



# 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>**

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**Thursday, June 09, 2011**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call to Order

*The Oakland City Council Rules and Legislation Committee convened at 10:45 a.m., with Council President Reid presiding as Chairperson.*

1 Closed Session

**A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, to \*Approve as Submitted. The motion carried by the following vote:**

Present: Vice Mayor Brooks, Member Schaaf, Member Reid and President Pro Tempore De La Fuente

Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

2 Approval of the Draft Minutes from the Committee meeting of May 26, 2011

**A motion was made by Vice Mayor Brooks, seconded by President Pro Tempore De La Fuente, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Abstained; 1 - Member Schaaf

Aye; 3 - Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

3 Determination of Schedule of Outstanding Committee Items

**A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

[rules060911](#)

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4 Scheduling of Agenda Items and revisions to the agendas for the Council Committee meetings of June 14, 2011 and the Rules and Legislation Committee Meeting of June 16, 2011 (SUPPLEMENTAL)

**A motion was made by President Pro Tempore De La Fuente, seconded by Vice Mayor Brooks, to \*Approve with the following amendments. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

[rules060911item4](#)

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S-4.1 Subject: Community Emergency Response Team Grant  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to Apply for, Accept and Appropriate Federal Fiscal Year 2010 Community Emergency Response Team (CERT) Grant Funds From the State of California Homeland Security Grant Program in the Amount of Fifty Thousand Dollars (\$50,000) For the City of Oakland, Office of Emergency Services, Communities of Oakland Respond to Emergencies (CORE) Program  
[10-0674](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 7/5/2011**

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S-4.2      Subject:    Urban Area Security Initiative Grant Funds  
From:        Oakland Fire Department  
Recommendation: A Request To Re-Title An Item Previously Scheduled To The June 28, 2011 Public Safety Committee Agenda

NEW TITLE: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into An Urban Area Security Initiative (UASI) Grant Administration Agreement For Distribution Of Fiscal Year 2010 Urban Area Security Initiative (UASI) Grant Funds In An Amount Up To One Million, Two Hundred And Twenty-Five Thousand Dollars (\$1,225,000) To The City Of Oakland, And 2) Accept, Appropriate And Administer The Fiscal Year 2010 UASI Grant Allocations, And 3) Approve The Preliminary Spending Plan And Waive City Of Oakland Central Services Overhead (CSO) Fees Of Twenty-Seven Thousand Dollars (\$27,000), And 4) Expend Funds In Accordance With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases In Excess Of The City Administrator's Purchasing Authority For Equipment On The Federally Authorized Equipment List And Services Required By The Grant, Provided City Bidding Requirements And Purchasing Programs And Policies Are Followed; On The June 28, 2011 Public Safety Committee Agenda

OLD TITLE: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into An Urban Area Security Initiative (UASI) Grant Administration Agreement For Distribution Of Fiscal Year 2010 Urban Area Security Initiative (UASI) Grant Funds In The Amount Up To One Million Two Hundred And Twenty Four Thousand Dollars (\$1,224,000.00) To The City Of Oakland, And 2) Accept, Appropriate And Administer The Fiscal Year 2010 UASI Grant Allocations, And 3) Approve The Preliminary Spending Plan And Waive City Of Oakland Central Services Overhead (CSO) Fees Of Twenty Seven Thousand (\$27,000), And 4) Expend Funds In Accord With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases In Excess Of The City Administrator's Purchasing Authority For Equipment On The Federally Authorized Equipment List And Services Required By The Grant, Provided City Bidding Requirements And Purchasing Programs/Policies Are Followed

[10-0677](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 7/5/2011**

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S-4.3      Subject:    FRALS Service Agreement  
From:        Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The First Responder Advanced Life Support (FRALS) Services Agreement With Alameda County Emergency Medical Services District (County) To Provide Paramedic Services Within Oakland In Exchange For County Funding For The Term July 1, 2011 To October 31, 2011, Or Until The Date The New Agreement Is Executed By Both The City And County, Whichever Is Sooner  
[10-0718](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 6/21/2011**

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S-4.4      Subject:    OPD Staffing Levels  
From:        Oakland Police Department  
Recommendation: A Request To Schedule An Item Previously Scheduled To The June 14, 2011 Public Safety Committee Agenda

Receive An Informational Report From The Oakland Police Department On Measure Y Recruiting And Police Department Staffing Levels As Of March 31, 2011  
[10-0455-3](#)

**Scheduled to \*Public Safety Committee on 7/12/2011**

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S-4.5      Subject:    COPS Grant Award  
From:        Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate A State Of California "Citizens Options For Public Safety" (State Cops) Grant In An Amount Not To Exceed Five Hundred Seventeen Thousand (\$517,000) For Front Line Policing  
[10-0712](#)

