



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, May 19, 2011

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

The Oakland City Council Rules and Legislation Committee convened at 10:49 a.m., with Council President Reid presiding as Chairperson.

1 Closed Session

Present: Vice Mayor Brooks, Member Schaaf, Member Reid and President Pro Tempore De La Fuente
There was no action necessary for this item.

2 Approval of the Draft Minutes from the Committee meeting of May 5, 2011

A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, to *Approve as Submitted. The motion carried by the following vote:

Votes: Absent; 1 - Vice Mayor Brooks
Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente

3 Determination of Schedule of Outstanding Committee Items

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to *Approve as Submitted. The motion carried by the following vote:

Votes: Absent; 1 - Vice Mayor Brooks
Aye; 3 - Member Schaaf, Member Reid and President Pro Tempore De La Fuente

[rules051911](#)

[View Report.pdf](#)

Roll Call was modified to show Vice Mayor Brooks present at 10:51am.

- 4 Scheduling of Agenda Items and revisions to the agendas for the Council Committee meetings of May 24, 2011 (SUPPLEMENTAL)
A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to *Approve with the following amendments. The motion carried by the following vote:
Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

[rules51911item4](#)
[View Report.pdf](#)

- S-4.1 Subject: Professional Services Agreement With Police Performance Solutions
From: Oakland Police Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator , On Behalf Of The City Of Oakland, To 1) Waive The Request For Proposals Process (RFP) And Enter Into A Professional Services Agreement With Police Performance Solutions, LLC In An Amount Not To Exceed One Million Five Hundred Eighty Thousand Dollars (\$1,580,000.00), To Continue To Perform The Services Of An Independent Monitor 2) To Enter Into A Professional Services Agreement With Police Performance Solutions, LLC In An Amount Not To Exceed One Hundred Four Thousand Dollars (\$104,000.00), To Continue To Provide Additional Technical Assistance, For The Period Beginning January 21, 2012 Through January 20, 2014, As Required By The Memorandum Of Understanding (MOU) Re: Post Negotiated Settlement Agreement (NSA) Terms And Conditions Allowing For The Resolution Of Plaintiff's Claims For Injunctive Relief And For Dismissal Of The Action, And 3) Appropriate Said Funds To Pay For The Work
[10-0664](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/7/2011
There was one speaker on this item.

[View Report.pdf](#)

- S-4.2 Subject: Increase To A Special Tax Imposed For Emergency Medical Services
From: Office Of Budget
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2011-2012 Increase To A Special Tax Imposed For Emergency Medical Services In Accordance With The Emergency Medical Services Retention Act Of 1997 (Measure M) And Setting June 7, 2011 As The Date For A Public Hearing
[10-0657](#)

Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/7/2011
There was one speaker on this item.

[View Report.pdf](#)

S-4.3 Subject: Special Tax Imposed For Paramedic Emergency Services
From: Office Of Budget
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2011-12 Increase To A Special Tax Imposed For Paramedic Emergency Services In Accordance With The Paramedic Services Act Of 1997 (Measure N) And Setting June 7, 2011 As The Date For A Public Hearing
[10-0658](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/7/2011**

There was one speaker on this item.

[View Report.pdf](#)

S-4.4 Subject: Special Tax Imposed For Library Services
From: Office Of Budget
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2011-2012 Increase To A Special Tax Imposed For Library Services In Accordance With The Library Services Retention And Enhancement Act Of 2004 (Measure Q) And Setting June 7, 2011 As The Date For A Public Hearing
[10-0659](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/7/2011**

There was one speaker on this item.

[View Report.pdf](#)

S-4.5 Subject: Special Tax Imposed For Violence Prevention And Public Safety Services
From: Office Of Budget
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2011-2012 Increase To A Special Tax Imposed For Violence Prevention And Public Safety Services In Accordance With The Violence Prevention And Public Safety Act Of 2004 (Measure Y) And Setting June 7, 2011 As The Date For A Public Hearing
[10-0660](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/7/2011**

There was one speaker on this item.

