



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, July 17, 2014

10:45 AM

City Council Chambers - 3rd Floor

The Oakland City Council Rules & Legislation Committee convened at 11:05 a.m., with Council President Kernighan presiding as Chairperson.

Roll Call / Call To Order

Absent: Vice Mayor Reid

Present: Council President Kernighan, Member Schaaf and Member Kalb

1 Determinations Of Closed Session

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

Votes: Absent; 1 - Vice Mayor Reid

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

A Special Closed Session has been scheduled for July 29, 2014 at 2:30 p.m.

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: Absent; 1 - Vice Mayor Reid

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

[Rules071714Item3](#)

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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 with the following amendments. The motion carried by the following vote:

Votes: Absent; 1 - Vice Mayor Reid

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

The July 22, 2014 Special Community & Economic Development Committee meeting will be held in Council CHambers, 3rd Floor.

S-4.1 Subject: Salary Ordinance Amendment For Increase Council Members
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Increase The Salary For The Classification Of Council Member
[13-0749](#)

*** Scheduled to * Special Meeting of the Oakland City Council on 7/29/2014**

This item will be scheduled to the Non-Consent portion of the agenda.

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[13257 C.M.S.pdf](#)

S-4.2 Subject: Accountability & Transparency In High-Stakes Negotiations Act
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution To Establish The Accountability And Transparency In High-Stakes Negotiations Act To (1) Require City Representatives On External Bodies To Notify The City Council As Soon As high-Stakes Negotiations Commence; (2) Provide Real-Time Reports On High-Stake Negotiations And Annual Reports On General Business; (3) Require Within 30 Days Of Appointment To Represent The City On External Bodies Training On Duties And Obligations Of Representation; (4) Require The City Administrator And City Attorney To Assign Or Secure Appropriate Professionals Experts To Support City Representatives In High-Stakes Negotiations; And (5) Require Full Fiscal Impact Reports On High-Stakes Negotiations Prior To Voting To Authorize Representatives To Approve Deals; And Amending Rule 25 Of The City Council Rules Of Procedure Accordingly.
[13-0744](#)

*** Scheduled to *Rules & Legislation Committee on 9/18/2014**

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S-4.3 Subject: Grant Funds For Third Superheroes Mural Project
From: Councilmember Lynnette Gibson McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Of \$10,000 From Councilmember McElhaney's Graffiti Abatement Mural And Green Wall Funds To Attitudinal Healing Connection For The Third Mural In Their Oakland Superheroes Mural Project On The West Street Freeway Underpass Between 35th And 36th Streets
[13-0751](#)

*** Scheduled to * Special Meeting of the Oakland City Council on 7/29/2014**

This item will be scheduled to the Consent portion of the agenda.

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[85126 C.M.S.pdf](#)

S-4.4 Subject: Grant Funds For Mural At The M. Robinson Baker YMCA
From: Councilmember Lynnette Gibson McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Of \$11,000 From Councilmember
McElhaney's Graffiti Abatement Mural And Green Wall Funds To Attitudinal Healing
Connection To Install A Mural On The M. Robinson Baker YMCA In West Oakland
[13-0752](#)

*** Scheduled to * Special Meeting of the Oakland City Council on 7/29/2014**

This item will be scheduled to the Consent portion of the agenda.

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[85127 C.M.S.pdf](#)

S-4.5 Subject: Grant Funds To Community Rejuvenation Project For Mural
From: Councilmember Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2,500 From Councilmember
McElhaney's Graffiti Abatement Mural And Green Wall Funds To Community Rejuvenation
Project For Their Mural On 14th And Alice Streets In Downtown Oakland
[13-0753](#)

*** Scheduled to * Special Meeting of the Oakland City Council on 7/29/2014**

This item will be scheduled to the Consent portion of the agenda.

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S-4.6 Subject: Award Of Zero Waste Franchise Agreements
From: Oakland Public Works Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) An Ordinance Granting A Franchise For Mixed Materials And Organics Collection Services To Waste Management Of Alameda County, Inc., Contingent On Its Execution Of A Mixed Materials And Organics Collection Services Contract With The City And Authorizing The City Administrator To Negotiate And Execute Such A Contract, Regulating Maximum Service Rates For Mixed Materials And Organics Collection Services, Residential Recycling Services, And Disposal Services, And Setting Forth Procedures To Allow For Adjustment Of Maximum Service Rates; And/Or

[13-0750](#)

*** Scheduled to * Special Meeting of the Oakland City Council on 7/30/2014**

This item will be scheduled to the Public Hearing portion of the agenda.

