



# 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>**

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**Thursday, November 07, 2013**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call To Order

Excused: Member Schaaf

Present: Vice Mayor Reid, Council President Kernighan and Member Kalb  
*The Oakland City Council Rules & Legislation Committee convened at 10:58 a.m., with Council President Kernighan presiding as Chairperson.*

1 Determinations Of Closed Session

**A motion was made by Vice Mayor Reid, seconded by Member Kalb, to  
\*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Member Schaaf

Aye; 3 - Vice Mayor Reid, Member Kalb and Council President Kernighan

2 Approval Of The Draft Minutes From The Committee Meeting Of October 24, 2013

**A motion was made by Vice Mayor Reid, seconded by Member Kalb, to  
\*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Member Schaaf

Aye; 3 - Vice Mayor Reid, Member Kalb and Council President Kernighan

3 Determination Of Schedule Of Outstanding Committee Items

**A motion was made by Vice Mayor Reid, seconded by Member Kalb, to  
\*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Member Schaaf

Aye; 3 - Vice Mayor Reid, Member Kalb and Council President Kernighan

[rules110713item3](#)

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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 as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Member Schaaf

Aye; 3 - Vice Mayor Reid, Member Kalb and Council President Kernighan

S-4.1      Subject:    2014 City Council And School Board Redistricting  
From:        Department Of Planning And Building  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Municipal Code Sections 2.16.010 And 3.04.020, Redefining And Establishing The 2014 City Council And School Board District Boundaries Of The City Of Oakland (Redistricting)  
[13-0169](#)

**Scheduled to Meeting of the Oakland City Council on 11/19/2013**

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[13206 CMS.pdf](#)

S-4.2      Subject:    Settlement Agreement - Northern California River Watch v. OMSS  
From:        Office Of The City Attorney  
Recommendation: Adopt A Resolution Approving Settlement Of Northern California River Watch, Et Al. v. Oakland Maritime Support Services, Inc., (OMSS) Et Al. (U.S. District Court, Northern District Of California, Case No. 4:40-CV-3912 CW) By Paying A Total Of \$300,000.00, With \$200,000.00 Of That Sum To Be Allocated To The West Oakland Job Resources Center And \$100,000.00 To Be Allocated To Resolve Plaintiffs' Statutory Claim For Attorneys' Fees In Exchange For Plaintiffs' Dismissal Of The Litigation And Agreement Not To Challenge Certain Actions Related To Relocation Of The OMSS Facility (Office Of The City Administrator - Clean Water Act)  
[13-0168](#)

**Scheduled to Meeting of the Oakland City Council on 11/19/2013**

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[84699 C.M.S.pdf](#)

S-4.3      Subject:    Settlement Agreement - Upshaw v. City Of Oakland  
From:        Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Kazeem Upshaw v. City Of Oakland, Et Al., Northern District Of California Case No. C11-05044, City Attorney's File No. 28421, In The Amount Of Sixty-Five Thousand Dollars (\$65,000.00) (OPD - Civil Rights)  
[13-0170](#)

**Scheduled to Meeting of the Oakland City Council on 11/19/2013**

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[84700 C.M.S.pdf](#)

S-4.4      Subject:    Commemorating National Adoption Awareness Month  
From:        Councilmembers Lynnette Gibson McElhaney And Libby Schaaf  
Recommendation: Adopt A Resolution Commemorating National Adoption Awareness Month And Saluting Black Adoption Placement And Research Center, One Of Two Agencies In California That Specializes In Finding Permanent Homes For African American And Other Waiting Children, For 30 Years Of Service To The Oakland-Bay Area Community  
[13-0171](#)

**Scheduled to Meeting of the Oakland City Council on 11/19/2013**

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S-4.5      Subject:    Opposing Changes To SNAP/CalFresh In 2013 Farm Bill  
From:        Councilmember Lynnette Gibson McElhaney  
Recommendation: Adopt A Resolution Opposing The Changes To The Supplemental Nutrition And Assistance Program ("SNAP," Known In California As CalFresh) In The 2013 Farm Bill (H.R. 3102; S. 1947), Including Cuts To 4.2 Million California Residents And 33,747 Oakland Households Participating In The SNAP/CalFresh And Any Reductions In Eligibility, Benefits, Or State And Local Flexibility; On The November 14, 2013 Rules & Legislation Agenda

URGENCY FINDING: Congress Is Currently Discussing This Critical Bill, Which It Must Pass Prior To The Recess In Early December. It Would Behoove The City Of Oakland To Register Its Concerns Before The Decision Has Been Made At The Next Hearing.