[View Report.pdf](#)

S-4.6 Subject: LLAD Engineer's Report FY 2011-2012
From: Office Of Budget
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Information In The Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District For Fiscal Year 2011-2012 And The Levying Of Assessments
[10-0661](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/7/2011**

[View Report.pdf](#)

S-4.7 Subject: Wildfire Prevention - Annual Report
From: Office Of Budget
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Confirming The Information In The Annual Report For The City Of Oakland Wildfire
Prevention Assessment District For Fiscal Year 2011-2012 And The Levying Of Assessments
[10-0662](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 6/7/2011**

There was one speaker on this item.

[View Report.pdf](#)

S-4.8 Subject: Amending Ordinance No. 13024 C.M.S (Master Fee Schedule)
From: Office Of Budget
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance
Amending Ordinance Number 13024 C.M.S. (Master Fee Schedule), As Amended, To
Establish, Modify And Delete Fees Assessed By The Office Of The City Administrator, Office
Of The City Clerk, Finance And Management Agency-Parking Management, Oakland Police
Department, Oakland Fire Department, Office Of Parks And Recreation, Public Works Agency
And The Community And Economic Development Agency
[10-0663](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/7/2011**

There was one speaker on this item.

[View Report.pdf](#)

S-4.9 Subject: City Attorney's Salary
From: Office Of The City Auditor
Recommendation: Discussion And Possible Action On A Report Calculating The Oakland
City Attorney's Salary In Conformity With The Oakland City Charter
[10-0666](#)

Scheduled to *Finance & Management Committee on 6/14/2011

[View Report.pdf](#)

S-4.10 Subject: City Auditor's Salary
From: Office Of The City Auditor
Recommendation: Discussion And Possible Action On A Report Calculating The Oakland
City Auditor's Salary In Conformity With The Oakland City Charter
[10-0667](#)

Scheduled to *Finance & Management Committee on 6/14/2011

There was one speaker on this item.

[View Report.pdf](#)

S-4.11 Subject: Status Of Required Audits And Mandated Duties
From: Office Of City Auditor
Recommendation: Receive An Informational Report On City Ordinance And Enacted Ballot Measure Mandated Audits And Other Mandated Duties
[10-0668](#)

Scheduled to *Finance & Management Committee on 6/14/2011

There was one speaker on this item.

[View Report.pdf](#)

[View Report.pdf](#)

S-4.12 Subject: Creek Protection Permits
From: Councilmember Brunner and President Pro Tempore De La Fuente
Recommendations: Adopt A Resolution Extending Until December 31, 2012 The Expiration Date Of Permits Issued Under The Authority Of Title 17 Of The Oakland Municipal Code (Planning Code) And Creek Protection Permits Issued Under The Authority Of Chapter 13.16 Of The Oakland Municipal Code That Otherwise Would Expire Prior To January 1, 2012 Upon Request And Payment Of Administrative Fee
[10-0665](#)

Scheduled to *Community & Economic Development Committee on 6/14/2011

[View Report.pdf](#)

S-4.13 Subject: Citywide Vacancies/Status Updates ("Golden Handshake")
From: Department Of Human Resources Management
Recommendation: Receive A Quarterly Report On Citywide Vacancies And A Status Update On Positions Vacated Under The 2009 CalPERS Two Years Additional Service Credit Retirement Incentive Program ("Golden Handshake")
[10-0654](#)

Scheduled to *Finance & Management Committee on 6/14/2011

[View Report.pdf](#)

