



# City of Oakland Meeting Minutes

## \*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>**

---

**Thursday, April 10, 2014**

**10:45 AM**

**City Council Chambers - 3rd Floor**

---

### Roll Call / Call To Order

Present: Vice Mayor Reid, Council President Kernighan, Member Schaaf and Member Kalb

*The Oakland City Council Rules and Legislation Committee convened at 11:03 a.m., with Councilmember Kernighan presiding as Chairperson.*

### COMMITTEE MEMBERSHIP:

1 Determinations Of Closed Session

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

**Votes:** Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

*There will be a special closed session on April 22, 2014 from 2pm-5:30pm*

2 Approval Of The Draft Minutes From The Committee Meetings Of February 27, 2014 and March 27, 2014

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

**Votes:** Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

3 Determination Of Schedule Of Outstanding Committee Items

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

**Votes:** Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

[Rules041014Item3](#)

[View Report.pdf](#)

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

**A motion was made by Member Schaaf, seconded by Vice Mayor Reid, to \*Approve with the following amendments. The motion carried by the following vote:**

**Votes:** Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

S-4.1 Subject: Professional Services Contract One Step Information Systems  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator Or Designee To Enter Into A Services Agreement With WestNet Information Systems, Ltd., Doing Business As One Step Information Systems Ltd., To Update End User Software Licensing, And For Database System Maintenance From May 1, 2014 To April 30, 2015, In An Amount Not To Exceed Twenty One Thousand One Hundred And Fifty Two Dollars (\$21,152) With An Option To Extend The Agreement Without Returning To Council For Two Years In The Amount Of Twenty One Thousand One Hundred And Fifty Two Dollars (\$21,152) Each Year, For A Total Amount Not Exceeding Sixty Three Thousand Four Hundred And Fifty Six Dollars (\$63,456.00); And (2) Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process And The Local Advertising And Bidding Requirements For The Proposed Agreement With One Step Information Systems Ltd.  
[13-0489](#)

**Scheduled to \*Public Safety Committee on 4/29/2014**

[View Report.pdf](#)  
[84958 C.M.S.pdf](#)

S-4.2 Subject: OPD Hiring/Full Police Staffing Report  
From: Oakland Police Department  
Recommendation: Receive An Informational Report From The Oakland Police Department (OPD) On Establishing A Full Police Staffing Policy And Establishing Alternative Hiring Methods To Achieve Actual Budgeted Staffing Levels For Sworn And Non-Sworn Positions  
[13-0479](#)

**Scheduled to \*Public Safety Committee on 4/29/2014**

[View Report.pdf](#)

S-4.3 Subject: Army Base Utility Program Closure  
From: Office Of Neighborhood Investment  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Negotiate And Execute An Amendment To The Utilities Program Management Agreement With The Port Of Oakland, For Limited Continued Operation Of The Existing Integrated Utility Systems At The Former Oakland Army Base [TITLE CHANGE]; And  
[13-0439](#)

**Scheduled to \*Community & Economic Development Committee on 4/29/2014**

[View Report.pdf](#)  
[84954 C.M.S.pdf](#)

2) A Resolution Authorizing The City Administrator To Negotiate And Execute An Amendment To Terminate The Resource Program Management Services Agreement With The Port Of Oakland Whereby The Port Provides Electricity To The City-Owned Portion Of The Former Oakland Army Base [TITLE CHANGE]

[13-0439-1](#)

[84955 C.M.S.pdf](#)

S-4.4 Subject: Fiscal Year 2014-2015 Midcycle Budget Amendments  
From: Office Of The City Administrator  
Recommendation: Request To Schedule A Series Of Special City Council Meetings To Discuss And Adopt Modifications To The Fiscal Year 2014-2015 Midcycle Budget And Related Legislation On June 5, 2014, June 19, 2014 And June 26, 2014 (SEE ATTACHED FOR DETAILS)

[13-0480](#)

**No Action Taken**

S-4.5 Subject: Measure Y -Violence And Public Safety Act Of 2004 Auditor's Report  
From: Department Of Finance  
Recommendation: Receive An Informational Report Regarding Measure Y -Violence And Public Safety Act Of 2004 Independent Auditor's Report For The Year Ended June 30, 2013

[13-0482](#)

**Scheduled to \*Public Safety Committee on 4/29/2014**

[View Report.pdf](#)