**Scheduled to \*Public Safety Committee on 7/12/2011**

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S-4.6      Subject:    Oakland Youth Court - Grant Award  
From:        Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To 1) Accept And Appropriate Funds From The State Of California, Corrections Standards Authority, Juvenile Accountability Block Grant To The Oakland Police Department In An Amount Not To Exceed Sixty Thousand Dollars (\$60,000), 2) Waive The Competitive Request For Proposals /Qualifications (RFP/Q) Process, And 3) Enter Into A Professional Services Agreement With McCullum Youth Court For The Period July 1,2011 Through June 30, 2012, Plus Two One-Year Extension Options, In An Amount Not To Exceed Sixty Thousand Dollars (\$60,000) Annually For Continued Program Implementation Of The Oakland Youth Court For The Oakland Police Department  
[10-0713](#)

**Scheduled to \*Public Safety Committee on 7/12/2011**

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S-4.7      Subject:    Measure Q Follow Up Report  
From:        Office Of The City Auditor  
Recommendation: Receive A Follow Up Report On Recommendation Follow - Up For The Measure Q, "Library Services Retention And Enhancement Act Of 1994, As Amended In 2004," Performance Audit  
[10-0636](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 6/21/2011**

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S-4.8      Subject:    Best Practice To Abate Problem Liquor Stores  
From:        Councilmember Kernighan  
Recommendation: A Request To Schedule An Item Previously Scheduled To The June 14, 2011 Public Safety Committee Agenda

Receive A Report From The Office Of The City Attorney Regarding The City's Options And Best Practices To Abate Problem Liquor Stores

[10-0644](#)

**Continued to \*Rules & Legislation Committee on 6/16/2011**

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S-4.9      2) A Resolution Confirming Transfer Of Property And Improvements To The Geological Hazard Abatement District (GHAD) And Adopting 2010/2011 And 2011/2012 Budget; And  
[10-0708](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 6/21/2011**

[11 GHAD.pdf](#)

S-4.10      Subject:    Oakland Area And Leona Quarry GHAD  
From:        Vice Mayor Desley Brooks  
Recommendation: Conduct A Public Hearing And Upon Conculsion Adopt The Following  
Pieces Of Legislation:

1) A Resolution Appointing A Member Of The Leona Quarry Geological Hazard Abatement  
District (GHAD) Board As Chairperson Of The Leona Quarry Geological Hazard Abatement  
District Board;  
[10-0709](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 6/21/2011**

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[10 GHAD.pdf](#)

S-4.11      Subject:    Overtime Usage - Oakland Police Department  
From:        Councilmember Larry Reid  
Recommendation: A Request To Schedule An Item Previously Scheduled To The June 14,  
2011 Public Safety Committee Agenda

Receive A Quarterly Informational Report From The Oakland Police Department Detailing  
Overtime Usage For The Prior 90 Day Period, Organized By Bureau And Inclusive Of A Brief  
Description Of Activities Overtime Was Used To Fund  
[10-0719](#)

**Scheduled to \*Public Safety Committee on 7/12/2011**

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S-4.12      Subject:      Amending Salary Schedule - Ordinance No, 12187  
 From:            Department Of Human Services  
 Recommendation: A Request To Reschedule and Re-Title An Item

NEW TITLE: Adopt The Following Pieces Of Legislation:

- 1) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 ("Salary Ordinance") To: Add The Full Time Equivalent Classifications Of Deputy City Attorney V - Labor & Employment; Forensic Technician; Outreach Developer; Treasury Analyst I; Treasury Analyst II; And To Add The Permanent Part Time (PPT) Equivalent Classifications Of Early Childhood Instructor, PPT; Family Advocate, PPT; Forensic Technician, PPT; Head Start Program Coordinator, PPT; Recreation Specialist III, PPT; And To Add The Part Time (PT) Equivalent Classifications Of Family Advocate, PT; Forensic Technician, PT; Head Start Program Coordinator, PT; Recreation Specialist III, PT; Senior Services Program Assistant, PT; And To Revise The Title Of The Classification Of Treasury Analyst To Treasury Analyst III; And To Correct The Salary Pay Grade For Nurse Case Manager, PPT; And
- 2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 ("Salary Ordinance") To Change The Bargaining Unit Designation From U31 To UK2 For The Classifications Of Budget Director; City Attorney, Assistant; Controller; Executive Director To The Public Ethics Commission; Human Resources Manager; And To Change The Bargaining Unit Designation From UM1 To UK2 For The Classifications Of Affirmative Action Manager; Risk Manager; Revenue & Tax Administrator; And Treasury Manager; And To Change The Bargaining Unit Designation From UM1 To UM2 For The Classifications Of Chief Conservator; City Architect, Assistant; City Council Office Administrator; Community Housing Services Manager; Community Restoration Emergency Planning Coordinator; Computer Operations Supervisor; Development/Redevelopment Program Manager; Emergency Services Manager, Assistant; Environmental Program Supervisor; Financial Analyst, PPT; Financial Analyst, Principal; Inspection Services Manager; Librarian, Administrative; Library Automation Supervisor; Parking Supervisor; Police Program & Performance Auditor; Production Control Supervisor; Real Estate Services Manager; Recreation General Supervisor; Recreation Services Manager, Assistant To; Recycling Supervisor; Solid Waste/Recycling Program Supervisor; Spatial Data Administrator; Support Services Administrator; Volunteer Program Coordinator, Supervising; And Zoning Manager

