



# City of Oakland

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

## Meeting Agenda - SUPPLEMENTAL

### \*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, February 28, 2019

10:45 AM

City Council Chamber, 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:**

*Council President Rebecca Kaplan, At-Large; President Pro Tempore Dan Kalb, District 1; Lynette McElhaney, District 3; Chairperson: Sheng Thao, District 4*

**1** Determinations Of Closed Session

[18-1402](#)

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

**2** Approval Of The Draft Minutes From The Committee Meeting Of January 31, 2019

[18-1463](#)

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

3 Determination Of Schedule Of Outstanding Committee Items

[18-1404](#)

Attachments: [View Report](#)

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

[18-1405](#)

Attachments: [View Report](#)

4.1 Subject: Single Audit Report Fiscal Year 2017-18

From: Finance Department

Recommendation: Receive The Single Audit Report For The Year Ended June 30, 2018; On The March 5, 2019 Special Finance And Management Committee Agenda

**18-1431**

4.2 Subject: OFD Overtime Report

From: Oakland Fire Department

Recommendation: Receive A Quarterly Report From The Oakland Fire Department (OFD) That Includes Additional Information On Overtime Policies, Procedures, And Controls; On The March 5, 2019 Special Finance And Management Committee Agenda

**18-1432**

4.3 Subject: Fiscal Year 2017-18 Workers' Compensation Annual Report

From: Human Resources Management Department

Recommendation: Receive An Informational Report On The Fiscal Year 2017-18 Workers' Compensation Program; On The March 5, 2019 Special Finance And Management Committee Agenda

**18-1438**

4.4 Subject: Workers' Compensation 3rd Party Administrator Agreement Extension

From: Human Resources Management Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The Professional Services Agreement With Jt2 Integrated Resources To Continue Provision Of Workers' Compensation Administration Services For The Period March 1, 2019, Through February 28, 2021, In An Amount Of \$2,618,483.36 For Contract Year 2019-20 And An Amount Of \$2,655,567.03 For Contract Year 2020-21 For A Total Amount Over The Eight Year Term Of The Contract Of \$15,217,425.25; On The March 5, 2019 Special Finance And Management Committee Agenda

**18-1439**

- 4.5** Subject: Means-Tested Rental Housing - Gross Receipts Business Tax Exemption  
From: Finance Department  
Recommendation: Receive An Informational Report Regarding Resolution No. 87129 C.M.S., Requesting A Proposed Amendment To The Oakland Municipal Code Chapter 5.04, Section 5.04.420 To Exempt The First \$30,000 Of Rental Income From The Assessment Of Annual Business Tax Derived From Property Rented Or Leased Through Section 8 Or Other Means-Tested Housing Assistance Programs, As A Means Of Encouraging The Development Of Low Cost Housing Alternatives; On The March 5, 2019 Special Finance And Management Committee Agenda  
**18-1440**
- 4.6** Subject: RAP Fee Increase  
From: Housing And Community Development Department  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13497 C.M.S. (The 2018-19 Master Fee Schedule) To Increase The Rent Adjustment Program Service Fee From \$68.00 Per Unit To \$101.00 Per Unit; On The March 19, 2019 Special Finance And Management Committee Agenda  
**18-1483**
- 4.7** Subject: Report From Affordable Housing And Infrastructure Oversight Committee  
From: Finance Department  
Recommendation: Receive An Informational Report On Expenditure Of Funds From The Affordable Housing And Infrastructure Bond Oversight Committee (Measure KK); On The March 19, 2019 Special Finance And Management Committee Agenda  
**18-1485**
- 4.8** Subject: Rehabilitation Of Sanitary Sewers  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Specifications For Sanitary Sewer Rehabilitation Sub-Basin 83-103 (Project No. 1000673) And With Contractor's Bid In The Amount Of Three Million Seven Hundred Four Thousand Three Hundred Eighty-Five Dollars (\$3,704,385); On The March 5, 2019 Special Public Works Committee Agenda  
**18-1443**

