



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

*Rules & Legislation Committee

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

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 11:05 a.m. with Council President Kernighan presiding as Chairperson.

1 Determinations of Closed Session

A motion was made by Vice Mayor Reid, seconded by Council President Kernighan, to *Approve as Submitted the report of the City Attorney of the scheduling of a Special Closed Session on April 16, 2013 at 2:30pm and another Special Closed Session on April 11, 2012 at 12:00pm.

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 meetings of March 14, 2013 and March 21, 2013

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

3 Determination of Schedule of Outstanding Committee Items

A motion was made by Member Kalb, 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

[Rules040413item3](#)

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- 4 Scheduling of Agenda Items and revisions to previously distributed 10 Day Agendas (SUPPLEMENTAL)
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

[rules040413item4](#)
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- S-4.1 Subject: Mandatory Training Presentation
From: Department Of Fire
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](#)

Scheduled to * Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council on 4/19/2013

At this time the Mandatory NIMS will be held offsite at the Emergency Management Center located at 1605 Martin Luther King Jr. Way, on the First Floor in Oakland California.

- 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
[12-0401](#)

Scheduled to *Finance & Management Committee on 4/23/2013

And as a Public Hearing on June 4, 2013

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- 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
[12-0403](#)

Scheduled to *Finance & Management Committee on 4/23/2013

And as a Public Hearing on June 4, 2013

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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
[12-0407](#)

Scheduled to *Finance & Management Committee on 4/23/2013

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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](#)

Scheduled to *Community & Economic Development Committee on 4/23/2013

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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
[12-0409-1](#)

Scheduled to *Community & Economic Development Committee on 4/23/2013

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 As Subrogee Of Tonya Brown, City Attorney's Claim No. C29487, In The Amount Of Seven Thousand Eighty Seven Dollars And Ninety-Two Cents (7,087.92) (PWA - Vehicle Accident)
[12-0390](#)

Scheduled to * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council on 4/16/2013

as a consent calendar item

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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
[12-0389](#)

Scheduled to *Rules & Legislation Committee on 4/18/2013

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S-4.8 Subject: 2012 Infrastructure Report Card
From: Public Works Agency
Recommendation: Receive The 2012 Infrastructure Report Card For The City Of Oakland
[12-0404](#)

Scheduled to *Public Works Committee on 4/23/2013

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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) Each For A Three-Year Period From July 1, 2013, Through June 30, 2016; And

[12-0405](#)

Scheduled to *Public Works Committee on 4/23/2013

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2) A Resolution Authorizing The City Of Oakland And The Oakland Redevelopment Successor Agency To Enter Into Professional Services Agreements With ACC 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) Each For A Three-Year Period From July 1, 2013, Through June 30, 2016

[12-0405-1](#)

Scheduled to *Public Works Committee on 4/23/2013

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
[12-0406](#)

Scheduled to *Public Works Committee on 4/23/2013

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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
[12-0408](#)

Scheduled to *Public Works Committee on 4/23/2013

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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 City Council In The Fall Of 2013 As To The Success Of The Pilot Plaza
[12-0410](#)

Scheduled to *Public Works Committee on 4/23/2013

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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 Assembly Bill 180 ("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 Which Are More Restrictive Than State Law
[12-0400](#)

Scheduled to *Rules & Legislation Committee on 4/18/2013

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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 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
[12-0402](#)

Scheduled to *Rules & Legislation Committee on 4/18/2013

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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
[12-0392](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
Successor Agency and the City Council on 4/16/2013**

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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
[12-0394](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
Successor Agency and the City Council on 4/16/2013**

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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
[12-0395](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
Successor Agency and the City Council on 4/16/2013**

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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
[12-0396](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
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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
[12-0397](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
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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
[12-0412](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
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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
[12-0413](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
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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
[12-0414](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
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S-4.23 Subject: Cannabis Regulatory Commission Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Jacob Sassaman As Members Of The Cannabis Regulatory Commission
[12-0415](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
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S-4.24 Subject: Redistricting Of City Council Election 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 Adopt Recommendations For Council Action To Begin The 2013 Redistricting Process In Oakland
[12-0388](#)

Scheduled to *Rules & Legislation Committee on 4/18/2013

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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
[12-0393](#)

Scheduled to *Rules & Legislation Committee on 4/18/2013

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Item Submitted On The Dais

Subject: Week Of The Young Child Proclamation
From: Councilmember Desley Brooks
Recommendation: Adopt A Proclamation To The City Of Oakland, Head Start/Early Head Start Program, Declaring April 14-20, 2013, As "The Week Of The Young Child" In Oakland, California
[12-0416](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
Successor Agency and the City Council on 4/16/2013**

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- 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
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

[rules040413item5](#)
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- 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](#)
A motion was made by Member Schaaf, seconded by Vice Mayor Reid, that this matter be Continued to the *Rules & Legislation Committee, due back on April 11, 2013. The motion carried by the following vote:
Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

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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](#)
A motion was made by Vice Mayor Reid, seconded by Member Kalb, that this matter be Continued to the *Rules & Legislation Committee, due back on April 11, 2013. The motion carried by the following vote:

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

A motion was made by Member Kalb, seconded by Vice Mayor Reid, that this matter be *Approve the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, due back on April 16, 2013 as a Consent item The motion carried by the following vote:

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan
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[84292 CMS.pdf](#)

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](#)

A motion was made by Member Kalb, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, due back on April 16, 2013 as a Consent item The motion carried by the following vote:

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan
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[84293 CMS.pdf](#)

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](#)

A motion was made by Member Kalb, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, due back on April 16, 2013 as a Consent item The motion carried by the following vote:

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan
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OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

There were no speakers for Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:41 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.

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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.

City Clerk and Clerk of the Council