



# 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>**

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**Thursday, November 01, 2012**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call to Order

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

*The Oakland City Council Rules and Legislation Committee convened at 10:48 a.m., with Council President Reid presiding as Chairperson.*

### COMMITTEE MEMBERSHIP:

1 Determinations of Closed Session

**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, Member Brooks, Member Reid and President Pro Tempore De La Fuente

*At this time a Closed Session was scheduled for November 13, 2012 at 3:30 PM.*

2 Approval of the Draft Minutes from the Committee meeting of October 18, 2012

3 Determination of Schedule of Outstanding Committee Items

**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:**

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

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4 Scheduling of Agenda Items and revisions to previously distributed 10 Day Agendas (SUPPLEMENTAL)  
**A motion was made by President Pro Tempore De La Fuente, seconded by Member Brooks, to \*Approve as Submitted. The motion carried by the following vote:**

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

S-4.1 Subject: Coliseum Wireless License Agreement  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Approving And Authorizing The Execution Of A License Agreement Between Verizon Wireless And The Oakland Alameda County Coliseum Authority And Certain Related Matters  
[12-0119](#)

**Scheduled to Meeting of the Oakland City Council on 11/13/2012**

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S-4.2 Subject: Settlement - Terilyn And Felipe Gudino  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Terilynn And Felipe Gudino, In The Amount Of \$11,823.37, As A Result Of Property Damage Sustained Caused By Raw Sewage Surcharge. (Public Works Agency)  
[12-0110](#)

**Scheduled to Meeting of the Oakland City Council on 11/13/2012**

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S-4.3 Subject: Settlement - Samantha And Gary Wise  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Samantha And Gary Wise, In The Amount Of \$26,000.00, As A Result Of Property Damage Sustained Caused By An Obstructed City Sewer Main. (Public Works Agency)  
[12-0111](#)

**Scheduled to Meeting of the Oakland City Council on 11/13/2012**

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S-4.4      Subject:      Graffiti Enforcement  
From:        Vice Mayor Nadel And The Office Of The City Attorney  
Recommendation: Adopt An Ordinance Amending And Restating Oakland Municipal Code Chapter 8.10 To Provide Comprehensive Graffiti Enforcement Through Oakland And State Law, Establishing New Remedies Against Graffiti Violators, Providing For Restorative Justice For Graffiti Offenders, A Fund For Rewards And To Assist Graffiti Victims, And Incorporating State Law Allowing For Liens Against Property Of Graffiti Offenders  
[12-0112](#)

**Scheduled to \*Public Works Committee on 11/27/2012**

*DUE TO THE PRESENCE OF COUNCILMEMBER NADEL, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND SECONDED TO ADJOURN THE MEETING OF THE RULES AND LEGISLATION COMMITTEE, AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 10:50 A.M.*

*THE SPECIAL MEETING OF THE CITY COUNCIL ADJOURNED AT THIS TIME AND RECONVENED AS THE RULES AND LEGISLATION COMMITTEE.*

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S-4.5      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](#)

**No Action Taken**

S-4.6      Subject:    Solar Conversion Report  
From:        Council President Reid And Vice Mayor Nadel  
Recommendation: Receive A Report And Recommendation From The City Administrator On City's Effort To Convert Municipal Electricity Use To A Solar Source(s), To Include Information On Solar Companies Able To Perform Such Large Scale Municipal Conversions In Time To Obtain Federal And State Financial Incentives (Due To Expire Next Year) That Would Substantially Offset The City's Costs Of Conversion; And  
[12-0121](#)

**Scheduled to \*Public Works Committee on 12/11/2012**

*DUE TO THE PRESENCE OF VICE MAYOR NADEL-, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND SECONDED TO ADJOURN THE MEETING OF THE RULES AND LEGISLATION COMMITTEE AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 10:58 A.M.*

*THE SPECIAL MEETING OF THE CITY COUNCIL ADJOURNED AT THIS TIME AND RECONVENED AS THE RULES AND LEGISLATION COMMITTEE.*

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S-4.7      Subject:    CalTrans Purchase Agreement  
From:        Office Of Neighborhood Investment  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Purchase And Sale Agreement With Caltrans For The Sale Of An Approximately 3-Acre Fee-Owned Parcel And 3-Acre Easement Area Located At The Former Oakland Army Base For \$5,750,000, Less Any Costs For Required Easements  
[12-0118](#)

**Scheduled to \*Community & Economic Development Committee on 11/27/2012**

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S-4.8      Subject:    Union Pacific Railroad Project  
From:        Public Works Agency  
Recommendation: Adopt A Resolution Authorizing City Administrator, Or Her Designee, To: (1) Accept And Appropriate \$200,000.00 From, And (2) Enter Into An Agreement With, Union Pacific Railroad Company (UPRR) For The Reimbursement Of The City's Costs Of: (A) Resurfacing Certain Portions Of Embarcadero West Between Webster Street And Clay Street That Adjoin UPRR's Railroad Track Repair And Improvement Project, And (B) Providing Traffic Control For The Resurfacing Work And UPRR Project, In An Amount Not To Exceed \$200,000.00  
[12-0120](#)

**Scheduled to Meeting of the Oakland City Council on 11/13/2012**

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S-4.9      Subject:     Delinquent Business Taxes  
From:        Office of the City Administrator  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or  
[12-0122](#)

**Scheduled to Meeting of the Oakland City Council on 12/4/2012**

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S-4.10     Subject:     Assessment Of Liens - Transient Occupancy Taxes  
From:        Office of the City Administrator  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[12-0123](#)

**Scheduled to Meeting of the Oakland City Council on 12/4/2012**

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S-4.11     Subject:     Delinquent Real Property Transfer Taxes  
From:        Office of the City Administrator  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[12-0124](#)

**Scheduled to Meeting of the Oakland City Council on 12/4/2012**

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S-4.12      Subject:     Delinquent Mandatory Garbage Fees  
                 From:         Office Of The City Administrator  
                 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The  
                 Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[12-0125](#)

**Scheduled to Meeting of the Oakland City Council on 12/4/2012**

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**ITEMS SUBMITTED ON THE DAIS**

6            A review of the Draft Agendas for the November 13, 2012 Special Meeting of the Oakland City Council and the November 15, 2012 Rules and Legislation Committee

**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, Member Brooks, Member Reid and President Pro Tempore De La Fuente

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

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:16 A.M.*

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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\* 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*