



# City of Oakland

## Meeting Minutes

### \*Rules & Legislation Committee

*Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland,  
California, 94612*

*City of Oakland Website: <http://www.oaklandnet.com>*

Office of the City Clerk  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, California 94612  
LaTonda Simmons, City  
Clerk

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Thursday, December 4, 2014

10:45 AM

City Council Chamber, 3rd Floor

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*The Oakland City Council Rules & Legislation Committee convened at 11:03 a.m.,  
with Vice Mayor Reid presiding as Chairperson.*

#### Roll Call / Call To Order

**Excused** 1 - Patricia Kernighan

**Present** 3 - Laurence E. Reid, Libby Schaaf, and Dan Kalb

#### 1 Determinations Of Closed Session

**A motion was made by Kalb, seconded by Schaaf, that this matter be Approve as Submitted. The motion carried by the following vote:**

**Excused:** 1 - Kernighan

**Aye:** 3 - Reid, Schaaf, and Kalb

#### 2 Approval Of The Draft Minutes From The Committee Meeting Of November 20, 2014

**A motion was made by Schaaf, seconded by Kalb, that this matter be Approve as Submitted. The motion carried by the following vote:**

**Excused:** 1 - Kernighan

**Aye:** 3 - Reid, Schaaf, and Kalb

#### 3 Determination Of Schedule Of Outstanding Committee Items

[14-0206](#)

**Attachments:** [View Report.pdf](#)

**A motion was made by Kalb, seconded by Schaaf, that this matter be Received and Filed. The motion carried by the following vote:**

**Excused:** 1 - Kernighan

**Aye:** 3 - Reid, Schaaf, and Kalb

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)  
[14-0207](#)

**Attachments:** [View Report.pdf](#)

*There was one speaker on this item.*

**A motion was made by Kalb, seconded by Schaaf, that this matter be Received and Filed. The motion carried by the following vote:**

**Excused:** 1 - Kernighan

**Aye:** 3 - Reid, Schaaf, and Kalb

4.1 Subject: Ferguson Resolution  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution: "Ferguson - Calling For Charges To Be Filed And Recognizing Our Collective Responsibility To Advance Racial Equity"  
[14-0293](#)

**Attachments:** [View Report.pdf](#)

[85292 CMS.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 12/9/2014**

4.2 Subject: Settlement Agreement - Cordova-Munoz, Et Al. v. City Of Oakland  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Abel Cordova-Munoz, Et Al V. City Of Oakland, Et Al, Alameda County Superior Court Case No. RG09-489243, In The Amount Of Twenty-Five Thousand Dollars And No Cents (\$25,000.00) As A Result Of An Arrest On Or About November 9, 2008 (Oakland Police Department)  
[14-0311](#)

**Attachments:** [View Report](#)

[85301 CMS.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 12/9/2014**

- 4.3 Subject: Status Report On Temporary Part-Time Employees  
From: Employee Relations Department  
Recommendation: Receive An Information And Status Report Regarding The Request To Adopt A Resolution Directing Staff To Develop A Hiring Program And Structure That Recognizes And Prioritizes Temporary Part-Time Workers For Full-Time Positions Where Possible  
[14-0301](#)

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**This City Resolution was Scheduled.to the \*Finance & Management Committee to be heard 12/16/2014**

- 4.4 Subject: Citywide Curb Ramps And Sidewalk Repair Project  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Rosas Brothers Construction, The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For Citywide Curb Ramps And Sidewalk Repair (Project No. C428013) And With Contractor's Bid In The Amount Of Nine Hundred Thirty Eight Thousand Six Hundred Six Dollars And Eighty Cents (\$938,606.80)  
[14-0305](#)

**Attachments:** [View Report.pdf](#)

**This City Resolution was Scheduled.to the \*Public Works Committee to be heard 12/16/2014**

- 4.5 Subject: 2014 On-Call Transportation Engineering Services  
From: Oakland Public Works Department  
Recommendation: Adopt The Following Pieces Of Lagislation:

1) A Resolution Authorizing The City Administrator, Or Designee To Enter Into Professional Services Agreements For On-Call Transportation Engineering Services In The Amount Of Two Hundred Thousand Dollars (\$200,000) Each To Four Tier I Firms Including 1) Stantec Consulting Services, Inc., 2) Whitlock & Weinberger Transportation, Inc., 3) Sandis Civil Engineers Surveryors Planners, And 4) Spokemore Consulting; And

[14-0306](#)

**Attachments:** [View Report.pdf](#)

**This City Resolution was Scheduled.to the \*Public Works Committee to be heard 12/16/2014**

- 4.7 Subject: Facade & Tenant Improvement Program Professional Services Agreement  
From: Economic Workforce And Development Department  
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator, Or His Designee, To Increase The Total Amount For The Façade And Tenant Improvement Program Professional Services Agreement For Design Services By \$220,000 Using Bond Funds; And, 2) Authorizing The City Administrator, Or His Designee, To Amend The Facade And Tenant Improvement Program Professional Services Agreement's Time Of Performance  
[14-0300](#)