S-4.14 Subject: Amending Salary Schedule - Ordinance No. 12187
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 ("Salary Ordinance") To: Add The Full Time Equivalent Classifications Of Treasury Analyst I; Treasury Analyst II; Outreach Developer; Spatial Data Analyst I; Spatial Data Analyst II; Forensic Technician; Recreation Specialist III; Deputy City Attorney V - Labor & Employment; Human Resources Manager; Department Administrative Manager; And To Add The Permanent Part Time (PPT) Equivalent Classifications Of Early Childhood Instructor, PPT; Family Advocate, PPT; Forensic Technician, PPT; Head Start Program Coordinator, PPT; Recreation Specialist III, PPT; And To Add The Part Time (PT) Equivalent Classifications Of Forensic Technician, PT; Head Start Program Coordinator, PT; Senior Services Program Assistant, PT; Family Advocate, PT; Recreation Specialist III, PT; And To Revise The Title Of The Classification Of Treasury Analyst To Treasury Analyst III; And To Correct The Salary Pay Grade For Nurse Case Manager, PPT
[10-0655](#)

Scheduled to *Finance & Management Committee on 6/14/2011

S-4.15 Subject: Revisions To The City Of Oakland Personnel Rules
From: Department Of Human Resources Management
Recommendation: Receive An Informational Report Regarding Recent Revisions To The City Of Oakland Personnel Rules Adopted By The Civil Service Board At Its May 12, 2011 Meeting; On The June 14, 2011 Finance And Management Committee Agenda
[10-0656](#)

Scheduled to *Finance & Management Committee on 6/14/2011

S-4.16 Subject: Highway Safety Improvement Program Grant
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate One Million Eight Hundred Thousand Nine Hundred Dollars (\$1,800,900.00) In Highway Safety Improvement Program (HSIP) Grant Funds For Transportation Safety Improvements At Locations Along Hegenberger Road, San Pablo Avenue, And At Bancroft Avenue/94th Avenue; On The June 14, 2011 Public Works Committee
[10-0652](#)

Scheduled to *Public Works Committee on 6/28/2011

Councilmember Kernighan was noted as present at 11:08 a.m. and at that time the Rules and Legislation Committee adjourned and the body convened as a Special Meeting of the Oakland City Council.

S-4.17 Subject: Free Parking - Pacific Renaissance Plaza Garage
From: Finance And Management Agency
Recommendation: Adopt A Resolution To Authorize The Execution Of An Agreement With The Oakland Unified School District To Allow Free Parking For Lincoln School Teachers At Pacific Renaissance Plaza Garage
[10-0653](#)

Scheduled to *Life Enrichment Committee on 6/14/2011

There was one speaker on this item.

[View Report.pdf](#)

Councilmember Kernighan was noted as absent at 11:17 a.m. and at that time the Special Meeting of the Oakland City Council adjourned and the body convened as the Rules and Legislation Committee.

Requests Submitted on the Dias:

Subject: Oakland Museum Professional Services And Lease Agreements
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Ten-Year Professional Services Agreement And A Thirty-Year Lease For Two Museum Buildings At The Rent Of \$1.00 Per Year, Between The City Of Oakland And The Oakland Museum Of California Foundation To Perform Services Related To The Care, Conservation, Stewardship, And Presentation Of The City's Collection Of Art Works, Historical Artifacts And Natural Sciences Specimens Related To California's Cultural And Environmental History, With An Initial City Annual Professional Services Agreement Payment Of \$5 Million On July 1, 2011 That Declines Annually To \$3 Million Over The Ten-Year Period
[10-0669](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/7/2011**
[View Report.pdf](#)

5 A review of the Agendas for the Special Concurrent Meeting of ORA/City Council of May 31, 2011 and the Rules and Legislation Committee Meeting of June 2, 2011

A motion was made by President Pro Tempore De La Fuente, seconded by Vice Mayor Brooks, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente
There was one speaker on this item.

Subject: Contracting Process And Timeline - Various Departments
From: Vice Mayor Brooks
Recommendation: Discussion And Possible Action On The City's Contracting Process And Timeline For Various Agencies [TITLE CHANGE]
[10-0334-1](#)

***Withdrawn and Rescheduled to *Finance & Management Committee on 6/14/2011**
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)

At the direction of the chair, the May 24, 2011 Life Enrichment Committee Meeting was cancelled.