OLD TITLE: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 ("Salary Ordinance") To: Add The Full Time Equivalent Classifications Of Treasury Analyst I; Treasury Analyst II; Outreach Developer; Spatial Data Analyst I; Spatial Data Analyst II; Forensic Technician; Recreation Specialist III; Deputy City Attorney V - Labor & Employment; Human Resources Manager; Department Administrative Manager; And To Add The Permanent Part Time (PPT) Equivalent Classifications Of Early Childhood Instructor, PPT; Family Advocate, PPT; Forensic Technician, PPT; Head Start Program Coordinator, PPT; Recreation Specialist III, PPT; And To Add The Part Time (PT) Equivalent Classifications Of Forensic Technician, PT; Head Start Program Coordinator, PT; Senior Services Program Assistant, PT; Family Advocate, PT; Recreation Specialist III, PT; And To Revise The Title Of The Classification Of Treasury Analyst To Treasury Analyst III; And To Correct The Salary Pay Grade For Nurse Case Manager, PPT

[10-0655](#)

*This item will be placed on the Rules Pending List for scheduling.*

2) An Ordinance Amending the Salary Schedule of Ordinance No. 12187 ("Salary Ordinance") to Change the Bargaining Unit Designation From U31 to UK2 for the Classifications of Budget Director; City Attorney, Assistant; Controller; Executive Director to the Public Ethics Commission; Human Resources Manager; and to Change the Bargaining Unit Designation From UM1 to UK2 for the Classifications of Affirmative Action Manager; Risk Manager; Revenue & Tax Administrator; and Treasury Manager; and to Change the Bargaining Unit Designation From UM1 to UM2 for the Classifications of Chief Conservator; City Architect, Assistant; City Council Office Administrator; Community Housing Services Manager; Community Restoration Emergency Planning Coordinator; Computer Operations Supervisor; Development/Redevelopment Program Manager; Emergency Services Manager, Assistant; Environmental Program Supervisor; Financial Analyst, PPT; Financial Analyst, Principal; Inspection Services Manager; Librarian, Administrative; Library Automation Supervisor; Parking Supervisor; Police Program & Performance Auditor; Production Control Supervisor; Real Estate Services Manager; Recreation General Supervisor; Recreation Services Manager, Assistant to; Recycling Supervisor; Solid Waste/Recycling Program Supervisor; Spatial Data Administrator; Support Services Administrator; Volunteer Program Coordinator, Supervising; and Zoning Manager

[10-0655-1](#)

*This item will be placed on the Rules Pending List for scheduling.*

S-4.13

Subject: BayRICS JPA Membership

From: Department Of Information Technology

Recommendation: Adopt A Resolution Requesting Approval To Join The Bay Area Regional Interoperable Communications System Joint Powers Authority ("BayRICS JPA"; Or "JPA") By Executing The Proposed JPA Agreement ("Agreement"), Including An Annual Membership Fee In An Amount Not-To-Exceed Twenty Four Thousand Five Hundred Dollars (\$24,500), And Authorizing The City Administrator To Execute The Agreement On Behalf Of The City Of Oakland; On The July 12, 2011 Public Safety Committee Agenda

[10-0715](#)

**Scheduled to \*Public Safety Committee on 7/12/2011**

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S-4.14      Subject:    Billboard Advertising Agreement  
From:        Community And Economic Development Agency  
Recommendation: Adopt A Resolution Waiving Advertising And Request For Proposals/Qualifications Requirements And Authorizing The City Administrator To Negotiate An Agreement With The Berkshire Group For Design Of A Strategy For The Location/Relocation Of Outdoor Advertising Billboards And Signs, And Assistance Negotiating Terms And Conditions And Preparation Of Franchise Agreements With Outdoor Advertising Companies To Re-Locate And/Or To Locate Outdoor Advertising Signs Within City Environs In An Amount Not To Exceed Eighty-Five Thousand Dollars (\$85,000)  
[10-0716](#)