S-4.6 Subject: Interim Moratorium On Unattended Donation Boxes  
From: Department Of Planning And Building  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Establishing A Temporary Moratorium On The Establishment, Installation, Placement, Construction And/Or Expansion Of Unattended Donation Boxes, To Take Effect Immediately Upon Adoption

[13-0488](#)

**Scheduled to Meeting of the Oakland City Council on 4/22/2014**

[View Report.pdf](#)

[13225 CMS.pdf](#)

S-4.7 Subject: Kaboom Playgrounds For Burkhalter & Concordia Parks  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Waiving Advertising And Bidding Requirements For The Purchase Of Playground Equipment From Kaboom!, Inc. To Be Used For The Tot Lot Improvements At Burkhalter And Concordia Parks In Oakland, And Accepting In-Kind Services From Kaboom!, Inc. To Construct These Improvements Valued Up To Eighty-Five Thousand Dollars (\$85,000) And Two Hundred Fifty Thousand Dollars (\$250,000), Respectively

[13-0491](#)

**Scheduled to Meeting of the Oakland City Council on 4/22/2014**

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[84935 CMS.pdf](#)

S-4.8      Subject:    Amendments To Rent Adjustment Program Regulations  
From:        Department Of Housing And Community Development  
Recommendation:  Adopt The Following Pieces Of Legislation:

1) A Resolution Amending The Rent Adjustment Regulations To Provide For Extended Capital Improvement Amortization Periods For Rent Increases Greater Than Ten Percent, Passing Through Seventy Percent Of Capital Improvement Costs, Interest On Capital Improvement Overcharges, Administrative Penalties For Such Overcharges, And Removing The Requirement That Only One Year Of Capital Improvement Increases Can Be Passed Through At One Time [TITLE CHANGE]; And  
[13-0341](#)

**Scheduled to Meeting of the Oakland City Council on 4/22/2014**

- [View Report.pdf](#)
- [View Supplemental Report.pdf](#)
- [View Supplemental Report.pdf](#)
- [View Supplemental Report.pdf](#)
- [View Supplemental Report.pdf](#)
- [84936 CMS.pdf](#)

2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. Chapter 8.22) To Limit Rent Increases To Ten Percent In Any One Year And Thirty Percent In Five Years And To Require Special Noticing For Capital Improvement Rent Increases [TITLE CHANGE]  
[13-0341-1](#)

- [View Report.pdf](#)
- [View Supplemental Report.pdf](#)
- [View Supplemental Report.pdf](#)
- [View Supplemental Report.pdf](#)
- [View Supplemental Report.pdf](#)
- [View Supplemental Report.pdf](#)
- [13226.pdf](#)

S-4.9      Subject:    Consolidated Action Plan Fiscal Year 2014-2015  
From:        Department Of Housing And Community Development  
Recommendation:  Adopt A Resolution 1) Authorizing The City Administrator To Prepare And Submit To The U.S. Department Of Housing And Urban Development The Annual Action Plan For Fiscal Year 2014-2015; 2) Accepting And Appropriating Funds Totaling \$12,396,467 For The Home, Emergency Shelter Grant (ESG), Housing Opportunities For Persons With AIDS (HOPWA), And The Community Development Block Grant Programs; And 3) Appropriating \$800,000 In Program Income And Any Amounts In Excess Thereof For Housing Rehabilitation Revolving Loan Fund; And 4) Accepting And Appropriating Funds Totaling \$4,848,002 CDBG Housing Reconciled Funds From Prior Years; And 5) Authorizing The City Administrator To Negotiate And Execute Agreements With Subgrantees For Fiscal Year 2014-2015 For The Community Development Block Grant Program  
[13-0481](#)

**Scheduled to \*Community & Economic Development Committee on 4/29/2014**

- [View Report.pdf](#)
- [84965 C.M.S.pdf](#)

S-4.10      Subject:    Salary Ordinance Amendment - Executive Assistant To The Director  
From:        Department Of Human Resources Management  
Recommendation: Adopt The Following Pieces Of Legislation:  
  
1) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Combine The Classifications Of Executive Assistant To The Agency Director And Executive Assistant Into One Classification Entitled Executive Assistant To The Director;  
And  
[13-0475](#)

