



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, September 12, 2013

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call To Order

Excused: Vice Mayor Reid

Present: Council President Kernighan, Member Schaaf and Member Kalb

The Oakland City Council Rules and Legislation Committee convened at 10:58 a.m., with Council President presiding as Chairperson.

1 Determinations Of Closed Session

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

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

A Special Closed Session was scheduled for September 17, 2013 from 3 pm to 5 pm. And a Special Closed Session on October 3, 2013 at 1pm.

2 Approval Of The Draft Minutes From The Committee Meeting Of July 25, 2013

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

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

3 Determination Of Schedule Of Outstanding Committee Items

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

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

[RLC091213](#)

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4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)

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

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

S-4.1 Subject: Reimbursement For Hosting Command For Urban Shield 2013
From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The Alameda County Sheriff's Office For The Oakland Fire Department To Host And Participate In The Red Area Command For The Urban Shield 2013 Exercise And Training And To Accept Reimbursement Funds In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) For Expenses Incurred By The Oakland Fire Department For This Event

[13-0040](#)

Scheduled to *Public Safety Committee on 9/24/2013

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S-4.2 Subject: Urban Search And Rescue Grant Funds
From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Enter Into A Grant Cooperative Agreement With The Federal Emergency Management Agency (FEMA) To Accept And Appropriate Funds (FEMA Funds) For The Oakland Fire Department For The Period October 1, 2013 To March 31, 2015, In An Amount Not To Exceed One Million One Hundred Sixty Seven Thousand One Hundred Fifty Four Dollars (\$1,167,154) To Meet Continuing Management, Training And Equipment Needs Of The Fire Department's Urban Search And Rescue (US&R) Task Force (US&R Task Force); And 2) Expend The FEMA Funds In Accordance With The Preliminary Spending Plan Without Further Council Approval, Including Funding For Training And The Purchase Of Equipment As Required By The General Services Administration And Other Government Pricing Schedules To Support The US&R Task Force's Response Capability As Directed By FEMA; And 3) Waive The City's Advertising And Competitive Bidding Requirements And Authorize Procurement Of Equipment From The Federal General Services Administration Agency And Or Other Government Pricing Schedules For Expenses Funded By the FEMA Grant; And 4) Approve Travel For City Personnel That Provide Services Under The FEMA Cooperative Agreement Program On Short Notice Without Further Council Authorization.

[13-0045](#)

Scheduled to *Public Safety Committee on 9/24/2013

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S-4.3 Subject: Edward Byrne Memorial Justice Assistance Grant (JAG) Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee,
To: 1) Enter Into An Agreement With Alameda County To Apply For Office Of Justice
Programs, Bureau Of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant
(JAG) Local Program Funds; And 2) Accept And Appropriate JAG Grant Funds In An Amount
Not To Exceed Five Hundred Thousand, Two Hundred Dollars (\$500,200) Annually For The
2013 Federal Fiscal Year (FFY) October 1, 2012 Through September 30, 2016; And 3) Accept
And Appropriate JAG Grant Funds In Advance For The 2014 FFY October 1, 2013 Through
September 30, 2017 To Supplement Frontline Policing Services
[13-0050](#)

Scheduled to *Public Safety Committee on 9/24/2013

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S-4.4 Subject: MOU With CHP For Two Years Of Crime Suppression Assistance
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee
To Extend The Memorandum Of Understanding (MOU) With The California Highway Patrol
(CHP) For Up To Two Years Of Crime Suppression Assistance Whereby CHP Will Deploy 10
Officers In Five, Double Unit Patrol Vehicles And Two Sergeants In A Supervisor Vehicle, Up
To Four Days Per Week, At A Cost Not To Exceed Two Million Six Hundred Thousand
Dollars (\$2,600,000) August 8, 2013 To August 7, 2015, And A MOU Extension Total Amount
Not To Exceed Three Million Two Hundred Seventy Six Thousand Dollars (\$3,267,000),
Subject To The Availability Of Funds As Appropriated By The Council
[13-0052](#)

Scheduled to *Public Safety Committee on 9/24/2013

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S-4.5 Subject: Juvenile Accountability Block Grant (JABG) Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee,
To: 1) Enter Into A Grant Program Administration Agreement With The State Of California,
Corrections Standard Authority, For Juvenile Accountability Block Grant (JABG) Funds; 2)
Accept, Appropriate, And Administer JABG Direct Allocation Funds For Fiscal Year (FY)
2013-2014 And FY 2014-2015 To The Oakland Police Department (OPD) In The Amount Not
To Exceed Forty Thousand Dollars (\$40,000) For The School Safety Policing Project For The
Period July 1, 2013 Through June 30, 2014 And July 1, 2014 Through June 30, 2015; And 3)
Waive The Central Services Overhead (CSO) Charges Of One Thousand Six Hundred
Sixty-Five Dollars (\$1,665).
[13-0053](#)

Scheduled to *Public Safety Committee on 9/24/2013

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S-4.6 Subject: Timeline for the 2014 Art And Soul Festival
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On The Draft General Timeline For The 2014 Art And Soul Festival
[12-0621-1](#)