**Scheduled to \*Community & Economic Development Committee on 6/28/2011**  
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S-4.15      Subject:    Fruitvale Transit Village Project ENA  
From:        Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing An Exclusive Negotiating Agreement With The Spanish Speaking Unity Council For Phase II Of The Fruitvale Transit Village At The Fruitvale Bart Station Parking Lot  
[10-0717](#)

**Scheduled to \*Community & Economic Development Committee on 7/12/2011**  
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S-4.16      Subject:    City Of Oakland Lobbyist Registration Act - Amendments  
From:        Public Ethics  
Recommendation: Adopt An Ordinance Amending Chapter 3.20 Of The Oakland Municipal Code (aka "The City Of Oakland Lobbyist Registration Act" [The act]) To 1) Establish Legislative Findings And Purposes For The Act; 2) Amend The Current Definition Of Local Governmental Lobbyist; 3) Establish Registration Fees In The Amount Of \$180 Annually; 4) Expand The Existing Exception For Civil Engineers To All Licensed Engineers; 5) Exempt From Registration Any Person Whose Communications Were Made At A Public Meeting Or Submitted In Writing As A Public Record; 6) Delete From Regulation Under The Act City Contractors And Persons Doing Business With The City; And 7) Authorize The Imposition Of Late Fines Of \$25 Per Day And A Maximum Of \$500 For Failure To Timely File Reports Required Under The Act  
[10-0342](#)

*Withdrawn with No New Date*

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**Requests Submitted On The Dias:**

#1 Subject: Temporary Vehicle Permits - Taxi  
From: Office Of The City Administrator  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, Pursuant To Municipal Code Section 5.64.080(1), Authorizing The City Administrator To Issue Temporary Vehicle Permits Finding There Is An Urgent Public Need To Ensure The Maintenance Of Safe And Reliable Taxi Service In Oakland  
[10-0732](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 6/21/2011**

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#2 Subject: Re-Naming Oakland Business Assistance Center  
From: Council President Larry Reid, Vice Mayor Desley Brooks  
And Councilmember Jane Brunner  
Recommendation: Adopt A Resolution Re-Naming The Oakland Business Assistance Center After Mr. Michael Leslie McPherson  
[10-0733](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 6/21/2011**

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5 A review of the Agendas for the Concurrent Meeting of ORA/City Council for the meeting of June 21, 2011 and the Rules and Legislation Committee Meeting of June 23, 2011.

**A motion was made by President Pro Tempore De La Fuente, seconded by Vice Mayor Brooks, to \*Approve with the following amendments the cancellation of the June 28, 2011 Public Safety Committee Meeting and the scheduling of a June 28, 2011 Special Council Meeting to be held at 5:30p.m. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

*There was one speaker on this item.*

[rules060911item5](#)

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6            Subject:    Supporting AB12  
              From:        Council President Larry Reid  
              Recommendation: Adopt A Resolution Supporting Assembly Bill 12 (Sandre R. Swanson)  
              Abolition Of Child Commerce, Exploitation, And Sexual Slavery Act Of 2011  
              [10-0634](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 21, 2011. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente  
*There was one speaker on this item.*

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7            Subject:    Supporting AB90 - Human Trafficking  
              From:        Council President Larry Reid and President Pro Tempore Ignacio De La Fuente  
              Recommendation: Adopt A Resolution Supporting Assembly Bill 90 (Sandre R. Swanson)  
              Human Trafficking: Minors  
              [10-0635](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 21, 2011. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente  
*There was one speaker on this item.*

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8 Subject: Supporting AB 1389 - Clarity On California DUI Checkpoints  
 From: President Pro Tempore De La Fuente  
 Recommendation: Adopt A Resolution Supporting Assembly Bill 1389 (Allen) "Clarity On California DUI Checkpoints" Which Would Establish Uniformity In The Way That DUI Checkpoints And Vehicle Impoundments Are Conducted Across The State  
[10-0627](#)

**A motion was made by Vice Mayor Brooks, seconded by President Pro Tempore De La Fuente, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 21, 2011 There was one speaker on this item. The motion carried by the following vote:**

**Votes:** Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

*The committee directed staff to include the Oakland Police Department's concerns in the letter of support for this assembly bill.*

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**OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)**

*There was one speaker on this item.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:27 a.m.*

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\* 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.

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*City Clerk and Clerk of the Council*