace Prize winner to the resolution.

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

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](#)

***Withdrawn and Rescheduled to Meeting of the Oakland City Council on
3/19/2013**

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

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](#)

***Withdrawn and Rescheduled to Meeting of the Oakland City Council on
3/19/2013**

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

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](#)

***Withdrawn and Rescheduled to Meeting of the Oakland City Council on
3/19/2013**

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

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](#)

***Withdrawn and Rescheduled to Meeting of the Oakland City Council on
3/19/2013**

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

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](#)

Scheduled to Meeting of the Oakland City Council on 4/16/2013

Items Presented On The Dais

Subject: Crisis In Higher Education & College Works Scholarship Program
From: Councilmember Desley Brooks
Recommendation: Receive An Informational Report And Overview On The Crisis In Higher
Education And College Works Scholarship Program; On The April 9, 2013 Life Enrichment
Committee Agenda
[12-0339](#)

Scheduled to *Life Enrichment Committee on 4/9/2013

Subject: Support For AB 564: Redevelopment
From: Vice Mayor Larry Reid
Recommendation: Adopt A Resolution In Support Of Assembly Bill 564 Prohibiting The
Department Of Finance From Taking Any Future Action To Modify The Enforceable
Obligations After Review By The Oversight Board
[12-0334](#)

Scheduled to *Rules & Legislation Committee on 3/21/2013

[View Report.pdf](#)

Subject: Support For AB 229: Infrastructure And Revitalization Financing District
From: Vice Mayor Larry Reid
Recommendation: Adopt A Resolution In Support Of Assembly Bill 229 (Atkins, Bonilla, Bonta, Cooley, Dickinson, And Gordon) Authorizing A District To Fund Various Projects, Including, Among Others Watershed Land Used For The Collection And Treatment Of Water For Urban Uses, Flood Management, Levees, Bypasses, Open Space, Habitat Restoration, Brownfields Restoration, Environmental Mitigation, Purchase Of Land And Property For Development Purposes, Including Commercial Property, Hazardous Cleanup, Former Military Bases, And Specified Transportation Purposes. The Bill Would Authorize A District To Implement Hazardous Cleanup Pursuant To The Polanco Redevelopment Act, As Specified
[12-0336](#)

Scheduled to *Rules & Legislation Committee on 3/21/2013

[View Report.pdf](#)

Subject: Support For AB 243: Infrastructure And Revitalization Financing District
From: Vice Mayor Larry Reid
Recommendation: Adopt A Resolution In Support Of Assembly Bill 243 (Atkins, Bonta, And Perez) Authorizing The Creation Of An Infrastructure And Revitalization Financing District, As Defined, And The Issuance Of Debt With 55% Voter Approval
[12-0335](#)

Scheduled to *Rules & Legislation Committee on 3/21/2013

[View Report.pdf](#)

Subject: Professional Service Contract - Renne Sloan Holtzman Sakai, LLP
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Waiving Advertising And The Request For Proposals Process, And Authorizing The City Administrator To Amend The September 2012 Services Contract With Renne Sloan Holtzman Sakai, LLP, Public Law Group, For Assistance With Miscellaneous Employees Union Negotiations, To Increase The Amount Of Negotiations Work, Extend The Term Of The Contract To March 31, 2014, And Increase The Contract By An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000.00), For A Total Contract Amount Of One Hundred Ninety Thousand Dollars (\$190,000)
[12-0338](#)

Scheduled to Meeting of the Oakland City Council on 3/19/2013

[View Report.pdf](#)

Subject: Support For SCA 11: Local Special Taxes Vote Threshold
From: Council President Kernighan
Recommendation: Adopt A Resolution In Support Of SCA 11 (Hancock) "Reform Of The Local Special Taxes Vote Threshold" Which Would Lower The Vote Threshold For Increasing Most Special Taxes From 2/3s To 55%
[12-0337](#)

Scheduled to *Rules & Legislation Committee on 3/21/2013

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

DUE TO THE PRESENCE OF COUNCILMEMBER GALLO, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND SECONDED TO ADJOURN THE MEETING OF THE RULES & LEGISLATION COMMITTEE, AND TO CONVENE AS A SPECIAL MEETING OF THE FULL CITY COUNCIL AT 11:13 A.M.

Subject: Public Safety Interagency Partnership Priorities List
From: Office Of Councilmember Noel Gallo
Recommendation: Adopt A Resolution Establishing Oakland's Public Safety Interagency Partnership Priorities List For 2013 To Support Safety And Order In The City Of Oakland
[12-0340](#)

Scheduled to *Public Safety Committee on 3/12/2013

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

THE SPECIAL MEETING OF THE FULL CITY COUNCIL ADJOURNED AT 11:20 A.M. AND RECONVENED AS THE RULES & LEGISLATION COMMITTEE.

From The April 16, 2013 City Council Agenda

Subject: Modification of the Taxi Vehicle Permit (Medallion) Fee
From: Vice Mayor Reid and Pro Tempore De La Fuente
Recommendation: Adopt An Ordinance Amending Ordinance No. 13078 C.M.S., The Master Fee Schedule, As Amended, To Modify The Annual Fee Of The Taxi Vehicle Permit (Medallion) Assessed By The Office Of The City Administrator
[12-0216](#)

***Rescheduled to Meeting of the Oakland City Council on 5/7/2013**

Due to the rescheduling of item 4.1 regarding "Taxicab Operations," this item was also rescheduled in order for the Council to hear these items together.

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

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)

A motion was made by Member Schaaf, seconded by Vice Mayor Reid, to

***Approve as Submitted. The motion carried by the following vote:**

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

[rules022813item5](#)
[View Report.pdf](#)

- 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
A motion was made by Vice Mayor Reid, seconded by Member Kalb, to *Approve with the following amendments. The motion carried by the following vote:
Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

The March 12, 2013 meeting of the Life Enrichment Committee is cancelled.

From The March 12, 2013 Finance & Management Committee Agenda

Subject: Debarment Process For Goldman Sachs
From: Finance And Management Agency
Recommendation: Receive An Informational Report With Possible Action Updating And Explaining The Process Of Debarring Goldman Sachs From Doing Any Future Business With The City
[12-0314](#)

***Withdrawn and Rescheduled to *Finance & Management Committee on 4/9/2013**

From The March 12, 2013 Public Safety Committee Agenda

Subject: Prospective Handgun Owner Letters
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Urging The Chief Of Police To Send Letters To Prospective Handgun Purchasers Who Reside In The Jurisdiction Informing Them Of Their Responsibilities As A Firearm Owner
[12-0232](#)

***Withdrawn and Rescheduled to *Public Safety Committee on 4/23/2013**
[View Report.pdf](#)

[rules022813item6](#)
[View Report.pdf](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

There was one speaker on this item.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:49 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) 238-3226
Fax: (510) 238-6699
Recorded Agenda: (510) 238-2386
Telecommunications Display Device: (510) 839-6451
[TTD](#)

* 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