



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>

Thursday, July 11, 2013

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call To Order

Present: Vice Mayor Reid, Council President Kernighan, Councilmember Schaaf and Councilmember Kalb

The Oakland City Council Rules and Legislation Committee convened at 11:05 a.m., with Council President Kernighan presiding as Chairperson.

1 Determinations Of Closed Session

**A motion was made by Vice Mayor Reid, seconded by Member Schaaf, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

A Special Closed session was scheduled for July 16, 2013 2:30 - 5:30 p.m. and for July 18, 2013 from Noon - 3:00 p.m.

2 Approval Of The Draft Minutes From The Committee Meeting Of June 20, 2013 And June 27, 2013

**A motion was made by Vice Mayor Reid, seconded by Member Schaaf, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

3 Determination Of Schedule Of Outstanding Committee Items

**A motion was made by Member Kalb, seconded by Vice Mayor Reid, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

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4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)

**A motion was made by Member Schaaf, seconded by Member Kalb, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

S-4.1 Subject: Grant Funds From The California Emergency Management Agency
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) From The California Emergency Management Agency (Cal EMA Grant), Anti-Human Trafficking Task Force Program; And 2) Continue The Oakland Police Department's Participation In The East Bay Task Force On Human Trafficking; And 3) Enter Into A Professional Services Agreement With Bay Area Women Against Rape (BAWAR), In An Amount Not To Exceed Sixty Thousand Dollars (\$60,000) For The Period Of October 1, 2012 Through September 30, 2013 With One Option To Extend Through September 30, 2014 At An Additional Cost Not To Exceed Sixty Thousand Dollars (\$60,000), Bringing The Total Authorized Amount To One Hundred And Twenty Thousand Dollars (\$120,000), And Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Requirements For The Proposed Agreement And Option To Extend; And 4) Waive The City Of Oakland Central Services Overhead (CSO) Fees Of Seventeen Thousand Four Hundred And Ninety Two Dollars (\$17,492) Associated With The Cal EMA Grant
[12-0667](#)

Scheduled to *Public Safety Committee on 7/23/2013

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S-4.2 Subject: CA Corrections Standards Authority Title II Formula Grant Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Accept And Appropriate State Of California Corrections Standards Authority Title II Formula Grant Program Funds In An Amount Not To Exceed One Hundred Seventy-Two Thousand One Hundred Forty One Dollars (\$172,141) Annually For The Period Of January 1, 2013 December 31, 2014 For Implementation Of The Oakland Youth Court Program; And 2) Authorizing The City Administrator To Amend And Extend The Professional Services Agreement With CenterForce Corporation (CenterForce) By Increasing The Amount To Be Paid At An Amount Not To Exceed Seventy-Six Thousand And Three Hundred Dollars (\$76,300) Per Year For Years 2013 And 2014, Bringing The Total Authorized To Be Paid Under This Contract To \$236,238 For The Administration Of The Oakland Youth Court Program; And 3) Waiving The Advertising And Bidding Requirements And Request For Proposals/Qualifications (RFP/Q) Process For The Proposed CenterForce Agreement Amendment And Extension; And 4) Waiving The City Of Oakland Central Services Overhead (CSO) Fees Of Approximately \$9,894 Annually For Years 2013 And 2014 Associated With The Title II Formula Grant Program Funds
[12-0670](#)

Scheduled to *Public Safety Committee on 7/23/2013

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S-4.3 Subject: Contracts For Banking And Custodial Services
From: Office Of The City Administrator
Recommendation: Request To Withdraw The Following Item From The July 23, 2013 Finance & Management Committee Agenda:

Adopt The Following Pieces of Legislation:

1) A Resolution Authorizing The City Administrator To: Negotiate And Execute An Agreement With J.P. Morgan Chase, N.A. To Provide Primary Depository Services For The City At An Estimated Annual Cost Amount Of \$275,000 For A Three-Year Period And To Renew With Two One-Year Options And (2) Negotiate With J.P. Morgan Chase, N.A. For Such Additional Banking Services As She May From Time To Time Deem Appropriate, At Costs She Deems Reasonable; And Waiving The Requirements Of The Living Wage Ordinance; And
[12-0657](#)

