



# City of Oakland Meeting Agenda

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, July 14, 2011

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:**

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

- 1 Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of June 30, 2011
- 3 Determination of Schedule of Outstanding Committee Items  
([rules071411](#))
- 4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of July 19, 2011 (SUPPLEMENTAL)
- S-4.1 Subject: Assistant City Administrator Salary  
From: Department Of Human Resources Management  
Recommendation: Adopt A Resolution Authorizing the City Administrator to Approve an

Initial Salary for the Position of Assistant City Administrator That Exceeds the Mid-Point of the Salary Range, As Required By Ordinance No. 12918  
[\(10-0799\)](#)

- S-4.2      Subject:     Deputy City Attorney V And Special Counsel MOU  
              From:        Department Of Human Resources Management  
              Recommendation: Adopt A Resolution Approving Memorandum Of Understanding Between The City Of Oakland And The Deputy City Attorney V And Special Counsel Association, Representing Employees In Representation Unit U41 Covering The Period From July 1, 2011, Through June 30, 2013; On The July 26, 2011 Special City Council Meeting Agenda  
[\(10-0820\)](#)
  
- S-4.3      Subject:     Local 1021 MOU - Specified Units  
              From:        Department Of Human Resources Management  
              Recommendation: Adopt A Resolution Approving Memoranda Of Understanding Between The City Of Oakland And The Service Employees International Union, Local 1021, Representing Employees In Representation Units SB1, SC1 And SD1, Covering The Period Of July 1, 2011 Through June 30, 2013  
[\(10-0821\)](#)
  
- S-4.4      Subject:     Local 1021 MOU - Part-Time Unit  
              From:        Department Of Human Resources Management  
              Recommendation: Adopt A Resolution Approving Memoranda Of Understanding Between The City Of Oakland And The Service Employees International Union, Local 1021 Part-Time Unit Representing Employees In Representation Units S11 For The Period Of July 1, 2011 Through June 30, 2013  
[\(10-0822\)](#)
  
- S-4.5      Subject:     Local 21 MOU - Units TA1, TF1, TM2, TW1, UH1, UM1 And UM2  
              From:        Department Of Human Resources Management  
              Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional And Technical Engineers Local 21, Representing Employees In Representation Units TA1, TF1, TM2, TW1, UH1, UM1 And UM2, Covering The Period From July 1, 2011, Through June 30, 2013  
[\(10-0823\)](#)
  
- S-4.6      Subject:     Local 21 MOU - Deputy City Attorney I-IV  
              From:        Department Of Human Resources Management  
              Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional And Technical Engineers Local 21, Deputy City Attorney I-IV Representing Employees In Representation Unit TM1 For The Period Of July 1, 2011 Through June 30, 2011  
[\(10-0824\)](#)
  
- S-4.7      Subject:     International Brotherhood of Electrical Workers - MOU  
              From:        Department Of Human Resources Management  
              Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The International Brotherhood Of Electrical Workers Representing Employees In Representation Units IE1 And TV1 For The Period Of July 1, 2011 Through June 30, 2013

[\(10-0825\)](#)

S-4.8        Subject:    Confidential Management Employees Association - MOU  
From:        Department of Human Resources Management  
Recommendation: Adopt A Resolution Approving the Memorandum of Understanding between the City of Oakland and the Confidential Management Employees Association Representing Employees in Representation Unit U31 for the Period of July 1, 2011 through June 30, 2013

[\(10-0826\)](#)

S-4.9        Subject:    IAF Local 55 - MOU FQ1  
From:        Department Of Human Resources Management  
Recommendation: Adopt A Resolution Approving Memoranda Of Understanding Between The City Of Oakland And The International Association Of Firefighters Local 55 Representing Employees In Bargaining Unit FQ1 For The Period Of July 1, 2011 Through June 30, 2014

[\(10-0828\)](#)

S-4.10      Subject:    Oakland Police Officers Association MOU - PP1 And UN2  
From:        Department Of Human Resources Management  
Recommendation: Adopt A Resolution Approving Memoranda Of Understanding Between The City Of Oakland And The Oakland Police Officers Association Representing Employees In Bargaining Unit PP1 And UN2 For The Period Of July 1, 2011 Through June 30, 2015

[\(10-0829\)](#)

S-4.11      Subject:    Rehabilitation Of The City's Transitional Housing Facility  
From:        Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Funding In An Amount Up To \$250,000 From The State Of California Emergency Housing And Assistance Program (EHAP) For The Rehabilitation Of The City's Transitional Housing Facility, Located At 3824 West Street

[\(10-0819\)](#)

S-4.12      Subject:    Vice Mayor Brooks Travel - Beaumont, Texas  
From:        Vice Mayor Desley Brooks  
Recommendation: Adopt A Resolution Authorizing Vice Mayor Desley Brooks To Travel To Beaumont, Texas To Attend The National League Of Cities National Black Caucus Of Local Elected Officials' Annual Summer Conference: Empowering Our Communities, Strengthening Our Leaders From August 10-13, 2011

[\(10-0827\)](#)

