



SUPPLEMENTAL

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, April 04, 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, District 2

- 1 Determinations of Closed Session
 - 2 Approval of the Draft Minutes from the Committee meetings of March 14, 2013 and March 21, 2013
 - 3 Determination of Schedule of Outstanding Committee Items
([Rules040413item3](#))
 - 4 Scheduling of Agenda Items and revisions to previously distributed 10 Day Agendas
(SUPPLEMENTAL)
([rules040413item4](#))
- S-4.1 Subject: Mandatory Training Presentation
From: Department Of Fire

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Recommendation: Schedule And Attend A Training Presentation For The National Incident Management System (NIMS) And The Standardized Emergency Management System (SEMS) Which Is A Required Training For Elected, Appointed And Senior Officials On April 19, 2013

[\(12-0411\)](#)

S-4.2 Subject: Fiscal Year 2013-2014 Wildfire Prevention Assessment District
From: Office Of The City Administrator

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Initiating The Fiscal Year 2013-2014 Assessment Process For The City Of Oakland Wildfire Prevention Assessment District (WPAD) And Authorizing The City Administrator To Order A Preliminary Annual Engineer's Report Pursuant To Oakland Municipal Code; On The April 23, 2013 Finance & Management Committee Agenda And As A Public Hearing On The June 4, 2013 City Council Agenda

[\(12-0401\)](#)

S-4.3 Subject: Fiscal Year 2013-2014 Landscaping And Lighting Assessment District
From: Office Of The City Administrator

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Initiating The Fiscal Year 2013-2014 Assessment Process For The City Of Oakland Landscaping And Lighting Assessment District (LLAD) And Authorizing The City Administrator To Order A Preliminary Engineer's Report Pursuant To California Streets And Highways Code; On The April 23, 2013 Finance & Management Committee Agenda And As A Public Hearing On The June 4, 2013 City Council Agenda

[\(12-0403\)](#)

S-4.4 Subject: 2013-2014 Tax And Revenue Anticipation Notes
From: Office Of The City Administrator

Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2013-2014 In An Amount Not To Exceed \$100,000,000; And The Issuance And Sale Of 2013-2014 Tax And Revenue Anticipation Notes Therefore And Approving Certain Related Matters; On The April 23, 2013 Finance & Management Committee Agenda

[\(12-0407\)](#)

S-4.5 Subject: 5000 Clarewood Drive Development
From: Department Of Planning And Building

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving A Final Map For Tract No. 7891 Located At 5000 Clarewood Drive For An Eight Lot Residential Subdivision For Clarewood Associates LLC; And

[\(12-0409\)](#)

2) A Resolution Approving A Subdivision Improvement Agreement With Clarewood Associates LLC For Deferred Construction Of Public Infrastructure Improvements For The Final Map For Tract No. 7891 Located At 5000 Clarewood Drive; On The April 16, 2013 City Council Agenda

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Reason: The City Council Has Traditionally Allowed Items Conditionally Approving Tract Mapos To Proceed Directly To The City Council Without Going To Committee First, As The Action Is Primarily Ministerial In Nature.

[\(12-0409-1\)](#)

S-4.6 Subject: Settlement Agreement - Companion Property And Casualty Insurance Company
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Companion Property And Casualty Insurance Company A/S/O Tonya Brown v. City Of Oakland, City Attorney's Claim No. C29487, In The Amount Of Seven Thousand Eighty-Seven Dollars And Ninety-Two Cents (\$7,087.92) (Public Works Agency); On The April 16, 2013 City Council Agenda
[\(12-0390\)](#)

S-4.7 Subject: Support For SB 283: Successful Re-Entry & Access To Jobs
From: Office Of Councilmember Desley Brooks
Recommendation: Adopt A Resolution In Support Of Senate Bill 283 (Hancock) Which Provides Individuals, Previously Convicted Of A Nonviolent Drug Felony, And Who Meet All Other Eligibility And Asset Rules And Are Successfully Complying With The Conditions Of Probation Or Parole, Or Have Successfully Completed Their Probation Or Parole, Would Be Considered Eligible For California Works Opportunity And Responsibility For Kids (CalWorks) And CalFresh Programs; On The April 18, 2013 Rules & Legislation Committee Agenda
[\(12-0389\)](#)

