



# City of Oakland Meeting Agenda

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, May 19, 2011

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:**

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

- 1 Closed Session
  - 2 Approval of the Draft Minutes from the Committee meeting of May 5, 2011
  - 3 Determination of Schedule of Outstanding Committee Items  
([rules051911](#))
  - 4 Scheduling of Agenda Items and revisions to the agendas for the Council Committee meetings of May 24, 2011 (SUPPLEMENTAL)  
([rules51911item4](#))
- S-4.1 Subject: Professional Services Agreement With Police Performance Solutions  
From: Oakland Police Department

Recommendation: Adopt Resolution 1) Authorizing The City Administrator , On Behalf Of The City Of Oakland, To 1) Waive The Request For Proposals Process (RFP) And Enter Into A Professional Services Agreement With Police Performance Solutions, LLC In An Amount Not To Exceed One Million Five Hundred Eighty Thousand Dollars (\$1,580,000.00), To Continue To Perform The Services Of An Independent Monitor 2) To Enter Into A Professional Services Agreement With Police Performance Solutions, LLC In An Amount Not To Exceed One Hundred Four Thousand Dollars (\$104,000.00), To Continue To Provide Additional Technical Assistance, For The Period Beginning January 21, 2012 Through January 20, 2014, As Required By The Memorandum Of Understanding (MOU) Re: Post Negotiated Settlement Agreement (NSA) Terms And Conditions Allowing For The Resolution Of Plaintiff's Claims For Injunctive Relief And For Dismissal Of The Action, And 3) Appropriate Said Funds To Pay For The Work; On The June 7, 2011 City Council Agenda  
[\(10-0664\)](#)

S-4.2 Subject: Increase To A Special Tax Imposed For Emergency Medical Services  
From: Office Of Budget  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2011-2012 Increase To A Special Tax Imposed For Emergency Medical Services In Accordance With The Emergency Medical Services Retention Act Of 1997 (Measure M) And Setting June 7, 2011 As The Date For A Public Hearing; On The June 7, 2011 City Council Agenda  
[\(10-0657\)](#)

S-4.3 Subject: Special Tax Imposed For Paramedic Emergency Services  
From: Office Of Budget  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2011-12 Increase To A Special Tax Imposed For Paramedic Emergency Services In Accordance With The Paramedic Services Act Of 1997 (Measure N) And Setting June 7, 2011 As The Date For A Public Hearing; On The June 7, 2011 City Council Agenda  
[\(10-0658\)](#)

S-4.4 Subject: Special Tax Imposed For Library Services  
From: Office Of Budget  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2011-2012 Increase To A Special Tax Imposed For Library Services In Accordance With The Library Services Retention And Enhancement Act Of 2004 (Measure Q) And Setting June 7, 2011 As The Date For A Public Hearing; On The June 7, 2011 City Council Agenda  
[\(10-0659\)](#)

S-4.5 Subject: Special Tax Imposed For Violence Prevention And Public Safety Services  
From: Office Of Budget  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2011-2012 Increase To A Special Tax Imposed For Violence Prevention And Public Safety Services In Accordance With The Violence Prevention And Public Safety Act Of 2004 (Measure Y) And Setting June 7, 2011 As The Date For A Public Hearing; On The June 7, 2011 City Council Agenda

[\(10-0660\)](#)

S-4.6      Subject:    LLAD Engineer's Report FY 2011-2012  
From:        Office Of Budget  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Information In The Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District For Fiscal Year 2011-2012 And The Levying Of Assessments; On The June 7, 2011 City Council Agenda

[\(10-0661\)](#)

S-4.7      Subject:    Wildfire Preventionn - Annual Report  
From:        Office Of Budget  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Information In The Annual Report For The City Of Oakland Wildfire Prevention Assessment District For Fiscal Year 2011-2012 And The Levying Of Assessments; On The June 7, 2011 City Council Agenda

[\(10-0662\)](#)

S-4.8      Subject:    Amending Ordinance No. 13024 C.M.S (Master Fee Schedule)  
From:        Office Of Budget  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance Number 13024 C.M.S. (Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees Assessed By The Office Of The City Administrator, Office Of The City Clerk, Finance And Management Agency-Parking Management, Oakland Police Department, Oakland Fire Department, Office Of Parks And Recreation, Public Works Agency And The Community And Economic Development Agency; On The June 7, 2011 City Council Agenda

[\(10-0663\)](#)

S-4.9      Subject:    City Attorney's Salary  
From:        Office Of The City Auditor  
Recommendation: Discussion And Possible Action On A Report Calculating The Oakland City Attorney's Salary In Conformity With The Oakland City Charter; On The June 14, 2011 Finance and Management Committee Agenda

[\(10-0666\)](#)

S-4.10     Subject:    City Auditor's Salary  
From:        Office Of The City Auditor  
Recommendation: Discussion And Possible Action On A Report Calculating The Oakland City Auditor's Salary In Conformity With The Oakland City Charter; On The June 14, 2011 Finance and Management Committee Agenda

[\(10-0667\)](#)

S-4.11     Subject:    Status Of Required Audits And Mandated Duties  
From:        Office Of City Auditor  
Recommendation: Receive An Informational Report On City Ordinance And Enacted Ballot Measure Mandated Audits And Other Mandated Duties; On The June 14, 2011 Finance And Management Committee Agenda

[\(10-0668\)](#)