***Withdrawn with No New Date**
Staff will return in the fall.

2) A Resolution Authorizing The City Administrator To: Negotiate And Execute An Agreement With Bank Of New York Mellon Trust Company, N.A. To Provide Primary Custodial Services For The City At An Estimated Annual Cost Amount Of \$25,000 For A Three-Year Period With Two One-Year Options To Renew, And (2) Negotiate With Bank Of New York Mellon Trust Company, N.A. For Such Additional Banking Services As She May From Time To Time Deem Appropriate, At Costs She Deems Reasonable; And Waiving The Requirements Of The Living Wage Ordinance

REASON: Staff Will Return In The Fall.
[12-0657-1](#)

***Withdrawn with No New Date**
Staff will return in the fall.

S-4.4 Subject: IT Financing Infrastructure, Operations, Maintenance and Licensing Agreements
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Execute A Master Lease Agreement, Municipal Payment Plan And All Related Documents With IBM Credit LLC And Oracle Credit Corporation, For Financing In An Amount Not To Exceed \$19,250,000 For A Term Of Not More Than 7 Years And An Interest Rate Not To Exceed 3.5% Tax Exempt And/Or 4.8% Taxable, To Provide Funding To Enter: (1) Renewal Of On-Going Information Technology Operations And Maintenance Agreements And (2) Hardware, Software, Professional Services And Maintenance Agreements To Upgrade And Enhance Oracle, Microsoft And Public Safety Systems; In Addition, The City Council Authorizes Entry Into Information Technology Agreement(s) For Upgrades To Existing Systems Without Returning To Council And Waives Competitive Bidding, Advertising And Request For Proposals/Qualification Process Requirements For Financing And Information Technology Agreement(s)
[12-0675](#)

Scheduled to *Finance & Management Committee on 7/23/2013
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S-4.5 Subject: Jack London BID Public Trust Agreement
From: Department Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute An Agreement With The Port Of Oakland And State Lands Commission Ensuring That Assessments Paid By The Port For The Proposed Jack London Improvement District Are Used Consistent With The Trust For Commerce, Navigation, And Fisheries
[12-0678](#)

Scheduled to Meeting of the Oakland City Council on 7/16/2013
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[84539 CMS.pdf](#)

S-4.6 Subject: Upgrade The City's Integrated Public Safety System (IPSS) Network
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Awarding A Contract To Bear Data Solutions Technology, A Corporation, In An Amount Not To Exceed Five Hundred Fourteen Thousand, Four Hundred Forty-Three Dollars And Ninety-Four Cents (\$514,443.94) To Upgrade The City's Integrated Public Safety System (IPSS) Network In Accordance With Specification No. 13-204-91/Request For Quote (RFQ) No. 4492 And The General Conditions Therefor On File In Purchasing According To Its Bid Filed With The City Clerk On March 28, 2013
[12-0680](#)

Scheduled to *Finance & Management Committee on 7/23/2013
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S-4.7 Subject: Upgrade Of The IT Project Manager III Position
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Upgrade The Project Manager III Position Responsible For Oversight Of The City's Information Technology Function To A Director Of Information Technology Position And Authorizing The City Administrator To Approve An Initial Salary For The Position Of Director Of Information Technology That Exceeds The Mid-Point, And Not To Exceed The Top Of The Salary Range Of \$182,274 Annually, In Conformance With The Requirements Of Ordinance No. 12918 C.M.S.
[12-0684](#)

Scheduled to *Finance & Management Committee on 7/23/2013

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S-4.8 Subject: Settlement Agreement - Bruce Thrupp
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Bruce Thrupp v. City Of Oakland, Alameda County Superior Court Case No. RG12-626587, In The Amount Of Fifty-Seven Thousand Seven Hundred Dollars And No Cents (\$57,700.00) As A Result Of The Failure Of A City Storm Drain Pipe On Or About July 21, 2011 (Public Works Agency)
[12-0679](#)

Scheduled to Meeting of the Oakland City Council on 7/30/2013

As a consent item.

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S-4.9 Subject: Add Employee Relations Analyst Classification To Salary Ordinance
From: Department Of Human Resources Management
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Employee Relations Analyst, Principal; And
[12-0672](#)

Scheduled to *Finance & Management Committee on 7/23/2013

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2) A Resolution Recommending To The Civil Service Board The Exemption Of The Following Classification From The Operation Of The Civil Service: Employee Relations Analyst, Principal
[12-0672-1](#)