S-4.8 Subject: 2012 Infrastructure Report Card
From: Public Works Agency
Recommendation: Receive The 2012 Infrastructure Report Card For The City Of Oakland; On The April 23, 2013 Public Works Committee Agenda
[\(12-0404\)](#)

S-4.9 Subject: On-Call Environmental And Hazardous Materials Consulting Contracts
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Of Oakland And The Oakland Redevelopment Successor Agency To Enter Into Professional Services Agreements With AMEC Environment And Infrastructure, Arcadis US, Baseline Environmental, Erler & Kalinowski, Fugro Consultants, Northgate Environmental Management, Terraphase Engineering And Weiss Associates For On-Call Environmental Consulting Services In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) For A Three-Year Period From July 1, 2013, Through June 30, 2016; And
[\(12-0405\)](#)

2) A Resolution Authorizing The City Of Oakland And The Oakland Redevelopment Successor Agency To Enter Into Professional Services Agreements With ACC

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Environmental Consultants, IHI Environmental, J. Stanley, Ninyo & Moore, And SCA Environmental For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two-Hundred Fifty Thousand Dollars (\$250,000) For A Three-Year Period From July 1, 2013, Through June 30, 2016; On The April 23, 2013 Public Works Committee Agenda
[\(12-0405-1\)](#)

S-4.10 Subject: Freeway Agreement With CalTrans
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee, The Director Of Public Works, To Execute A Superseding Freeway Agreement And Maintenance Agreement With The State Of California, Department Of Transportation, For The Interstate 880/23rd/29th Avenue Interchange Project; On The April 23, 2013 Public Works Committee Agenda
[\(12-0406\)](#)

S-4.11 Subject: Amending Residential Permit Parking Area N
From: Public Works Agency
Recommendation: Adopt A Revised Resolution To Establish Residential Permit Parking Area "N" Near The MacArthur BART Station; On The April 23, 2013 Public Works Committee Agenda
[\(12-0408\)](#)

S-4.12 Subject: Latham Square Pilot Project
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To 1) Implement The Latham Square Pilot Project (LSPP) To Temporarily Close Telegraph Avenue Between 16th Street And Broadway For The Purposes Of Creating A Pedestrian Plaza For At Least Six (6) Months Following An Opening Date In Summer 2013; And 2) Report Back To The City Council In The Fall Of 2013 As To The Success Of The Pilot Project; On The April 23, 2013 Public Works Committee Agenda
[\(12-0410\)](#)

S-4.13 Subject: Support For AB 180
From: Councilmember Libby Schaaf, President Pro Tempore Rebecca Kaplan And The Office Of The City Attorney
Recommendation: Adopt A Resolution In Support Of AB 180 (Registration And Licensing Of Firearms: Exclusive Regulation, Rob Bonta), Which Would Amend Government Code Section 53071 To Allow The City Of Oakland To Enact And Enforce Regulations Or Ordinances More Restrictive Than Existing State Law; On The April 18, 2013 Rules And Legislation Committee Agenda.
[\(12-0400\)](#)

S-4.14 Subject: Support Of AB 188
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution In Support Of AB 188 (Property Taxation: Change In Ownership, Ammiano), Which Would Amend Sections 64, 480.1, 480.2, And 482 Of, And To Add Sections 480.9, 486, 486.5, And 488 To, The Revenue And

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Taxation Code, Relating To Taxation, Which Would Trigger Reassessments Of Real Property When 100% Of The Ownership Interests In A Legal Entity, As Defined, Are Sold Or Transferred In A Single Transaction, Whether Or Not Any One Legal Entity Or Person That Is A Party To The Transaction Acquires More Than 50% Of The Ownership Interests; On The April 18, 2013 Rules and Legislation Committee Agenda
[\(12-0402\)](#)

S-4.15 Subject: Library Advisory Commission Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Charles Sanchez As A Member Of The Library Advisory Commission; On The April 16, 2013 City Council Agenda
[\(12-0392\)](#)

S-4.16 Subject: Commission On Aging Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Ramon K. Williams As A Member Of The Commission On Aging; On The April 16, 2013 City Council Agenda
[\(12-0394\)](#)

