



# 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

## \*Special Rules and Legislation Committee

*City Hall, 1 Frank H. Ogawa Plaza, Council Chambers, 3rd Floor*

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

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**Thursday, October 03, 2013**

**10:15 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call To Order

Excused: Vice Chair Reid

Present: Member Kalb, Member Schaaf and Council President Kernighan

*The Oakland City Council Rules And Legislation Committee convened at 10:45 a.m. with Councilmember Kernighan presiding as Chairperson.*

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

1 Determinations Of Closed Session

**A motion was made to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Chair Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

*A special closed session was scheduled for October 15, 2013 from 2:30-5:30 p.m*

2 Approval Of The Draft Minutes From The Committee Meetings Of September 12, 2013 and September 19, 2013

**A motion was made by Member Kalb, seconded by Council President Kernighan, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Chair Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

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 Chair Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

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

**A motion was made by Member Kalb, seconded by Member Schaaf, to  
\*Approve with the following amendments. The motion carried by the  
following vote:**

**Votes:** Excused; 1 - Vice Chair Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan  
*Title Changes to Items 4.3 and 4.4*

S-4.1 Subject: 2013 DNA Backlog Reduction Grant Program Funds  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Four Hundred Twenty Seven Thousand Three Hundred And Sixty Eight Dollars (\$427,368) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2013 Forensic Casework Deoxyribonucleic Acid (DNA) Backlog Reduction Grant Program In The Oakland Police Department, And 2) For The Period October 1,2013 Through March 31, 2015, Approve A Waiver Of The Central Services Overhead (CSO), And 3) Waive The Advertising And Competitive Bidding Requirements For The Purchases Of DNA Typing Supplies And Maintenance Of DNA Typing Instruments In The Amount Of Fifty Four Thousand Seven Hundred Dollars (\$54,700) From Life Technologies, Thirty Four Thousand Two Hundred Dollars (\$34,200) From Qiagen, Four Thousand Eight Hundred Sixty Nine Dollars (\$4,869) From VWR/Fisher/USA Scientific, Seven Thousand Dollars (\$7,000) From Aurora Biomed, And Thirty One Thousand Six Hundred Dollars (\$31,600) From Promega  
[13-0101](#)

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

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S-4.2 Subject: Police And Fire Retirement System Report  
From: Office of the City Administrator  
Recommendation: Receive An Informational Report On The Police And Fire Retirement System (PFRS) Investment Portfolio As Of June 30, 2013  
[13-0091](#)

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

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S-4.3      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](#)

*Title Change:*

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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](#)

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

*And as a Public Hearing on November 5, 2013.*

S-4.4 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

*Title Change:*

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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](#)

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

*And as a Public Hearing on November 5, 2013.*

S-4.5      Subject:     Appropriate Funds To Regulate Medical Cannabis Dispensaries  
From:        Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To (1) Appropriate Three Hundred Fifty-Six Thousand Six Hundred And Ninety-Three Dollars (\$356,693) One-Time Expenditures For One-Time Costs, (2) Create One Tax Auditor II And One Assistant To City Administrator Positions, (3) Appropriate Three Hundred Sixty Thousand Dollar (\$360,000) For On-Going Staff And Operating Costs From General Purpose Fund (Fund# 1010), City Administrator's Office And Revenue Division On Positions And Operating And Maintenance Necessary To Adequately Regulate Medical Cannabis Dispensaries, And (4) Appropriate On-Going Revenue To Expenditure On An On-Going Basis  
[13-0096](#)

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

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S-4.6      Subject:     City Auditor's 2013 Worker's Compensation Report  
From:        Office Of The City Administrator  
Recommendation: Receive An Informational Report From The City Administrator Regarding The City Auditor's 2013 Worker's Compensation Audit Report  
[13-0103](#)

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

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S-4.7      Subject:     Authorizing Christopher Kee To Examine Sales & Use Tax Records  
From:        Office Of The City Administrator  
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland Designating And Authorizing Christopher Kee, Attorney At Law, As A City Representative Authorized To Examine Sales And Use Tax Records  
[13-0092](#)

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

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S-4.8      Subject:      Local Emergency Calls From Cell Phones And 911 Dispatch  
From:          Councilmember Dan Kalb  
Recommendation: Receive An Informational Report By City Administrator And Oakland Police Department (OPD) On Plan, Obstacles And Timeline For Modernizing 911 System So Cell Phone Calls Within Oakland Go Directly To Our City's 911 Emergency Dispatch Call Center; On The December 3, 2013 Public Safety Committee  
[13-0104](#)

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

S-4.9      Subject:      Citywide Curb Ramps And Sidewalk Repair Project  
From:          Department Of Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To Award A Construction Contract To AJW Construction The Lowest Responsible, Responsive Bidder, In Accord With Plans And Specifications For Citywide Curb Ramps And Sidewalk Repair Project No. C428012 And Contractor's Bid Therefore, In The Amount Of Nine Hundred Thirty Six Thousand One Hundred Fifty-Six Dollars (\$936,156.00)  
[13-0097](#)

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

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S-4.10     Subject:      Tree Services Unit Infrastructure Report Card  
From:          Public Works Agency  
Recommendation: Receive An Informational Report On Tree Services Unit (TSU) As A Follow Up To The April 23, 2013 "2012 Infrastructure Report Card"  
[13-0098](#)

