



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>

Thursday, September 13, 2012

10:45 AM

City Council Chambers - 3rd Floor

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 June 28, 2012
 - 3 Determination of Schedule of Outstanding Committee Items
 - 4 Scheduling of Agenda Items and revisions to previously distributed Agendas(SUPPLEMENTAL)
- S-4.1 Subject: SAFER Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The Federal Emergency Management Agency (FEMA) To Accept, Appropriate, And Administer Grant Funds In The Amount Of Three Hundred

Seven Thousand Two Hundred Twenty Four Dollars (\$307,224) From The Federal Emergency Management Agency Staffing For Adequate Fire Emergency Response Grant Program (SAFER) To The Oakland Fire Department To Fund One Firefighter For The Period Of July 31, 2011 Through July 30, 2013

[\(12-0037\)](#)

S-4.2

Subject: Red Light Camera Enforcement System

From: Oakland Police Department

Recommendation: A Request To Re-Title An Item And Schedule It To The September 25, 2012 Public Safety Committee Agenda

[NEW TITLE] Adopt A Resolution Authorizing The City Administrator To: (1) Extend The Contract Between The City Of Oakland And Redflex Traffic System Inc. ("Redflex") For Three Additional Years From September 2012 To September 2015 To Continue The Red Light Camera Enforcement Program Which Allows The City To Improve Traffic Safety By Enforcing Red Light Violations; (2) Increase The Contract Amount Of \$4,320,000 By An Additional \$2,164,500 For A Total Contract Amount Not To Exceed \$6,484,500

[OLD TITLE] Adopt A Resolution Authorizing The City Administrator To (1) Approve The Further Extension Of The August 31, 2007 Contract Between The City Of Oakland ("City") And Redflex Traffic System Inc. ("Redflex") Authorized By Resolution 80789, ("Agreement") As Amended By Amendment No. 1 (August 24, 2011) And Amendment No. 2 (March 15, 2012) For The Lease, Expansion And Maintenance Of The Red Light Camera Enforcement System ("RLCES") Installed By Redflex Under The Agreement Throughout The City And For Additional Program Services For A Period Of Thirty Six (36) Months In An Amount Not To Exceed Two Million One Hundred Sixty Four Thousand Five Hundred Dollars (\$2,164,500) (The "Agreement Cap"), And (2) Appropriate All Revenues Generated By The Red Light Camera Enforcement System To The General Fund (1010) Police Department Traffic Operations Organization (107510), Program (PS14), Project P328920, And (3) Funds In Excess Of Those Used To Pay Contract Costs And All Administrative Costs Associated With The RLCES Shall Be Transferred Into Traffic Safety Fund (2416), Police Department Traffic Operations Organization (107510), Program (PS14), Project P328920

[\(12-0003\)](#)

S-4.3

Subject: Shotspotter, Inc., Detection System

From: Oakland Police Department

Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator Or Her Designee To Enter Into A Professional Services Agreement With Shotspotter, Inc. For The Period Of September 1, 2012 Through August 31, 2013 In An Amount Not To Exceed Three-Hundred And Forty-Eight Thousand Dollars (\$348,000) For An Expansion In Service Area Coverage Of The Shotspotter Gunshot Detection System; And 2) Waiving The Competitive Request For Proposals/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Business Enterprise Programs (L/SLB) Provisions For The Proposed Professional Services Agreement With Shotspotter, Inc.

[\(12-0032\)](#)

- S-4.4 Subject: Secondhand Jewelry Regulations
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) An Ordinance Amending Oakland Municipal Code (OMC) Chapter 5.46 To Establish New Regulations For Secondhand Jewelry Dealers In The Following Areas: (1) Permitting; (2) Operating Standards; And (3) Regulatory Enforcement Actions; And [\(12-0038\)](#)
- 2) An Ordinance Amending Ordinance No. 13078 C.M.S., The Master Fee Schedule, As Amended, To Establish Or Modify Fees Assessed By The Office Of The City Administrator To Businesses Conducting Activities As Secondhand Jewelry Dealers, Secondhand Dealers, And Exchange Dealers Pursuant To Oakland Municipal Code Chapter 5.46 [\(12-0038-1\)](#)
- S-4.5 Subject: Municipal Identification Agreement
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A City Resolution Authorizing The City Administrator To Execute A Licensing Agreement With SF Global To Provide Official City Of Oakland Municipal Identification And Debit Cards To Oakland Residents [\(12-0039\)](#)
- 2) Ordinance, Amending Ordinance No. 12079, Authorizing The City Administrator To Negotiate And Execute A Lease In The Dalziel Building For The Implementation Of The Municipal Identification And Debit Card Program At A Reduced Monthly Rent [\(12-0039-1\)](#)
- 3) An Ordinance Amending Ordinance No. 13078 C.M.S., The Master Fee Schedule, As Amended, To Establish Or Modify Fees Assessed By The Office Of The City Administrator To Establish A Municipal Identification Application Fee For Identifications Issued Pursuant To Chapter 2.34 [\(12-0039-2\)](#)
- S-4.6 Subject: Fourth Quarter Revenue And Expenditure Results
From: Office Of The City Administrator
Recommendation: Receive A Report On Fiscal Year 2011-2012 Fourth Quarter Revenue And Expenditure Results And Year-End Summaries For Four Selected Funds - General Purpose Fund (1010), Landscape & Lighting Assessment District Fund (2310), Equipment Fund (4100) And Facilities Fund (4400); And Overtime Analysis For The General Purpose Fund (1010) And All Funds; On The September 25, 2012 Finance And Management Committee Agenda [\(12-0040\)](#)
- S-4.7 Subject: Building Services Management Review
From: Office Of the City Administrator
Recommendation: Receive An Informational Report Regarding Building Services Management Review