S-4.10 Subject: Contract With Alliant Insurance Services For ROCIP Administration
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Awarding A Four (4) Year Contract To Alliant Insurance Services, Inc. For The Provision Of Rolling Owner Controlled Insurance Program (ROCIP) Brokerage And Administration Services For An Annual Contract Amount Of \$308,253.83 For Each Contract Year Covering Fiscal Years 2013-14, 2014-15, 2015-16 And 2016-17 For A Total Contract Amount Not Exceed 1,233,015.31
[12-0676](#)

Scheduled to *Community & Economic Development Committee on 7/23/2013

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S-4.11 Subject: 911/CAD/RMS RFP
From: Department Of Information Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator To Expend (\$1,400,000) One Million Four Hundred Thousand Dollars Each Year For Five (5) Years Beginning Fiscal Year 2013 Through 2018 From The FY 2013-15 Budget And To: (1) Renew A Five (5) Year Maintenance And Support Agreement With Motorola For FY 2013-14 Through FY 2017-18 For An Amount Not To Exceed \$800,000.00 Per Year x Five (5) Years, (Which Includes Software Installation Services Cost Of \$100,000 Per Year) For A Grand Contract Total Amount Of \$4,000,000.00; (2) Negotiate And Execute Separate Additional Vendor Agreements For Related Software, Equipment And Installation And Maintenance Services In An Amount Not To Exceed \$600,000.00 Per Year For Five (5) Years For A Grand Total Amount Of \$3,000,000.00, Without Returning To Council; And, (3) Waive The Competitive Bidding, Advertising, And The Request For Proposal Requirements For The Motorola And The Related Maintenance And Support Vendor Contracts
[12-0673](#)

Scheduled to *Public Safety Committee on 7/23/2013

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S-4.12 Subject: Hegenberger Bridge Preventative Maintenance Project
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Accept And Appropriate Seven Hundred One Thousand One Hundred And Fifty-Eight Dollars (\$701,158.00) In Federal Highway Bridge Program (HBP) Grant Funds Under The Bridge Preventive Maintenance Program (BPMP) For Hegenberger Road Bridge Over San Leandro Street Preventive Maintenance Project (City Project No. C466710); And To Authorize A Local Match Of 18 Percent From Measure B Fund 2211 In The Amount Of One Hundred Fifty-Three Thousand Eight Hundred Forty-Two Dollars (\$153,842.00)
[12-0671](#)

Scheduled to *Public Works Committee on 7/23/2013

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S-4.13 Subject: Status Report On The Upgrade To The City's Agenda Management System
From: Councilmember Libby Schaaf
Recommendation: Receive An Informational Report Regarding The Proposed Update To Legistar 4.8 Electronic Agenda Management System To Granicus 5.0 To Provide For Greater Efficiencies In Management Of Legislative Processes, Promote Transparency, And Increase Public Participation For City Council And Council Committee Meetings
[12-0677](#)

Scheduled to *Rules & Legislation Committee on 7/25/2013

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S-4.14 Subject: Support For SB 649: Possession Of Controlled Substances Penalties
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution In Support Of Senate Bill 649 (Possession Of Controlled Substances: Penalties, Leno), Also Known As The Local Control In Sentencing Act, Which Would Make The Unlawful Possession Of Certain Controlled Substances Punishable As Either A Felony Punishable In County Jail Or As A Misdemeanor Punishable By County Jail For Not More Than One Year
[12-0683](#)

Scheduled to *Rules & Legislation Committee on 7/25/2013

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S-4.15 Subject: City Council Retreat
From: Council President Patricia Kernighan
Recommendation: Request To Postpone The Following:

A Facilitated Retreat On Thursday, July 25 And Friday, July 26, 2013 For City Council Members
[12-0640](#)

Request to postpone the retreat.

S-4.16 Subject: Support For AB 210: Transactions And Use Taxes
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution In Support Of AB 210 (Wieckowski), Alameda County Transportation Sales Tax Measure
[12-0674](#)

Scheduled to *Rules & Legislation Committee on 7/25/2013

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S-4.17 Subject: PEC Approved 2.4% Increase For Councilmember Salaries
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Irrevocably Waiving Payment Of The Full Public Ethics Commission-Approved 2.4% Increase In The Salary For The Office Of Councilmember For Fiscal Year 2013-2014, Or, In The Alternative, Irrevocably Waiving A Part Of The Public Ethics Commission-Approved 2.4% Increase, ___%, For Fiscal Year 2013-2014
[12-0681](#)

Scheduled to Meeting of the Oakland City Council on 7/30/2013

As a non-consent item.

