



# City of Oakland Meeting Agenda

## \*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>**

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**Thursday, December 06, 2012**

**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:**

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

- 1 Determinations of Closed Session
- 2 Approval of the Draft Minutes from the Committee meeting of November 22, 2012

**There are no minutes to approve as this meeting was cancelled.**

- 3 Determination of Schedule of Outstanding Committee Items
  - 4 Scheduling of Agenda Items and revisions to previously distributed 10 Day Agendas(SUPPLEMENTAL)
- S-4.1 Subject: Settlement - Ruth Ann Binder  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Ruth Ann Binder, In The Amount Of

\$10,158.02, As A Result Of Property Damage Sustained Caused By A City Tree (Public Works Agency); On The December 18, 2012 City Council Agenda  
[\(12-0199\)](#)

- S-4.2      Subject:      Conflict Of Interest Code Amendment  
              From:        Office Of The City Attorney  
              Recommendation: Adopt An Ordinance Amending The City Of Oakland Conflict Of Interest Code, Oakland Municipal Code Section 3.16.030; On The December 18, 2012 City Council Agenda  
[\(12-0202\)](#)
  
- S-4.3      Subject:      Port Of Oakland Conflict Of Interest Code  
              From:        Office Of The City Attorney  
              Recommendation: Adopt A Resolution Approving Port Of Oakland Conflict Of Interest Code; On The December 18, 2012 City Council Agenda  
[\(12-0204\)](#)
  
- S-4.4      Subject:      Settlement - John Weston Osborn  
              From:        Office Of The City Attorney  
              Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of John Weston Osborn V. City Of Oakland, Alameda County Superior Court Case No. RG11587945 In The Amount Of \$13,300.00 (Police Department); On The December 18, 2012 City Council Agenda  
[\(12-0205\)](#)
  
- S-4.5      Subject:      Settlement - Paul Crum  
              From:        Office Of The City Attorney  
              Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Paul Crum V. City Of Oakland, Alameda County Superior Court Case No. RG12622606 In The Amount Of \$15,000.00 As A Result Of Wrongful Termination (Office Of Public Works - OPW); On The December 18, 2012 City Council Agenda  
[\(12-0206\)](#)
  
- S-4.6      Subject:      Settlement - Dan Kitamura  
              From:        Office Of The City Attorney  
              Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Dan Kitamura, In The Amount Of \$40,533.61, As A Result Of Property Damage Sustained Caused By An Obstructed City Sewer Main. (Public Works Agency); On The December 18, 2012 City Council Agenda  
[\(12-0207\)](#)
  
- S-4.7      Subject:      Settlement Agreement - Laube  
              From:        Office Of The City Attorney  
              Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Chloe Ann Laube V. City Of Oakland, Et Al, Alameda County Superior Court Case No. RG11609016, In The Amount Of \$55,000.00 As A Result Of A Fall At The Redwood Heights Recreation Center On January 27, 2011 (Parks & Recreation)  
[\(12-0211\)](#)

- S-4.8      Subject:    Report And Distribution Schedule  
From:        Office Of The City Clerk  
Recommendation: Receive A Request To Review The 2013 Report And Distribution Schedule  
[\(12-0126\)](#)
- S-4.9      Subject:    November 6, 2012 Election Results  
From:        Office Of The City Clerk  
Recommendation: Adopt A Resolution Declaring The Results Of The City Of Oakland General Municipal Election Held On Tuesday, November 6, 2012; On The December 18, 2012 City Council Agenda  
[\(12-0208\)](#)
- S-4.10     Subject:    Goldman Sachs Debarment Proceedings  
From:        Council Member Brooks  
Recommendation: Consideration Of A Motion Directing The City Administrator To Determine Whether Sufficient Grounds Exist To Initiate Debarment Proceedings Pursuant To Oakland Municipal Code (OMC) Chapter 2.12 Against Goldman Sachs; On The January 22, 2013 Finance And Management Committee  
[\(12-0212\)](#)
- S-4.11     Subject:    Owner Controlled Insurance Program  
From:        Council Member Brooks  
Recommendation: Possible Action Directing The City Administrator To Convene A Revolving Owner Controlled Insurance Program (OCIP) Work Group From January 2013 Through March 2013. The Membership Of The Working Group Shall Include A Representative From The Following City Of Oakland Offices: Risk Management, Controller, Public Works, Community And Economic Development, City Attorney, And Purchasing. A Representative Of The Successor Agency And A Representative From The Port Of Oakland Should Also Be Included As Members. The Working Group Shall Be Tasked With Evaluating OCIP Programs From A Citywide Perspective; Researching Best Practices For OCIPS And To Provide Recommendations For Implementation Of A City Of Oakland OCIP Program. By March 2013 The Working Group Will Issue Recommendations On (a) General Policy, (b) Feasibility Analysis Bid/Request For Proposal (RFP) And Contract Language, (c) Insurance Program Design, (d) Safety And Loss Control, (e) Administration, (f) Claims Management And Adjudication, And (g) Funding Sources. City Administrator Shall Provide A Status Report At The First CED Committee Meeting In January 2013 To Include The Membership Roster And Schedule Of Meetings Of The OCIP Working Group; On The January 8, And March 26, 2013 Community And Economic Development Committee  
[\(12-0213\)](#)
- S-4.12     Subject:    Safeway Project Appeal  
From:        Department Of Planning And Building  
Recommendation: A Request To Re-Title An Item Previously Scheduled To The December 18, 2012 City Council Agenda

OLD TITLE: A Resolution Denying The Appeals A12-146 & A12-148, Thus Upholding The Planning Commission's Approval Of Case Numbers CMDV09-107, TPM-09889,

ER09-0006 And Certification Of The EIR For The College Avenue Safeway Project  
Located At 6310 College Avenue  
NEW TITLE: A Resolution Denying The Appeals A12-146 & A12-148, And Approving  
The Major Conditional Use Permits, Design Review And Minor Variances For A  
Revised Project Based Upon An Agreement Between The Appellants And The Applicant  
That Includes A New Safeway Grocery Store Of No More Than 45,500 Square Feet And  
Retail Of No More Than 9,500 Square Feet Under Case Numbers CMDV 09-107,  
TPM-09889, ER09-0006 And Certification Of The EIR And Addendum For The College  
Avenue Safeway Project Located At 6310 College Avenue  
(12-0085)

S-4.13 Subject: Honoring Ron Snyder  
From: Council President Reid  
Recommendation: Adopt A Resolution Honoring Ron Synder For Almost 40 Years Of  
Exemplary Dedication And Outstanding Community Service; On The December 18,  
2012 City Council Agenda  
(12-0209)

6 A review of the Draft Agendas for the December 18, 2012 Meeting of the Oakland City  
Council and the December 20, 2012 Rules and Legislation Committee

**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.

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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  
City Clerk and  
Clerk of the Council**