**Attachments:** [View Report.pdf](#)

**This City Resolution was Scheduled.to the \*Community & Economic Development Committee to be heard 12/16/2014**

- 4.6 Subject: Annual Report Of The Rent Adjustment Program  
From: Housing & Community Development Department  
Recommendation: Receive The Annual Report Of The Rent Adjustment Program For Fiscal Year 2013-2014.  
[14-0307](#)

**Attachments:** [View Report](#)

**This City Resolution was Scheduled.to the \*Community & Economic Development Committee to be heard 12/16/2014**

- 4.7 Subject: Authorizing A License Agreement With Montclair Tennis Association  
From: Oakland Parks & Recreation Department  
Recommendation: Adopt An Ordinance Authorizing A License Agreement With The Montclair Tennis Association For Use Of Tennis Courts And Other Property At Montclair Park For A Five Year Term With Two Three-Year Options To Renew Without Returning To Council  
[14-0302](#)

**Attachments:** [View Report.pdf](#)

**This City Resolution was Scheduled.to the \*Life Enrichment Committee to be heard 12/16/2014**

**4.8** Subject: Amendments To Medical Cannabis Dispensary Permits  
From: Office Of The City Administrator  
Recommendation: Adopt The Following Pieces Of Legislation:

1.) An Ordinance Amending Oakland Municipal Code (OMC) Chapter 5.80 "Medical Cannabis Dispensary Permits" To Provide For A Secondary Special Business Permit For City Of Oakland Licensed Medical Cannabis Dispensaries To Operate A Closed-Loop Dispensary Cultivation Facility; And  
[14-0303](#)

**Attachments:** [View Report.pdf](#)

**This City Resolution was Scheduled.to the \*Public Safety Committee to be heard  
12/16/2014**

**4.9** 2.) An Ordinance Amending Ordinance No. 13238 C.M.S., The Master Fee Schedule, To Establish A Dispensary Cultivation Facility Permit Application Fee And Annual Regulatory Fee For City Of Oakland Licensed Medical Cannabis Dispensaries To Operate A Closed-Loop Dispensary Cultivation Facility  
[14-0304](#)

**This City Resolution was Scheduled.to the \*Public Safety Committee to be heard  
12/16/2014**

**4.10** Subject: Lexipol  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To 1) Negotiate And Enter Into A One-Year Contract With Lexipol, LLC, In An Amount Not To Exceed \$217,908 With The Option To Renew The Subscription Services In The Amount Of \$50,408 Per Year For Up To Four Additional Years, For Law Enforcement Policy Management Services For The Oakland Police Department, For A Total Contract Amount Not To Exceed \$419,540; And 2) Waive The Local/Small Local Business Enterprise Program (L/SLBE)  
[14-0308](#)

**Attachments:** [View Report.pdf](#)

**This City Resolution was Scheduled.to the \*Public Safety Committee to be heard  
12/16/2014**

**4.11** Subject: Continue The Pilot Extended Hours Permits Program  
From: Councilmember Rebecca Kaplan  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.12, Cabarets, To Continue The Pilot Extended Hours Permits Program For An Additional Two Years  
[14-0309](#)

**Attachments:** [View Report.pdf](#)

**This Ordinance was Scheduled.to the \*Public Safety Committee to be heard  
1/13/2015**

**4.12** Subject: Settlement Agreement - Hampton, Et Al. v. City Of Oakland  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Hampton, Et Al V. City Of Oakland, Et Al., United States District Court, Case No. C13-3094 DMR, City Attorney's File No. 29442, In The Amount Of Fifteen Thousand Dollars (\$15,000.00) (Oakland Police Department - Wrongful Detention)  
[14-0313](#)

**Attachments:** [View Report](#)  
[85302 CMS.pdf](#)

**This City Resolution was Scheduled to the Meeting of the Oakland City Council to be heard 12/9/2014**

**Items Submitted On The Dais**

Subject: Graffiti Abatement Mural Funds To Corum LLC  
From: Councilmember Libby Schaaf  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$13,600 From Councilmember Schaaf's Graffiti Abatement Mural And Green Wall Funds To Corum LLC For Two Murals On The Walls Of King's Coffee Shop At 3000 38th Avenue, Oakland [TITLE CHANGE]  
[14-0246](#)

**Attachments:** [View Report.pdf](#)  
[View Supplemental Report.pdf](#)

Subject: Graffiti Abatement Mural Funds To Andrew Johnstone  
From: Councilmember Libby Schaaf  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2,000 From Councilmember Schaaf's Graffiti Abatement Mural And Green Wall Funds To Andrew Johnstone For A Mural On The Wall Of The Montclair-Mountain Trestle, Near 1902 Mountain Blvd, Oakland [TITLE CHANGE]  
[14-0241](#)

**Attachments:** [View Report.pdf](#)  
[View Supplemental Report.pdf](#)

Subject: Granicus Boards And Commissions  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Waiving Advertising, Bidding And Request For Proposals/Qualifications ("RFP/Q") Competitive Selection Requirements And Authorizing The City Administrator Or Designee To Execute A Contract Amendment With Granicus, Inc. To Host A Web-Based Application To Manage Boards And Commissions Activities In An Annual Amount Not To Exceed Sixteen Thousand Eight Hundred Dollars (\$16,800) For A Period Of 3 Years, For An Additional Total Contract Amount Of Fifty Thousand Four Hundred Dollars (\$50,400), With Two One Year Options To Extend The Term Of The Contract