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S-4.18 Subject: Honoring The Chinese American Citizens Alliance
From: Council President Kernighan
Recommendation: Adopt A Resolution Honoring The Oakland Lodge On The Occasion Of Its Hosting The Chinese American Citizens Alliance's 52nd Biennial Convention
[12-0682](#)

Scheduled to Meeting of the Oakland City Council on 7/30/2013

As a consent item.

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Items Submitted On The Dais

S-#1 Subject: Resolution To Increase Contract With Renne Sloan Holtzman Sakai
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Waiving Advertising And Solicitation Of Requests For Proposals/Qualifications And Authorizing The City Administrator To Amend The September 2012 Services Contract With Renne Sloan Holtzman Sakai, LLP, Public Law Group, For Assistance With Miscellaneous Employees Union Negotiations, To Increase The Contract By An Amount Not Exceed One Hundred Thousand Dollars (\$100,000), For Additional Services, For A Total Contract Amount Of Two Hundred Ninety Thousand Dollars (\$290,000)
[12-0685](#)

Scheduled to *Finance & Management Committee on 7/23/2013

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S-#2 Subject: Workers Compensation TPA Contract Extension
From: Department of Human Resources Management
Recommendation: Adopt A Resolution Waiving The Advertising And Request For Proposal Process And Authorizing The City Administrator To Extend The Current Agreement With The City's Workers' Compensation Third Party Administrator, JT2 Integrated Resources, For The Provision Of Workers' Compensation Administration Services, Bill Review Services And Miscellaneous Services, Including Disability Management And Safety/Loss Control, For A Period Of Six Months With An Option To Extend For An Additional Six Months, For A Total Extended Contract Amount Not To Exceed \$2,955,039.12 For The 12 Month Period
[12-0686](#)

Scheduled to *Finance & Management Committee on 7/23/2013

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#4 Subject: Honoring Oakland PAL
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Recognizing Oakland Police Activities League (PAL) For 30 Years Of Outstanding Service To Oakland's Children And Youth And Declaring July 30, 2013 As Oakland PAL Day
[12-0687](#)

Scheduled to Meeting of the Oakland City Council on 7/16/2013

As a ceremonial item.

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#5 Subject: Non-Interference In Administrative Affairs
From: Council President Patricia Kernighan
Recommendation: Discussion And Action On Recommendations From The Council President For Official City Council Responses To The 2012-2013 Alameda County Grand Jury Final Report, Entitled "Misgoverning The City Of Oakland" Released On June 24, 2013, And To The City Auditor's Non-Interference In Administrative Affairs Performance Audit Dated March 21, 2012
[12-0688](#)

Scheduled to * Special Meeting of the Oakland City Council on 7/25/2013

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#5 Subject: Censuring Councilmember Brooks
From: Council President Patricia Kernighan
Recommendation: Discussion And Possible Action On A Motion Of The Oakland City Council Censuring Councilmember Desley Brooks For Actions Pertaining To The Rainbow Teen Center In Violation Of City Charter Sections 207, 218 And Other Laws As Found In The Alameda County Grand Jury Report And Substantiated By Documentary Evidence
[12-0690](#)

Scheduled to * Special Meeting of the Oakland City Council on 7/25/2013

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5 A Review Of The Council Committees' Actions From July 9, 2013 And Determination Of Scheduling To The City Council Meeting Of July 16, 2013 (MATRIX)

**A motion was made by Member Schaaf, seconded by Member Kalb, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

[rules071113item5](#)

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6 A Review Of The Draft Agendas For The City Council Committee Meetings Of July 23, 2013 And The Rules & Legislation Committee Meeting Of July 25, 2013

**A motion was made by Member Schaaf, seconded by Member Kalb, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

[rules071113item6](#)

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7 Subject: Support For SB 7: Promoting Prevailing Wage In Charter Cities
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of Senate Bill (SB) 7 (Steinberg) - State Legislation That Will Require Charter Cities To Adopt Local Legislation Establishing Prevailing Wage Requirements For Local Public Works Projects To Receive And Use State Funding For Such Projects

[12-0664](#)

A motion was made by Member Kalb, seconded by Council President Kernighan, that this matter be Scheduled to the Meeting of the Oakland City Council, to be heard at the July 16, 2013 meeting. The motion carried by the following vote:

Votes: Abstained; 1 - Vice Mayor Reid
Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

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OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

There were no Open Forum Speakers.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 12:09 p.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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[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.

City Clerk and Clerk of the Council