S-4.13      Subject:    Consistency Among Building Inspectors  
From:        Councilmembers Brunner And Kaplan  
Recommendation: Receive An Informational Report And/ Or Action On Recommendations To Require Consistency Among Building Inspectors In Order To Prevent Conflicting Directions To Business And/Or Property Owners; On The September 27, 2011 Community And Economic Development Committee Agenda

[\(10-0813\)](#)

S-4.14      Subject:    Economic Development Strategy For The City Of Oakland  
From:        Councilmember Brunner

Recommendation: Receive An Informational Report And/ Or Action On The Community And Economic Development Director's Economic Development Strategy For The City Of Oakland; On The September 27, 2011 Community And Economic Development Committee Agenda

[\(10-0814\)](#)

S-4.15 Subject: ORA/City Council Meeting Cancellation  
From: Council President Larry Reid  
Recommendation: A Request To Cancel The ORA/City Council Meeting Of September 6, 2011

[\(10-0830\)](#)

S-4.16 Subject: Library Advisory Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Approving The Nomination Of Ruby Bernstein And Kathryn Sterbenc To The Library Advisory Commission

[\(10-0815\)](#)

S-4.17 Subject: Police and Fire Retirement Board Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Approving the Mayor's Nomination of Cynthia Blumgart to the Police and Fire Retirement Board as Insurance Representative

[\(10-0816\)](#)

S-4.18 Subject: Distribution Acceptance And Appropriation  
From: Oakland Public Library  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate A Distribution From The Virginia A. Baldwin Trust To The Oakland Public Library In The Amount Of \$75,000

[\(10-0817\)](#)

S-4.19 Subject: Annual Software Maintenance Agreement - Innovative Interfaces  
From: Oakland Public Library  
Recommendation: Adopt A Resolution Waiving Competitive Bidding And Authorizing The City Administrator, Or Designee, To Execute An Annual Software Maintenance Agreement With Innovative Interfaces, Inc, Including All Necessary Computer Hardware, Software And Telecommunication Equipment For A Total Contract Amount Not To Exceed Eight Hundred Thousand Dollars (\$800,000) For A Five Year Period

[\(10-0818\)](#)

S-4.20 Subject: Sale Of Sand And Gravel Municode Amendment  
From: Councilmember Kaplan  
Recommendation Adopt An Ordinance Repealing The Ordinance Sale Of Sand And Gravel Muni Code 5.70.040 Removing The Ordinance Which Puts The City Of Oakland Rather Than The County In Charge Of Regulating Units Of Measure In This Industry; On The September 13, 2011 Public Safety Committee Agenda

[\(10-0808\)](#)

S-4.21 Subject: Repeal Of Pornographic Material-Possession in Public Place  
From: Councilmember Kaplan  
Recommendation: Adopt An ordinance repealing the ordinance Pornographic Material-Possession in Public Places Prohibited Muni Code 9.08.130 removing the ordinance

which prohibits the sale of pornographic material; On the September 13, 2011 Public Safety Committee Agenda  
[\(10-0809\)](#)

S-4.22 Subject: Eliminating Limitations On Sale Of Contraceptives  
From: Councilmember Kaplan  
Recommendation: Adopt An Ordinance Repealing The Ordinance Regulating Sale Of Contraceptives Muni Code 8.40.100 Removing The Ordinance Which Bans The Sale Of Contraceptives By Persons Other Than Licensed Physicians And Pharmacists; On The September 13, 2011 Public Safety Committee Agenda  
[\(10-0810\)](#)

S-4.23 Subject: Marathons Municode Amendment  
From: Councilmember Kaplan  
Recommendation: Adopt An Ordinance To Remove Ordinance 9.08.200 Marathons From The Municipal Code. The Ordinance Currently Forbids Any Public Exhibition Of Endurance Contests, Including Dance And Skate Marathons. The Ordinance Is Too Broadly Worded And No Longer Relevant; On The September 13, 2011 Public Safety Committee Agenda  
[\(10-0811\)](#)

S-4.24 Subject: Pickle Manufacturing - Municode Amendment  
From: Councilmember Kaplan  
Recommendation: Adopt An Ordinance To Remove Ordinance 5.70.030 (Pickle Manufacturing) From The Municipal Code. As It Stands, Ordinance 5.70.030 Prohibits The Storage Or Production Of More Than 1,000 Gallons Of Pickles Within One City Block. The Ordinance Has Outlived Its Utility; On The September 13, 2011 Public Safety Committee Agenda  
[\(10-0812\)](#)  
[\(rules071411item4\)](#)

5 A review of the Council Committees' actions from July 12, 2011 and determination of scheduling to the ORA/City Council meeting of July 19, 2011 or future dates (MATRIX)  
[\(rules071411item5\)](#)

6 A review of the Agendas for the Council Committees of July 26, 2011 and the Rules and Legislation Committee Meeting of July 28, 2011  
[\(rules071411item6\)](#)

**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.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-3226  
Fax: (510) 238-6699  
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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**  
**Agency Secretary/City Clerk**  
**and Clerk of the Council**

ORA - Oakland Redevelopment Agency  
S - Supplemental Item