6 Subject: Federal Legislative Lobbyist Agreement
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Recommending That Townsend Public Affairs Serves As The City's Federal Legislative Lobbyist For The Period Of June 1,2011 Through May 31,2012, At A Cost Of Seventy Two Thousand Dollars (\$72,000), And Authorize An Option To Renew For One Year Until May 31, 2013 For An Additional Seventy Two Thousand Dollars (\$72,000), For A Total Amount Not-To-Exceed (\$144,000) For The Entire Term Of The Agreement
[10-0608](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 7, 2011. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente
Staff was directed to provide in a supplemental report all information regarding the other bids recieved from other organization and the bidding process.

There was one speaker on this item.
[View Report.pdf](#)
[View Report.pdf](#)

[rules51911item5](#)
[View Report.pdf](#)

7 Subject: Supporting SB 48 - FAIR Education Act
 From: President Pro Tempore De La Fuente
 Recommendation: Adopt A Resolution Supporting Senate Bill 48 (Leno) "Fair, Accurate, Inclusive And Respectful (FAIR) Education Act " That Would 1) Amend The Education Code To Include Social Sciences Instruction On The Contributions Of Lesbian, Gay, Bisexual And Transgender (LGBT) People And 2) Prohibit Discriminatory Instruction And Discriminatory Materials From Being Adopted By The State Board Of Education
[10-0624](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on June 7, 2011. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente
There was one speaker on this item.

[View Report.pdf](#)

8 Subject: Supporting AB 1081 - TRUST Act
 From: President Pro Tempore De La Fuente
 Recommendation: Adopt A Resolution Supporting Assembly Bill 1081 (Ammiano) "TRUST Act" Which Would Give Local Governments The Right To Opt-Out Of Immigration And Customs Enforcement's Secure Communities Program
[10-0625](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 7, 2011. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente
There were 4 speakers on this item.

[View Report.pdf](#)

9 Subject: Supporting SB 104 - Fair Treatment of Farm Workers Act
 From: President Pro Tempore De La Fuente
 Recommendation: Adopt A Resolution Supporting Senate Bill 104 (Steinberg) "Fair Treatment Of Farm Workers Act" Which Authorizes Agricultural Employees To Select Collective Bargaining Representation Through A Specified "Majority Signup Election" Process, In Addition To The Existing Representation Election Process Provided For Under Current Law
[10-0626](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on June 7, 2011. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente
There was one speaker on this item.

[View Report.pdf](#)

10 Subject: Supporting AB 1389 - Clarity On California DUI Checkpoints
 From: President Pro Tempore De La Fuente
 Recommendation: Adopt A Resolution Supporting Assembly Bill 1389 (Allen) "Clarity On California DUI Checkpoints" Which Would Establish Uniformity In The Way That DUI Checkpoints And Vehicle Impoundments Are Conducted Across The State
[10-0627](#)

Continued to *Rules & Legislation Committee on 6/2/2011

There were 3 speakers on this item.

[View Report.pdf](#)

11 Subject: Supporting AB 130 And 131 - California Dream Act Of 2011
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Assembly Bills 130 And 131 (Cedillo), "California Dream Act Of 2011" AB 130 Which Would Open Access To Institutional Aid To All Eligible AB 540 Undocumented Students And Ab 131 Would Allow Eligible AB 540 Undocumented Students Access To Any Financial Aid Program Run By The State Of California
[10-0628](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 7, 2011. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente
There was one speaker on this item.

[View Report.pdf](#)

12 Subject: Supporting AB 889 - Domestic Work Bill Of Rights
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Assembly Bill 889 (Ammiano And Perez) "Domestic Work Bill Of Rights" Which Would Specially Regulate The Wages, Hours, And Working Conditions Of Domestic Work Employees Which Is Currently An Industry That Is Unregulated
[10-0629](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 7, 2011. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente
There was one speaker on this item.

[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 and Legislation Committee adjourned the meeting at 12:21 p.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