**Scheduled to \*Finance & Management Committee on 4/29/2014**

[View Report.pdf](#)  
[13227 C.M.S.pdf](#)

2) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Executive Assistant To The Director From The Operation Of The Civil Service  
[13-0475-1](#)

[85003 CMS.pdf](#)

S-4.11      Subject:    Salary Ordinance Amendment - Fire Marshal (Non-Sworn)  
From:        Department Of Human Resources Management  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Create The Classification Of Fire Marshal (Non-Sworn); And  
[13-0476](#)

**Scheduled to \*Finance & Management Committee on 4/29/2014**

[View Report.pdf](#)  
[13228 C.M.S.pdf](#)

2) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Fire Marshal (Non-Sworn) From The Operation Of The Civil Service  
[13-0476-1](#)

[85002 CMS.pdf](#)

S-4.12      Subject:    Salary Ordinance Amendment - Training Coordinator  
From:        Department Of Human Resources Management  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Create The Classification Of Training Coordinator  
[13-0477](#)

**Scheduled to \*Finance & Management Committee on 4/29/2014**

[View Report.pdf](#)  
[13229 C.M.S.pdf](#)

S-4.13      Subject:    Fiscal Year 2012-2013 Workers' Comp Report  
From:        Department Of Human Resources Management  
Recommendation: Receive An Informational Report Regarding The City's Workers' Compensation Program For Fiscal Year 2012-2013  
[13-0478](#)

**Scheduled to \*Finance & Management Committee on 4/29/2014**

[View Report.pdf](#)

S-4.14      Subject:    Establishing The Head Start Advisory Board  
From:        Department Of Human Services  
Recommendation: Adopt An Ordinance Rescinding Resolution No. 76996 C.M.S. And  
Establishing The Head Start Advisory Board In Accordance With The Requirements Of City  
Charter Section 601  
[13-0485](#)

**Scheduled to \*Life Enrichment Committee on 4/29/2014**

[View Report.pdf](#)  
[13230 C.M.S.pdf](#)

S-4.15      Subject:    Marcus Foster Education Fund/Joint Powers Authority  
From:        Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An  
Agreement With The Youth Ventures Joint Powers Authority (JPA) Through Its Fiscal Agent  
Marcus A. Foster Educational Institute DbA Marcus Foster Education Fund (MFEF), In The  
Amount Of \$150,000 Per Year For Fiscal Years 2013-2014 And 2014-2015, For The City Of  
Oakland's Contribution To The JPA  
[13-0486](#)

**Scheduled to \*Life Enrichment Committee on 4/29/2014**

[View Report.pdf](#)  
[84957 C.M.S.pdf](#)

S-4.16      Subject:    Recommendation On Award Of Zero Waste Franchise Agreements  
From:        Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept The  
Term Sheet For Waste Management Of Alameda County For The Zero Waste Services  
Franchise Contracts And Prepare The Rate Tables With Any City Council Directed  
Alternatives Selected By City Council For Inclusion In The Rate Tables And Bring The  
Ordinance To Council For Consideration And Approval  
[13-0464](#)

**Scheduled to \* Special Meeting of the Oakland City Council on 5/29/2014**

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

2) An Ordinance Granting A Franchise For Residential Recycling Collection Services To  
Waste Management Of Alameda County, Inc., Contingent On Its Execution Of A Residential  
Recycling Collection Services And Nonexclusive Commercial Recycling Collection Services  
Contract With The City, And Authorizing The City Administrator To Negotiate And Execute  
Such Contract; And/Or  
[13-0750-1](#)

3) An Ordinance Authorizing The City Administrator To Execute An Exclusive Contract For  
Landfill Disposal Services With Waste Management Of Alameda County; And/Or  
[13-0750-2](#)

S-4.17      Subject:    Contract For Citywide Street Resurfacing  
From:        Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To Award A Construction Contract To Gallagher & Burk, Inc., The Lowest Responsive, Responsible Bidder In Accordance With Plans And Specifications For Citywide Street Resurfacing (Project No. C369640) And With Contractor's Bid In The Amount Of Five Million Three Hundred Ninety-Seven Thousand One Hundred Twenty-Eight Dollars And Sixty-Four Cents (\$5,397,128.64)  
[13-0484](#)

**Scheduled to \*Public Works Committee on 4/29/2014**

[View Report.pdf](#)