- S-4.12      Subject:      Creek Protection Permits  
From:          Councilmember Brunner and President Pro Tempore De La Fuente  
Recommendations: Adopt A Resolution Extending Until December 31, 2012 The Expiration Date Of Permits Issued Under The Authority Of Title 17 Of The Oakland Municipal Code (Planning Code) And Creek Protection Permits Issued Under The Authority Of Chapter 13.16 Of The Oakland Municipal Code That Otherwise Would Expire Prior To January 1, 2012 Upon Request And Payment Of Administrative Fee; On The June 14, 2011 Community and Development Committee Agenda  
[\(10-0665\)](#)
- S-4.13      Subject:      Citywide Vacancies/Status Updates ("Golden Handshake")  
From:          Department Of Human Resource Management  
Recommendation: Receive A Quarterly Report On Citywide Vacancies And A Status Update On Positions Vacated Under The 2009 CalPERS Two Years Additional Service Credit Retirement Incentive Program ("Golden Handshake"); On The June 14, 2011 Finance and Management Committee Agenda  
[\(10-0654\)](#)
- S-4.14      Subject:      Amending Salary Schedule - Ordinance No, 12187  
From:          Department Of Human Services  
Recommendation: 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; On The June 14, 2011 Finance And Management Committee Agenda  
[\(10-0655\)](#)
- S-4.15      Subject:      Revisions To The City Of Oakland Personnel Rules  
From:          Department Of Human Resources Management  
Recommendation: Receive An Informational Report Regarding Recent Revisions To The City Of Oakland Personnel Rules Adopted By The Civil Service Board At Its May 12, 2011 Meeting; On The June 14, 2011 Finance And Management Committee Agenda  
[\(10-0656\)](#)
- S-4.16      Subject:      Highway Safety Improvement Program Grant  
From:          Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate One Million Eight Hundred Thousand Nine Hundred Dollars (\$1,800,900.00) In Highway Safety Improvement Program (HSIP) Grant Funds For Transportation Safety Improvements At Locations Along Hegenberger

Road, San Pablo Avenue, And At Bancroft Avenue/94th Avenue; On The June 14, 2011  
Public Works Committee  
[\(10-0652\)](#)

S-4.17 Subject: Free Parking - Pacific Renaissance Plaza Garage  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution To Allow Free Parking For Lincoln School  
Teachers At Pacific Renaissance Plaza Garage; On The June 14, 2011 Finance And  
Management Committee Agenda  
[\(10-0653\)](#)

5 A review of the Agendas for the Special Concurrent Meeting of ORA/City Council of  
May 31, 2011 and the Rules and Legislation Committee Meeting of June 2, 2011  
[\(rules51911item5\)](#)

6 Subject: Federal Legislative Lobbyist Agreement  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Recommending That Townsend Public Affairs  
Serves As The City's Federal Legislative Lobbyist For The Period Of June 1,2011  
Through May 31,2012, At A Cost Of Seventy Two Thousand Dollars (\$72,000), And  
Authorize An Option To Renew For One Year Until May 31, 2013 For An Additional  
Seventy Two Thousand Dollars (\$72,000), For A Total Amount Not-To-Exceed  
(\$144,000) For The Entire Term Of The Agreement  
[\(10-0608\)](#)

7 Subject: Supporting SB 48 - FAIR Education Act  
From: President Pro Tempore De La Fuente  
Recommendation: Adopt A Resolution Supporting Senate Bill 48 (Leno) "Fair,  
Accurate, Inclusive And Respectful (FAIR) Education Act " That Would 1) Amend The  
Education Code To Include Social Sciences Instruction On The Contributions Of  
Lesbian, Gay, Bisexual And Transgender (LGBT) People And 2) Prohibit Discriminatory  
Instruction And Discriminatory Materials From Being Adopted By The State Board Of  
Education  
[\(10-0624\)](#)

8 Subject: Supporting AB 1081 - TRUST Act  
From: President Pro Tempore De La Fuente  
Recommendation: Adopt A Resolution Supporting Assembly Bill 1081 (Ammiano)  
"TRUST Act" Which Would Give Local Governments The Right To Opt-Out Of  
Immigration And Customs Enforcement's Secure Communities Program  
[\(10-0625\)](#)

9 Subject: Supporting SB 104 - Fair Treatment of Farm Workers Act  
From: President Pro Tempore De La Fuente  
Recommendation: Adopt A Resolution Supporting Senate Bill 104 (Steinberg) "Fair  
Treatment Of Farm Workers Act" Which Authorizes Agricultural Employees To Select  
Collective Bargaining Representation Through A Specified "Majority Signup Election"  
Process, In Addition To The Existing Representation Election Process Provided For  
Under Current Law  
[\(10-0626\)](#)

- 10 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)
- 11 Subject: Supporting AB 130 And 131 - California Dream Act Of 2011  
From: President Pro Tempore De La Fuente  
Recommendation: Adopt A Resolution Supporting Assembly Bills 130 And 131 (Cedillo), "California Dream Act Of 2011" AB 130 Which Would Open Access To Institutional Aid To All Eligible AB 540 Undocumented Students And Ab 131 Would Allow Eligible AB 540 Undocumented Students Access To Any Financial Aid Program Run By The State Of California  
(10-0628)
- 12 Subject: Supporting AB 889 - Domestic Work Bill Of Rights  
From: President Pro Tempore De La Fuente  
Recommendation: Adopt A Resolution Supporting Assembly Bill 889 (Ammiano And Perez) "Domestic Work Bill Of Rights" Which Would Specially Regulate The Wages, Hours, And Working Conditions Of Domestic Work Employees Which Is Currently An Industry That Is Unregulated  
(10-0629)

**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**  
**Agency Secretary/City Clerk**  
**and Clerk of the Council**

ORA - Oakland Redevelopment Agency  
S - Supplemental Item