[13-0173](#)

**Scheduled to \*Rules & Legislation Committee on 11/14/2013**

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S-4.6      Subject:    Honoring Mark Gomez  
From:        Council President Patricia Kernighan  
Recommendation: Adopt A Resolution Honoring Mark Gomez For 17 Years Of Service To The City Of Oakland

[13-0172](#)

**Scheduled to Meeting of the Oakland City Council on 11/19/2013**

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[rules110713item4](#)

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**Items Submitted On The Dais**

#1          Subject:    Allocating Funds For Complaint In-Take Positions In OPD And CPRB  
From:        City Administrator's Office  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend Resolution No. 86644 C.M.S., Adopting The City Of Oakland Policy Budget For Fiscal Years 2013-15, To Reallocate Funds From The General Purpose Fund (#1010) City Administrator's Office (#02211) To General Purpose Fund (#1010) Police Department (#101120); To (1) Establish Five Positions For Complaint In Take At The Oakland Police Department In An Amount Of Four Hundred Ninety-Seven Thousand And Twenty Dollars (\$497,020) Each Year For FY 2013-14 And FY 2014-15; (2) Establish Additional Positions Staffing Of Citizen's Police Review Board (CPRB), Including CPRB Director In An Amount Of Nine Hundred Seventy-One Thousand One Hundred Thirty-Eight Dollars (\$971,138) Each Year For FY 2013-14 And FY 2014-15; (3) Make Funds Available For Expenditure Immediately

[13-0177](#)

**Scheduled to Meeting of the Oakland City Council on 11/19/2013**

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[84718 C.M.S.pdf](#)

#2      Subject:    Honoring Randall Whitney And Family  
From:        Councilmember Noel Gallo  
Recommendation: Adopt A Resolution Acknowledging Randall Whitney And Family For The  
35 Years Of Service Provided To Oakland As A Small Business Man, Community Partner, And  
Volunteer To Improve The City Of Oakland  
[13-0176](#)

**Scheduled to Meeting of the Oakland City Council on 11/19/2013**

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#3      Subject:    Native American Heritage Month  
From:        Councilmember Noel Gallo  
Recommendation: Adopt A Resolution Recognizing The Month Of November Of Every Year  
As "National Native American Heritage Month" Celebrating The Heritages And Cultures Of  
Native Americans To The United States  
[13-0174](#)

**Scheduled to Meeting of the Oakland City Council on 11/19/2013**

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#4      Subject:    Restorative Community Conferencing Program Report  
From:        Councilmember Desley Brooks  
Recommendation: Receive An Informational Report And Overview Of The Restorative  
Community Conferencing Program  
[13-0175](#)

**Scheduled to \*Life Enrichment Committee on 12/3/2013**

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#5      Subject:    Honoring African American Students With Perfect CST Scores  
From:        Councilmember Libby Schaaf  
Recommendation: Adopt A Resolution Honoring OUSD's African American Students Who  
Scored Perfect Scores on the California Skills Test (CST)  
[13-0161](#)

**\*Rescheduled to Meeting of the Oakland City Council on 11/19/2013**

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5      A Review Of The Draft Agendas For The City Council Meeting Of November 19, 2013  
And The Rules And Legislation Committee Of November 21, 2013

[rules110713item5](#)  
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**Open Forum (Total Time Available: 15 Minutes)**

*There was 1 Open Forum speaker.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:20 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.

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*City Clerk and Clerk of the Council*