[84953 C.M.S.pdf](#)

S-4.18      Subject:    Establishing A Minimum Wage For Oakland  
From:        Vice Mayor Larry Reid  
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Establish A City Minimum Wage [TITLE CHANGE]  
[13-0345](#)

**Scheduled to \*Community & Economic Development Committee on 4/29/2014**

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

S-4.19      Subject:    Support For AB 2591: Basic Material Needs Assistance Program  
From:        Councilmember Libby Schaaf  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2591 (Weber & Skinner), Basic Material Needs Assistance Program For Homeless Children  
[13-0468](#)

**Scheduled to \*Rules & Legislation Committee on 4/24/2014**

[View Report.pdf](#)

[84963 C.M.S.pdf](#)

S-4.20      Subject:    Concessionaire Agreement For City Stables  
From:        Office Of Parks And Recreation  
Recommendation: Adopt A Resolution Authorizing The City Administrator And/Or His Designee To Negotiate And Execute A Concessionaire Agreement Between The City Of Oakland And Diamond Equine Services To Operate Equestrian Programs And Provide Facility Improvements To Oakland City Stables, Located At 13560 Skyline Blvd. Oakland, California For A Three Year Term With Two Consecutive Five Year Options To Renew  
[13-0483](#)

**Scheduled to \*Life Enrichment Committee on 4/29/2014**

[View Report.pdf](#)

[84956. C.M.S.pdf](#)

S-4.21      Subject:    Municipal Clerk's Week  
From:        Council President Patricia Kernighan  
Recommendation: Adopt A Resolution Declaring May 4, 2014 Through May 10, 2014  
Municipal Clerk's Week In The City Of Oakland  
[13-0487](#)

**Scheduled to Meeting of the Oakland City Council on 5/6/2014**

[View Report.pdf](#)  
[84968 C.M.S.pdf](#)

S-4.22      Subject:    National Public Works Week 2014  
From:        President Pro Tempore Kaplan  
Recommendation: Adopt A Resolution Celebrating The Week Of May 18-24, 2014 As  
National Public Works Week In The City Of Oakland  
[13-0490](#)

**Scheduled to Meeting of the Oakland City Council on 5/20/2014**

[View Report.pdf](#)  
[85001 C.M.S.pdf](#)

[Rules041014Item4](#)

[View Report.pdf](#)

**Items submitted on the Dais**

#1            Subject:    Support For SB 1165: Sexual Abuse & Sex Trafficking Prevention Education  
From:        Councilmember Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution In Support Of State Senate Bill (SB) 1165 Which  
Would Recommend The Addition Of Sexual Abuse And Sex Trafficking Prevention Education  
To The Sexual Health Education For California's Junior High And High School Students And  
Include Sexual Abuse And Sex Trafficking Prevention Education In Subsequent Revisions To  
The Health Framework For California Public Schools  
[13-0492](#)

**Scheduled to \*Rules & Legislation Committee on 4/24/2014**

[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[84964 C.M.S.pdf](#)

#2            Subject:    Fiscal Impact Of Private Accommodations & Ride-Sharing Businesses  
From:        Councilmembers Kalb, Kaplan And Schaaf  
Recommendation: Receive A Report And Recommendations From The City Administrator On  
Fiscal Impact Of And Possible Revenue Mechanisms For Identified Types On-Line,  
Third-Party Private Accommodations And Ride-Sharing Business On/In The City Of Oakland  
[13-0493](#)

**Scheduled to \*Finance & Management Committee on 6/24/2014**

[View Report.pdf](#)

5            A Review Of The Council Committees' Actions From April 8, 2014 And Determination Of  
Scheduling To The City Council Meeting Of April 22, 2014 (MATRIX)

[Rules041014Item5](#)

[View Report.pdf](#)



6 A Review Of The Draft Agendas For The Council Committee Meetings Of April 22, 2014  
And The Rules And Legislation Committee Of April 24, 2014

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

**Votes:** Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council  
President Kernighan

[Rules041014Item6](#)

[View Report.pdf](#)

**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) 238-6406  
Fax: (510) 238-6699  
Recorded Agenda: (510) 238-2386  
Telecommunications Display Device: (510) 238-3254  
[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.

---

*City Clerk and Clerk of the Council*