This item will also be scheduled for Final Passage on the August 13, 2014 Special City Council meeting agenda.

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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-4.7 Subject: Settlement Agreement - BART v. City of Oakland (Francis Love)
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of San Francisco Bay Area Rapid Transit District v. City Of Oakland (Francis Love), Alameda County Superior Court Case No. RG11601786, City Attorney's File No. 29181, For A Sum Not To Exceed Eleven Thousand Five Hundred Dollars And No Cents (\$11,500) (Public Works - Contract Dispute)
[13-0746](#)

*** Scheduled to * Special Meeting of the Oakland City Council on 7/29/2014**
This item will be scheduled to the Consent portion of the agenda.

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[85122 C.M.S.pdf](#)

S-4.8 Subject: Settlement Agreement - City v. Fairmount West Development Co.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of City Of Oakland v. Fairmount West Development Co., Inc., Alameda County Superior Court Case No. RG14718973, City Attorney's File No. X04012, For A Sum Not To Exceed Ninety-Nine Thousand Fifty-One Dollars And Thirty Cents (\$99,051.30) (Finance)
[13-0747](#)

*** Scheduled to * Special Meeting of the Oakland City Council on 7/29/2014**
This item will be scheduled to the Consent portion of the agenda.

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[85123 C.M.S.pdf](#)

S-4.9 Subject: Nuisance Eviction Ordinance Amendments
From: Office Of The City Attorney
Recommendation: Adopt An Ordinance Amending Nuisance Eviction Ordinance (O.M.C. Section 8.23) To: 1) Include Prostitution Related Crimes, Gambling And Illegal Possession Of Ammunition As Grounds To Require A Landlord To Bring An Eviction Action Against A Nuisance Tenant, 2) To Revise Definitions Relating To Drug Nuisance And Weapons, And 3) Authorize The City Attorney, In Addition To The City Administrator, To Issue Notices To Owners To Bring Nuisance Eviction Actions
[13-0748](#)

*** Scheduled to *Public Safety Committee on 9/16/2014**

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S-4.10 Subject: Recognizing Bruce Buckelew
From: Office Of The Mayor
Recommendation: Adopt A Resolution Recognizing Oakland Technology Exchange West And Its Founder/Director Mr. Bruce Buckelew, Who Has Provided Free Home Computers To At-Risk Oakland Unified Middle And High School Students Since 1995
[13-0743](#)

*** Scheduled to Meeting of the Oakland City Council on 9/23/2014**
This item will be scheduled to the Ceremonial portion of the agenda.

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[Rules071714Item4](#)

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Items Submitted on the Dais

#2 Subject: Honoring The Black Cowboy Association's 40th Anniversary
From: Councilmember Gibson McElhaney
Recommendation: Adopt A Resolution To Honor The Oakland Black Cowboy Association On The 40th Anniversary Of The Oakland Black Cowboy Association Parade And Festival
[13-0754](#)

*** Scheduled to Meeting of the Oakland City Council on 9/23/2014**

This item will be scheduled to the Ceremonial portion of the agenda.

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#3 Subject: Grant Funds For Athena Mural Project
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Authorizing A Grant Of \$3,100 From Councilmember Noel Gallo Anti-Graffiti Abatement Mural And Green Wall Funds To Peralta Hacienda For The Athena Mural Project Completed By The California College Of The Arts And Arise High School
[13-0755](#)

*** Scheduled to * Special Meeting of the Oakland City Council on 7/29/2014**

This item will be scheduled to the Consent portion of the agenda.

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[85129 C.M.S.pdf](#)

#4 Subject: City Minimum Wage And Sick Leave Ordinance
From: Council President Patricia Kernighan
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Establish A City Minimum Wage And Require Paid Sick Leave
[13-0757](#)

*** Scheduled to *Special Community & Economic Development Committee on 7/22/2014**

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5 A Review Of The Draft Agendas For The Special City Council Meeting Of July 29, 2014 And The Rules And Legislation Committee Of July 31, 2014

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

Votes: Absent; 1 - Vice Mayor Reid

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

Items 7.8 and 7.11 on the Draft Agenda for the July 29, 2014 Special City Council Meeting will be placed on the Non-Consent portion of the agenda.

[Rules071714Item5](#)

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Open Forum (Total Time Available: 15 Minutes)

There were no Open Forum speakers.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:23 a.m.

NOTE:

Americans With Disabilities Act

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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