[\(12-0041\)](#)

S-4.8 Subject: Ratifying Action Of Council Recess
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Ratifying Action Taken By The Mayor During
The Oakland City Council 2012 Annual Recess In Conformance With The Council's
Rules Of Procedure Codified In Resolution No. 82580 C.M.S., Passed March 9, 2010;
On The October 2, 2102 City Council Agenda

[\(12-0048\)](#)

S-4.9 Subject: Annual CAPER Report
From: Department Of Housing And Community Development
Recommendation: Receive The Consolidated Annual Performance And Evaluation
Report (CAPER) For Fiscal Years 2010-2011, As Required By The Department Of
Housing And Urban Development (HUD)

[\(12-0031\)](#)

S-4.10 Subject: Building Services Operations Report
From: Department Of Planning And Building
Recommendation: Receive A Report And Approve Recommendations Regarding
Actions Taken By The City Of Oakland To Improve Its Code Enforcement Operations In
Response To The Alameda County Grand Jury Recommendations On Building Services

[\(12-0042\)](#)

S-4.11 Subject: Pilot Lien Program
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Approving The Potential Removal Of Liens On
75 Properties To Facilitate The Sale Of These Properties In The Alameda County
Auction Program

[\(12-0043\)](#)

S-4.12 Subject: Local Housing Trust Fund Program
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Amending Resolution Nos. 81782 C.M.S. And
2009-0006 C.M.S., Under Which The City And Redevelopment Agency Accepted Up To
\$2,000,000 From The California Department Of Housing And Community
Development's Local Housing Trust Fund Program, To Modify The Relative Portions Of
The Required City Matching Funds Coming From The First Time Homebuyer Program
And The Affordable Rental And Ownership Development Program

[\(12-0050\)](#)

S-4.13 Subject: PEG Distribution
From: Department Of Information Technology
Recommendation: Adopt A Resolution (1) Appropriating \$ 1.6 Million For Fiscal Years
2008-2009 And 2009-2010, And Approximately % 3.5 Million Total Estimated For
Fiscal Years 2012-2013 Through 2016-2017, From Funds Paid By Cable And Video
Franchise Holders Comcast And AT&T, ("PEG Funds"), For The Capital Expenses Of
Public, Education, And Government ("PEG") Cable Television Channels Operating In
The City Of Oakland; (2) Authorizing Apportionment Of Equal Shares Of The PEG
Funds To PEG Channels Of The City Of Oakland ("KTOP"), Of The Oakland Unified

School District ("KDOL"), And Of The Peralta Community College ("Peralta TV") For Their PEG Channel Cable And Video Television Facilities, Subject To Equal Reapportionment In Fiscal Years When There Are Fewer Or More PEG Channels Operating In Oakland; And (3) Authorizing The City Administrator To Execute Memoranda Of Understanding To Effectuate The Distribution Of Said Funds
[\(12-0036\)](#)

S-4.14 Subject: Ray's Electrical Contract
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Award A Construction Contract To Ray's Electric, The Lowest Responsible And Responsive Bidder, For Countdown PED Heads (Project No. C316230) Under 2007-2009 Highway Safety Improvement Program (HSIP) Cycle 2 In Accordance With Project Plans, Specifications, Federal Requirements, And Contractor's Bid In The Amount Of Forty Five Thousand Three Hundred And Ninety Dollars (\$45,390.00); And
[\(12-0033\)](#)