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

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S-4.11     Subject:      CalRecycle Grant Applications  
From:          Public Works Agency  
Recommendation: Adopt A Resolution Authorizing Submittal Of Grant Applications To The California Department Of Resources Recycling And Recovery City/County Payment Program And To Appropriate City/County Payment Program Funds For Recycling Programs Beginning With Fiscal Year 2013/2014 And Effective Until Rescinded By The City Council  
[13-0099](#)

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

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S-4.12 Subject: Security Services Contract For City Facilities  
From: Department Of Public Works  
Recommendation: Adopt A Resolution Awarding A Security Services Contract For City Facilities For A Term Period Of Three Years And With Satisfactory Performance A Three Year Extension Option To Cypress Private Security (Cypress) In An Amount Not-To-Exceed Two Million Dollars (\$2,000,000) Annually; And To Extend The Contract On A Month-To-Month Basis Upon Expiration Of The Original Or Extended Term Until A New Request For Proposal Process Is Completed  
[13-0100](#)

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

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S-4.13 Subject: Full Police Staffing Policy  
From: Councilmember Schaaf  
Recommendation: Adopt A Resolution Establishing A Full Police Staffing Policy That Will Establish Alternative Hiring Methods, Deadlines And Reporting Requirements For Promptly And Consistently Achieving Actual Budgeted Staffing Levels For Sworn And Non-Sworn Positions Within The Oakland Police Department  
[13-0058](#)

**\*Rescheduled to \*Public Safety Committee on 11/12/2013**

S-4.14 Subject: Honoring AASK - Adopt A Special Kid On Their 40th Anniversary  
From: Councilmember Libby Schaaf  
Recommendation: Adopt A Resolution Recognizing AASK - Adopt A Special Kid On The Occasion Of Their Fortieth (40th) Anniversary For Their Pioneering Work In Helping To Place And Support Thousands Of Foster Children In Permanent Loving Families And Proclaiming November 1, 2013 As AASK - Adopt A Special Kid Day In Oakland  
[13-0084](#)

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

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S-4.15 Subject: National Hispanic Heritage Month  
From: Council Member Noel Gallo  
Recommendation: Adopt A Resolution Recognizing September 15th Through October 15th Of Every Year As National Hispanic Heritage Month  
[13-0086](#)

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

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S-4.16      Subject:      Status Report On The Oakland Animal Shelters  
From:          Councilmember Noel Gallo  
Recommendation: Receive An Informational Report From The City Administrator Regarding  
The Staffing, Areas Of Focus, Services, And Volunteers At The City Of Oakland Animal  
Shelters; On The October 22, 2013 Public Safety Committee Agenda  
[13-0102](#)

**Scheduled to \*Public Safety Committee on 11/12/2013**

S-4.17      Subject:      Metropolitan Golf Rent Relief Extension  
From:          Office Of Parks and Recreation  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A  
Second Amendment To Sublease And Operating Agreement ("2nd Amendment") Extending  
The Fifty Percent (50%) Of The Minimum Rent Relief To Oakland Golf LLC For The  
Operation Of The Metropolitan Golf Links (METRO) During Fiscal Year July 1, 2013 Through  
June 30, 2014 In The Amount Of \$149,179 As Authorized In The First Sublease And Operating  
Agreement Approved By Resolution No. 81274 C.M.S. On May 6, 2008  
[13-0085](#)

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

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S-4.18      Subject:      Port Of Oakland's Finances And Approved Budget Report  
From:          Port Of Oakland  
Recommendation: Receive An Informational Report On The Port Of Oakland's Finances And  
Approved Fiscal Year 2013-2014 Budget  
[13-0072](#)

**\*Withdrawn and Rescheduled to \*Finance & Management Committee on  
11/12/2013**

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**Items Submitted On The Dais**

#1            Subject:      Establishing Criteria For Future KTOP Staffing And Expenditures  
From:          Councilmember Desley Brooks  
Recommendation: Receive A Report And Possible Action Establishing Criteria For Future  
KTOP Staffing And Expenditure/Allocation Of Telecommunication Fund (1760) Revenues. A  
Full Report From KTOP Regarding KTOP Operations, Including Identification Of All Positions  
Currently Funded Out Of Fund 1760; And The Function Of Each Staff Position In The Day To  
Day Operations Of KTOP  
[13-0089](#)

**Scheduled to Finance and Management Agency on 11/12/2013**

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5 A Review Of The Draft Agendas For The City Council Meeting Of October 15, 2013 And The Rules And Legislation Committee Of October 17, 2013

**A motion was made by Member Kalb, seconded by Member Schaaf, to  
\*Approve with the following amendments. The motion carried by the  
following vote:**

**Votes:** Excused; 1 - Vice Chair Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan  
*Title Change To Item 12 On the 10/15/13 City Council Agenda*

[rules100313item5](#)

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6 Subject: Discussion Of Council Redistricting Options  
From: Department Of Planning And Building  
Recommendation: Receive A Report And Possible Action Reviewing Proposed Redistricting Maps And Scheduling Future Council Hearings To Adopt Updated Council District Boundaries  
[13-0061](#)

**A motion was made by Member Schaaf, seconded by Council President  
Kernighan, that this matter be \*Received and Forwarded to the Meeting of  
the Oakland City Council, due back on October 15, 2013 to recommend  
that discussion be focused on Map #17 and Map #18 as provided by the  
National Demographic Corporation when before the full City Council. The  
motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Chair Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

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**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 12:37  
p.m.*

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**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.

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*City Clerk and Clerk of the Council*