[14-0315](#)

**Attachments:** [View Report.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 12/9/2014**

Subject: Special Meeting On December 16, 2014  
From: Council President Patricia Kernighan  
Recommendation: Schedule A Special City Council Meeting For Tuesday, December 16, 2014 At 10:30 A.M. To Vote On Second Readings Of Ordinances And Other Non-Controversial Items That Are Urgent

[14-0316](#)

**This City Resolution was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 12/16/2014**

- 5** A Review Of The Council Committees' Actions From December 2, 2014 And Determination Of Scheduling To The City Council Meeting Of December 9, 2014 (MATRIX)

[14-0209](#)

**Attachments:** [View Report.pdf](#)

**A motion was made by Kalb, seconded by Schaaf, that this matter be Received and Filed. The motion carried by the following vote:**

**Excused:** 1 - Kernighan

**Aye:** 3 - Reid, Schaaf, and Kalb

Subject: Amendments To The FY 2014-15 Midcycle Budget  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Amending The City Of Oakland's FY 2014-15 Midcycle Budget, Which Was Adopted Pursuant To Resolution No. 85085 C.M.S. On July 1, 2014 And Amended By Resolution 85281 C.M.S. On November 18, 2014 To Set-Aside FY 2014-15 General Purpose Fund Expenditures In An Amount Not To Exceed \$1,185,155 From Undesignated Fund Balance For Oakland Parks And Recreation Reserve For Youth Program (\$800,000) And Oakland Public Library Reserve (\$385,155)

[14-0264](#)

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[View Supplemental Report.pdf](#)

**This City Resolution was Continued.to the \*Finance & Management Committee to be heard 12/16/2014**

Subject: Informational Report From Team Oakland  
From: Councilmember Gibson McElhaney  
Recommendation: Receive An Informational Report From Team Oakland (A'Nia Diggs, Najee McDonald, Jaden Nixon, Briona Rivera, Jordon Dabney, Miles Dixon, Amahd Mabry, Jalon Stanley And Jeremy Washington), The Nine Elite Youth Track And Field Athletes, Who Will Represent Oakland At The 2014 International Children's Games, An Event Promoted By The International Olympic Committee, In Lake Macquarie, New South Wales, Australia, In December 2014

[14-0240](#)

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**This Informational Report was Withdrawn with No New Date.**

Subject: Amending The Cultural Affairs Commission  
From: Office Of The Mayor  
Recommendation: Adopt An Ordinance Amending And Restating Ordinance No. 11323 C.M.S. And Ordinance No. 11778 C.M.S. To Change The Name Of The Cultural Affairs Commission To The Oakland Arts & Culture Commission, To Expand The Duties Of The Commission, And To Modify The Commission's Membership And Quorum Requirement And Membership Recommendation Process

[14-0189](#)

**Attachments:** [View Report.pdf](#)

**This Ordinance was Continued.to the \*Life Enrichment Committee to be heard 12/16/2014**



Subject: Raiders Ticket Surcharge Budget Changes And Transfer  
From: Oakland Parks & Recreation Department  
Recommendation: Adopt A Resolution Decreasing Estimated Revenue And Offsetting Expenditures From The 2013 Raiders Ticket Surcharge To Reflect Actual Revenues Collected And Authorizing A Transfer Of \$148,467.66, Which Is The Actual Revenue Collected, From The Non-Departmental Citywide Activities Budget To The Oakland Parks And Recreation Budget To Benefit Citywide Youth Activities  
[14-0221](#)

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This City Resolution was Continued.to the \*Life Enrichment Committee to be heard 12/16/2014

- 6 A Review Of The Draft Agendas For The Council Committee Meetings Of December 16, 2014 And The Rules And Legislation Committee Of December 18, 2014  
[14-0312](#)

**Attachments:** [View Report.pdf](#)

*Due to a Special City Council meeting being scheduled at 10:30 a.m. on December 16, 2014, the Public Works Committee will begin at 12:00 p.m.*

A motion was made by Kalb, seconded by Schaaf, that this matter be Received and Filed. The motion carried by the following vote:

**Excused:** 1 - Kernighan

**Aye:** 3 - Reid, Schaaf, and Kalb

- 7 Subject: State Legislative Activities & Proposed 2015 State Legislative Priorities  
From: Council President Patricia Kernighan  
Recommendation: Receive A Report On 2014 State Legislative Activities And Accomplishments, And Take Possible Action On Proposed 2014-15 State Legislative Priorities [TITLE CHANGE]  
[14-0129](#)

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This Informational Report was Received and Forwarded.to the Meeting of the Oakland City Council to be heard 12/9/2014 as a Non Consent item

**Open Forum (Total Time Available: 15 Minutes)**

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:45 a.m.*

### **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) 238-6406**

**Fax: (510) 238-6699**

**Recorded Agenda: (510) 238-2386**

**Telecommunications Display Device: (510) 238-3254**

**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.**