Scheduled to *Life Enrichment Committee on 9/24/2013

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S-4.7 Subject: Cash Management Report
From: Office Of The City Administrator
Recommendation: Receive The Cash Management Report For the Quarter Ended June 30, 2013
[13-0037](#)

Scheduled to *Finance & Management Committee on 9/24/2013

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S-4.8 Subject: Establishing Permanent Crematorium Regulations
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, Recommended By The Planning Commission, And As Directed By City Council Under Emergency Ordinance No. 13158 C.M.S., To Amend The Planning Code To Establish Permanent Regulations Pertaining To Crematories Within The City Of Oakland
[13-0043](#)

Scheduled to *Community & Economic Development Committee on 9/24/2013

And as a Public Hearing on October 1, 2013

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S-4.9 Subject: Enterprise Zone Report And TEA Resolution
From: Office Of The City Administrator
Recommendation: 1) Receive A Report On Oakland's Enterprise Zone, Analyzing The Effects From Statewide Reform Legislation; And
[13-0046](#)

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2) Adopt A Resolution Designating A Targeted Employment Area In Accordance With Revised State Law For The Enterprise Zone Program

[13-0046-1](#)

Scheduled to *Community & Economic Development Committee on 9/24/2013

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S-4.10 Subject: Establishing New Definitions And Penalties For Illegal Dumping
From: Office Of The City Attorney And Councilmember Gibson McElhaney
Recommendation: Adopt An Ordinance Enacting the Following: 1) A New Oakland Municipal Code Chapter 8.11 Pertaining To Illegal Dumping And Littering, Defining What Constitutes Illegal Dumping, And Setting Administrative, Civil And Criminal Penalties; 2) Amending And Restating Oakland Municipal Code Chapter 9.56 Pertaining To Seizure And Impoundment Of Vehicles Involved In Certain Nuisance Activities: Prostitution, Pandering, Pimping, And Illegal Dumping
[13-0041](#)

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S-4.11 Subject: Immigration Reform Resolution
From: Councilmember Kalb and Councilmember Gallo
Recommendation: Adopt A Resolution in Support of Comprehensive Immigration Reform
[13-0055](#)

Scheduled to *Rules & Legislation Committee on 9/26/2013

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S-4.12 Subject: Equal Access Annual Compliance Report
From: Department Of Human Resources Management
Recommendation: Receive The Equal Access Annual Compliance Report
[13-0044](#)

Scheduled to *Finance & Management Committee on 9/24/2013

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S-4.13 Subject: Report On Educational Opportunities For City Employees
From: Councilmember Desley Brooks
Recommendation: Receive An Updated Informational Report And Possible Action On The City Of Oakland's Partnership With Patten University/UniversityNow's Educational Opportunities For City Employees
[13-0033](#)

Scheduled to *Life Enrichment Committee on 9/24/2013

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S-4.14 Subject: AC Transit MOU And Agreement
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Execute A Memorandum Of Understanding (MOU) And A Cooperative Agreement With The Alameda-Contra Costa Transit District (AC Transit) For The Line 51 Transit Performance Initiative Project
[13-0047](#)

Scheduled to *Public Works Committee on 9/24/2013

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S-4.15 Subject: Ordinance Supporting A Flexible Parking District Program
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting Parking Principles For City Of Oakland Commercial Districts; And
13-0048

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2) An Ordinance Amending Title 10.36 (Parking Meter Zones) Of The Oakland Municipal Code To Establish Flexible Parking Zones, Amending Title 10.44.050 (Designation Of A Residential Parking Area) And, Amending Ordinance Number 13184 C.M.S. (The FY 2013-14 Master Fee Schedule, Or "MFS"), To Establish And Modify Fees Assessed For On-Street And Off-Street Parking By In Order To Facilitate A Flexible Parking Zone Program; And
13-0048-1

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3) A Resolution Creating A Flexible Parking District For Montclair Village
13-0048-2

Scheduled to *Public Works Committee on 10/8/2013
[84665 CMS.pdf](#)

S-4.16 Subject: MOU With Friends Of Sausal Creek
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Memorandum Of Understanding With The Friends Of Sausal Creek To Implement The Sausal Creek Erosion Control And Restoration Project Funded By A \$540,000.00 Grant From The Department Of Water Resources Jointly Awarded To The City Of Oakland And The Friends Of Sausal Creek And To Appropriate The Grant Funding For Which The City Was Authorized To Apply And Accept Per Council Resolution No. 81697 C.M.S.
13-0049

Scheduled to *Public Works Committee on 9/24/2013
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[84644 CMS.pdf](#)