2) A Resolution Authorizing The City Administrator To Award A Construction Contract To Ray's Electric, The Lowest Responsible And Responsive Bidder, For Left Turn Phasing (Project No. C316220) Under 2007-2009 Highway Safety Improvement Program (HSIP) Cycle 2 In Accordance With Project Plans, Specifications, Federal Requirements, And Contractor's Bid In The Amount Of Two Hundred Thirty Nine Thousand And Twenty Seven Dollars (\$239,027.00)
[\(12-0033-1\)](#)

S-4.15 Subject: Andes Construction, Inc., Contract
From: Public Works Agency
Recommendation: Adopt A Resolution: Awarding A Construction Contract To Andes Construction, Inc., The Lowest Responsible, Responsive Bidder, For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Macarthur Boulevard, Coolidge Avenue, Coolidge Terrace And Laguna Avenue (Sub-Basin 80-113 - Project No. C312410) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Two Million Nine Hundred Seventy-Five Thousand Dollars (\$2,975,000.00)
[\(12-0035\)](#)

S-4.16 Subject: R3 Consulting Group Agreement Amendment
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend An Agreement With R3 Consulting Group To Provide Zero Waste System Technical Assistance Services Increasing The Amount Not To Exceed By Six Hundred Thousand Dollars (\$600,000.00) For A Total Contract Amount Not To Exceed One Million One Hundred Thousand Dollars (\$1,100,000.00) And Waiving The Advertising And Competitive Request For Proposal/Qualification Requirements
[\(12-0034\)](#)

S-4.17 Subject: Cannabis Dispensary Closed Session Report
From: President Pro Tem Ignacio De La Fuente
Recommendation: A Request To Schedule A Closed Session Report From The City

Attorney On The Matter Of The Federal Crackdown On Our Local Cannabis Dispensaries, Including Options For Local Interventions Such As Filing A Motion To Intervene, File An Amicus Brief, File A Claim Or Other Possible Action That Can Be Taken By The City; On The September 18, 2012 Closed Session Agenda
[\(12-0051\)](#)

S-4.18 Subject: Hydraulic Fracturing Moratorium
 From: Vice Mayor Nancy Nadel
 Recommendation: Adopt A Resolution Requesting The Governor And The State Of California's Division Of Oil, Gas And Geothermal Resources To Move Swiftly To Place A Moratorium On Hydraulic Fracturing And On The Disposal Of Fracking Wastewater By Injection Wells Until A Determination Is Made That Such Processes Are Safe For Public Health, For The State's Water Supply And For The Environment; On The October 11, 2012 Rules And Legislation Committee Agenda
[\(12-0045\)](#)

S-4.19 Subject: Port Of Oakland Budget Report
 From: Vice Mayor Nancy Nadel
 Recommendation: Receive A Report And Approve Recommendations On The Port Of Oakland's Budget And Disposition Of Any Surplus; On The October 23, 2012 Finance And Management Committee Agenda
[\(12-0046\)](#)

S-4.20 Subject: Honoring Darlene Joe Lee
 From: Councilmember Kernighan
 Recommendation: A Request To Withdraw An Item Previously Scheduled To the September 18, 2012 City Council Agenda
 Adopt A Resolution Honoring Darlene Joe Lee On Thirty-One Years Of Dedicated And Distinguished Service To The City Of Oakland's Office Of Parks & Recreation
[\(12-0025\)](#)

S-4.21 Subject: International City Of Peace Declaration
 From: Vice Mayor Nadel and Councilmember Kaplan
 Recommendation: Adopt A Resolution Declaring Oakland As An International City Of Peace, And September 21, 2012 As Oakland's International Day Of Peace
[\(12-0047\)](#)
[\(rules091312item4\)](#)

5 A review of the Council Committees' actions from September 11, 2012 and determination of scheduling to the City Council meeting of September 18, 2012 or future dates (MATRIX)
[\(rules091312item5\)](#)

6 A review of the Draft Agendas for the Council's Committees for the meetings of September 25, 2012 and the September 27, 2012 Rules and Legislation Committee Meeting
[\(rules091312item6\)](#)

7 Subject: Support Of Senate Bill 1172
 From: President Pro Tem Ignacio De La Fuente
 Recommendation: Adopt A Resolution Supporting Senate Bill 1172 (LIEU) Limiting

Sexual Orientation Conversion "Treatment" Which Would Prohibit A Psychotherapist From Engaging In Sexual Orientation Change Efforts With A Minor Patient, Regardless Of A Parent's Willingness Or Desire To Authorize Such "Treatments."
(12-0017)

This item was placed on this agenda pursuant to Rule 28b of Resolution 82580 C.M.S., Council's Rules of Procedures.

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.

Office of the City Clerk - Agenda Management Unit
Phone: (510) 238-3226
Fax: (510) 238-6699
Recorded Agenda: (510) 238-2386
Telecommunications Display Device: (510) 839-6451
(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**