



# 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>**

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**Thursday, November 01, 2012**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### ***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:**

**Desley Brooks, District 6; Pro Tempore Ignacio De La Fuente, District 5;  
Libby Schaaf, District 4; and Council President Larry Reid; District 7**

- 1 Determinations of Closed Session
  - 2 Approval of the Draft Minutes from the Committee meeting of October 18, 2012
  - 3 Determination of Schedule of Outstanding Committee Items  
([rules11112](#))
  - 4 Scheduling of Agenda Items and revisions to previously distributed 10 Day Agendas  
(SUPPLEMENTAL)
- S-4.1 Subject: Coliseum Wireless License Agreement  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Approving And Authorizing The Execution Of  
A License Agreement Between Verizon Wireless And The Oakland Alameda County

Coliseum Authority And Certain Related Matters; On The November 13, 2012 City Council Agenda

Scheduling Justification: Per The Terms Of The Management Agreement For To Oakland Alameda County Coliseum Complex, Respective Approval Of The City And County Legislative Bodies Is Required Prior To Coliseum Authority Execution Of This Proposed Agreement. The JPA Has Requested City And County Approval No Later Than November 2012.

[\(12-0119\)](#)

S-4.2      Subject:      Settlement - Terilyn And Felipe Gudino  
From:          Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Terilynn And Felipe Gudino, In The Amount Of \$11,823.37, As A Result Of Property Damage Sustained Caused By Raw Sewage Surcharge. (Public Works Agency); On The November 13, 2012 City Council Agenda  
[\(12-0110\)](#)

S-4.3      Subject:      Settlement - Samantha And Gary Wise  
From:          Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Samantha And Gary Wise, In The Amount Of \$26,000.00, As A Result Of Property Damage Sustained Caused By An Obstructed City Sewer Main. (Public Works Agency); On The November 13, 2012 City Council Agenda  
[\(12-0111\)](#)

S-4.4      Subject:      Graffiti Enforcement  
From:          Vice Mayor Nadel And The Office Of The City Attorney  
Recommendation: Adopt An Ordinance Amending And Restating Oakland Municipal Code Chapter 8.10 To Provide Comprehensive Graffiti Enforcement Through Oakland And State Law, Establishing New Remedies Against Graffiti Violators, Providing For Restorative Justice For Graffiti Offenders, A Fund For Rewards And To Assist Graffiti Victims, And Incorporating State Law Allowing For Liens Against Property Of Graffiti Offenders; On The November 27, 2012 Public Works Committee Agenda  
[\(12-0112\)](#)

S-4.5      Subject:      Report And Distribution Schedule  
From:          Office Of The City Clerk  
Recommendation: Receive A Request To Review The 2013 Report And Distribution Schedule  
[\(12-0126\)](#)

S-4.6      Subject:      Solar Conversion Report  
From:          Council President Reid And Vice Mayor Nadel  
Recommendation: Receive A Report And Recommendation From The City Administrator On City's Effort To Convert Municipal Electricity Use To A Solar Source(s), To Include Information On Solar Companies Able To Perform Such Large Scale Municipal Conversions In Time To Obtain Federal And State Financial Incentives (Due To Expire Next Year) That Would Substantially Offset The City's Costs Of Conversion; On The December 11, 2012 Public Works Committee Agenda

[\(12-0121\)](#)

S-4.7      Subject:     CalTrans Purchase Agreement  
              From:        Office Of Neighborhood Investment  
              Recommendation: Adopt A Resolution Authorizing The City Administrator To  
                          Negotiate And Execute A Purchase And Sale Agreement With CalTrans For The Sale Of  
                          An Approximately 3-Acre Fee-Owned Parcel And 3-Acre Easement Area Located At  
                          The Former Oakland Army Base For \$5,750,000, Less Any Costs For Required  
                          Easements; On The November 27, 2012 Community And Economic Development  
                          Committee Agenda

[\(12-0118\)](#)

S-4.8      Subject:     Union Pacific Railroad Project  
              From:        Public Works Agency  
              Recommendation: Adopt A Resolution Authorizing City Administrator, Or Her  
                          Designee, To: (1) Accept, And Appropriate 200,000.00 From, And (2) Enter Into An  
                          Agreement With, Union Pacific Railroad Company (UP) For The Reimbursement Of  
                          The City's Costs Of: (A) Resurfacing Certain Portions Of Embarcadero West Between  
                          Webster Street And Clay Street That Adjoin UP's Railroad Track Repair And  
                          Improvement Project, And (B) Providing Traffic Control For The Resurfacing Work And  
                          UP Project, In An Amount Not To Exceed \$200,000.00; On The November 13, 2012  
                          City Council Agenda

Scheduling Justification: UPRR Has Scheduled Crews To Begin Work Early In  
November, And Approached The City In October With A Proposal To Fund Resurfacing  
Of The Streets, In Exchange For The City Taking On Responsibility For Traffic Control  
Work.

[\(12-0120\)](#)

S-4.9      Subject:     Public Hearing - Delinquent Business Taxes  
              From:        Finance And Management Agency  
              Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent  
                          Business Taxes; On The December 4, 2012 City Council Agenda

[\(12-0122\)](#)

S-4.10     Subject:     Public Hearing - Delinquent Transient Occupancy Taxes  
              From:        Finance And Management Agency  
              Recommendation: Conduct A Public Hearing On Assessment Of Liens For  
                          Delinquent Transient Occupancy Taxes; On The December 4, 2012  
                          City Council Agenda

[\(12-0123\)](#)

S-4.11     Subject:     Public Hearing - Delinquent Real Property Transfer Taxes  
              From:        Finance And Management Agency  
              Recommendation: Conduct A Public Hearing On The Assessment Of  
                          Liens For Delinquent Real Property Transfer Taxes; On The  
                          December 4, 2012 City Council Agenda

[\(12-0124\)](#)

S-4.12     Subject:     Public Hearing - Delinquent Mandatory Garbage Fees

From: Finance And Management Agency  
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For April/May/June 2012, Monthly Accounts And July/August/September 2012, Quarterly Accounts; On The December 4, 2012 City Council Agenda  
(12-0125)

- 6 A review of the Draft Agendas for the November 13, 2012 Special Meeting of the Oakland City Council and the November 15, 2012 Rules and Legislation Committee

**OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)**

**Adjournment**

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.

**LaTonda Simmons  
City Clerk and  
Clerk of the Council**