S-4.17 Subject: Electric Vehicle Memorandum Of Understanding
From: Department Of Public Works
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee
To: 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Eighty-Seven
Thousand Dollars (\$87,000.00) From The Surface Transportation Program (STP) And/OR
Congestion Mitigation And Air Quality Improvement (CMAQ) Through The Metropolitan
Transportation Commission (MTC), For The Purchase Of Three (3) Electric Vehicles And
Charging Stations For The Direct Benefit Of The City Of Oakland; 2) Authorize The Execution
Of A Memorandum Of Understanding (MOU) With The County Of Alameda And Other
Collaborative Bay Area Jurisdictions Which Comprise The Bay Area Climate Collaborative
(BACC) For Continued Participation In A Federally funded Grant Initiative Designed To
Facilitate Each Jurisdiction's Purchase Of Electric Vehicles And Charging Stations; 3) Enter
Into One Or More Purchase Agreement(S) With One Or More Select Vendors Identified In
Direct Relationship To The Execution Of The Aforementioned MOU As A Means By Which
To Purchase Said Vehicles, Charging Equipment And Installation Of Charging Equipment,
And 4) Waive The Competitive Request For Proposals/ Qualifications (RFP/Q) Process, The
Advertising And Bidding Requirements, And Local And Small Business Enterprise Program
(L/SLBE) Provisions Associated With The Proposed MOU And The Purchase And Placement
Of Electric Vehicles, Charging Stations And Related Equipment And Services
[13-0051](#)

Scheduled to *Public Works Committee on 9/24/2013

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S-4.18 Subject: Maintenance And Services Agreement With Scheidt & Bachmann
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposals/
Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements And Authorizing
The City Administrator Or Designee To Enter Into A Maintenance And Service Agreement
With Scheidt And Bachmann USA, Inc. In Support Of The Parking Access And Revenue
Control System Used At Seven City Parking Garages For A Period Of Three Years At A Total
Contract Cost Of \$240,000 (\$80,000.00 Per Year X 3 Years)
[13-0054](#)

Scheduled to *Public Works Committee on 9/24/2013

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S-4.19 Subject: Oakland Airport Connector Update Report
From: Vice Mayor Larry Reid
Recommendation: Receive An Informational Update And Presentation From BART
Regarding The Status Of The Oakland Airport Connector
[13-0036](#)

Scheduled to Meeting of the Oakland City Council on 10/1/2013

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S-4.20 Subject: Honoring Martin Matarrese
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Honoring Martin Matarrese On His Retirement
13-0042

Scheduled to Meeting of the Oakland City Council on 9/17/2013

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ITEMS SUBMITTED ON THE DAIS

#1 Subject: Open Data Policy
From: Councilmember Schaaf
Recommendation: Adopt A Resolution Establishing An Open Data Policy For The City Of
Oakland For Making Public Data Available In Machine Readable Formats Using Open Data
Standards
13-0057

Scheduled to *Finance & Management Committee on 10/8/2013

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#2 Subject: Full Police Staffing Policy
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Establishing A Full Police Staffing Policy That Will
Establish Alternative Hiring Methods, Deadlines And Reporting Requirements For Promptly
And Consistently Achieving Actual Budgeted Staffing Levels For Sworn And Non-Sworn
Positions Within The Oakland Police Department
13-0058

Scheduled to *Public Safety Committee on 10/22/2013

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#3 Subject: Grand Jury Report On Crime Lab Services
From: Oakland Police Department
Recommendation: Receive A Follow-Up Report From Oakland Police Department To The
Grand Jury Report On Crime Lab Services
13-0059

Scheduled to *Public Safety Committee on 9/24/2013

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#4 Subject: Honoring Oakland's Youth Poet Laureate
From: Councilmember Libby Schaaf And Councilmember Desley Brooks
Recommendation: Adopt A Resolution Congratulating Obasi Davis, Oakland Resident, As The
City Of Oakland's Second Annual Youth Poet Laureate
13-0060

Scheduled to Meeting of the Oakland City Council on 10/1/2013

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5 A Review Of The Council Committees' Actions From September 10, 2013 And Determination Of Scheduling To The City Council Meeting Of September 17, 2013 (MATRIX)

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

Votes: Excused; 1 - Vice Mayor Reid
Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

[rules091213item5](#)
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6 A Review Of The Draft Agendas For The Committee Meetings Of September 24, 2013

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

Votes: Excused; 1 - Vice Mayor Reid
Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

[rules091213item6](#)
[View Report.pdf](#)

S-7 Subject: Taking A Position On League Of California Cities' Resolutions
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Taking A Position On Two League Of California Cities' Proposed Resolutions To Be Considered At The League's September 20, 2013 Annual Business Meeting: 1) Resolution Calling Upon The Governor And The Legislature To Work With The League Of California Cities In Providing Adequate Funding And To Prioritize Water Bonds To Assist Local Government In Water Conservation, Ground Water Recharge And Reuse Of Stormwater And Urban Runoff Programs; And 2) Resolution Calling Upon The Governor And Legislature To Enter Into Discussions With The League And California Police Chiefs' Association Representatives To Identify And Enact Strategies That Will Ensure The Success Of Public Safety Realignment From A Local Municipal Law Enforcement Perspective [13-0038](#)

A motion was made by Member Kalb, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on September 17, 2013. The motion carried by the following vote:

Votes: Excused; 1 - Vice Mayor Reid
Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan
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OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:44 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