S-4.17 Subject: Parks And Recreation Advisory Commission Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Robert Selna To The Parks And Recreation Advisory Commission; On The April 16, 2013 City Council Agenda
[\(12-0395\)](#)

S-4.18 Subject: Citizen's Police Review Board Appointment - Bernstein
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Allison Bernstein To The Citizen's Police Review Board; On The April 16, 2013 City Council Agenda
[\(12-0396\)](#)

S-4.19 Subject: Citizen's Police Review Board Appointment - Yihdego
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Almaz Yihdego To The Citizen's Police Review Board; On The April 16, 2013 City Council Agenda
[\(12-0397\)](#)

S-4.20 Subject: Library Advisory Commission Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of April Harper As A Member Of The Library Advisory Commission; On The April 16, 2013 City Council Agenda
[\(12-0412\)](#)

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- S-4.21 Subject: Library Advisory Commission Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Andrew Racle As A Member Of The Library Advisory Commission; On The April 16, 2013 City Council Agenda
[\(12-0413\)](#)
- S-4.22 Subject: Library Advisory Commission Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Ain Bailey As A Member Of The Library Advisory Commission; On The April 16, 2013 City Council Agenda
[\(12-0414\)](#)
- S-4.23 Subject: Cannabis Regulatory Commission Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Jacob Sassaman As A Member Of The Cannabis Regulatory Commission; On The April 16, 2013 City Council Agenda
[\(12-0415\)](#)
- S-4.24 Subject: Redistricting Of City Council Districts
From: Office Of Council President Patricia Kernighan
Recommendation: Receive An Informational Report On The Legal Requirements And Standard Practices For Redistricting Of City Council Districts Every Ten Years, Including The Extent And Nature Of Community Outreach, And Recommendations For Council Action To Begin The 2013 Redistricting Process In Oakland; On The April 18, 2013 Rules & Legislation Committee Agenda
[\(12-0388\)](#)
- S-4.25 Subject: City Council Legislative Priorities 2013-2014
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Establishing The Oakland City Council's Legislative Priorities For 2013-2014; On The April 18, 2013 Rules & Legislation Committee Agenda
[\(12-0393\)](#)
- 5 A review of the Draft Agendas for the Meeting of the Oakland City Council of April 16, 2013 and the Meeting of the Rules & Legislation Committee of April 18, 2013
[\(rules040413item5\)](#)
- 6 Subject: Pending State Legislation Report
From: Council President Kernighan
Recommendation: Receive An Update On Pending State Legislation And Provide Council Direction On Legislative Priorities
[\(12-0349\)](#)

Continued from the March 21, 2013 Rules and Legislation Committee Meeting.

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7 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)

Continued from the March 21, 2013 Rules and Legislation Committee Meeting.

8 Subject: Resolution Supporting AB 1020 - Letters To Firearm Owners
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Endorsing Assembly Bill 1020, Which Would Require The State Attorney General To Provide Written Notice To Purchasers And Sellers Of Firearms Informing Them Of Laws Pertaining To Gun Trafficking And The Safe Storage Of Weapons
(12-0355)

9 Subject: Supporting SB 140 - Armed Prohibited Persons System Backlog Support
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of Senate Bill 140, Which Would Allow The State Department Of Justice To Use \$24 Million From The Dealer Record Of Sale Account To Increase The Investigative Capacity Of The Armed Prohibited Persons System (APPS)
(12-0356)

10 Subject: Support For AB 187 - Tax On Firearm Ammunition
From: Office Of The City Attorney And President Pro Tempore Rebecca Kaplan
Recommendation: Adopt A Resolution Of The Oakland City Council (1) Expressing Support Of California Assembly Bill No. 187 ("AB 187"), Introduced By Assembly Member Rob Bonta On January 28, 2013, Which Will Institute A Sales Tax And Excise Tax On Firearm Ammunition Sold Or Possessed In The State Of California, With Revenues To Be Used To Support Public Safety Programs In High Crime Municipalities And (2) Authorizing The City Administrator, Or Her Designee, To Instruct The City's Legislative Lobbyist To Support Passage Of California Assembly Bill No. 187
(12-0382)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

NOTE: Americans With Disabilities Act

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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
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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**