- 4.9** Subject: Legislative Amendment For Ford Store Contractual Services  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing: (1) An Amendment Of The Agreement With The Ford Store For The Purchase Of Parts And Service, To Increase The Annual Contract Authority From An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00), To An Amount Not To Exceed Nine Hundred Thousand Dollars (\$900,000.00) For The Period Of August 1, 2018 Through July 31, 2020 With Two, One-Year Options To Renew, For A Grand Total Amount Of Four Million One Hundred Thousand Dollars (\$4,100,000.00), Without Returning To Council, And (2) A Waiver Of The Advertising, Competitive Bidding And Request For Proposal/ Qualifications (RFP/Q) Requirements; On The March 5, 2019 Special Public Works Committee Agenda  
**18-1444**
- 4.10** Subject: Holly Mini Park Renovation  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Accept A Gift-In-Place, Gift Of Funds And/Or In-Kind Services Valued Up To Three Hundred Thousand Dollars (\$300,000.00) From The Oakland Parks And Recreation Foundation (OPRF) And Safety Impact Table Using Funds From The Kaiser Permanente, Sunlight Giving Foundation And Other Private Donors To Renovate The Holly Mini Park Project (Project) And Accept, Appropriate And Allocate Such Funds From Oakland Parks And Recreation Foundation For City Staff Support As Agreed Upon; (2) Accept, Appropriate And Allocate Any Additional Funds Raised by OPRF, Without Return To Council, To Be Used For The Project; On The March 5, 2019 Special Public Works Committee Agenda  
**18-1449**
- 4.11** Subject: On-Call Hydrology And Stormwater Engineering Services  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Execute Professional Services Agreements For On-Call Hydrology And Stormwater Engineering Services With Nine (9) Firms For An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000) Each With: 1) ARUP, 2) ENGE0, 3) EOA, Inc., 4) Environmental Science Associates, 5) Geosyntec, 6) Northgate Environmental Management, Inc., 7) Restoration Design Group, Inc., 8) Wood Environmental And Infrastructure Solutions, And 9) Wood Rodgers; On The March 5, 2019 Special Public Works Committee Agenda  
**18-1450**

**4.12** Subject: Major Encroachment Permit At 3268 San Pablo Avenue.  
From: Transportation Department  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Satellite Affordable Housing Associates, A California Nonprofit Benefit Corporation, To Allow Portions Of The New Building Above Grade At 3268 San Pablo Avenue To Encroach Into The Public Right-Of-Way On San Pablo Avenue And 33rd Street, Major Encroachment Permit ENMJ18064: On The March 5, 2019 Special Public Works Committee Agenda  
**18-1451**

**4.13** Subject: Report From The Oakland Parks And Recreation Foundation  
From: Councilmember Taylor And President Pro Tempore Kalb  
Recommendation: Receive A Report From The Oakland Parks And Recreation Foundation Titled: Continuing Crisis: The 2018 Report On The State Of Maintenance In Oakland Parks; On The March 5, 2019 Special Public Works And Special Life Enrichment Committee Agendas  
**18-1436**

**4.14** Subject: Large Commercial Vehicle Restrictions  
From: Transportation Department  
Recommendation: Adopt An Ordinance Amending Section 10.52.060 Of The Oakland Municipal Code To Add 56th St And 58th St Between Shattuck Ave And Telegraph Ave To The List Of City Streets Where Commercial Vehicles Exceeding Four And One-Half Tons Are Prohibited; On The March 19, 2019 Special Public Works Committee Agenda  
**18-1478**

**4.15** Subject: On-Call Transportation Engineering And ITS Services  
From: Transportation Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Authorizing The City Administrator Or Designee To Execute Professional Services Agreements For On-Call Transportation Engineering And Intelligent Transportation Systems (ITS) Services In The Amount Of Five Hundred Thousand Dollars (\$500,000) Each To Two Tier I Firms Including 1) Aliquot Associates And 2) Diablo Engineering Group; And  
**18-1475**

2) A Resolution Authorizing The City Administrator Or Designee To Execute Professional Services Agreements For On-Call Transportation Engineering And Intelligent Transportation Systems (ITS) Services In The Amount Of One Million Dollars (\$1,000,000) With Nine (9) Firms Each To Nine Tier II Firms Including 1) Advanced Mobility Group, 2) Alta Planning+Design, 3) ARUP, 4) DKS Associates, 5) Fehr & Peers, 6) Kimley-Horn & Associates, 7) Kittelson & Associates, 8) Parsons, And 9) Wood Rodgers; On The March 19, 2019 Special Public Works Committee Agenda  
**18-1476**

**4.16** Subject: LAMMPS Streetscape Project  
From: Transportation Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Waiving Advertising And Competitive Bidding And Authorizing The City Administrator Or Her Designee, To Increase The Change Order Limit For The Contract With Ray's Electric, Inc. For The Laurel Access To Mills, Maxwell Park & Seminary (LAMMPS) Streetscape Project (Project No. 1000634) From Ten Percent (10%) To Twenty-Five Percent (25%) Of The Original Contract For A Total Contract Amount Not-To-Exceed Eight Million Ninety-Six Thousand Two Hundred Fifty Dollars and Fifty Cents (\$8,096,250.50); And

**18-1479**

2) A Resolution Waiving The RFP/RFQ Competitive Selection Process Requirements And Authorizing An Amendment To The Professional Services Contract With BKF Engineers For LAMMPS Streetscape (Project Number 1000634 Originally Selected By A Formal Competitive Process), To Add Work And Increase The Contract By An Amount Not-To-Exceed Sixty-Five Thousand Dollars (\$65,000.00) Bringing The Total Contract Amount To One Million Fifteen Thousand Dollars (\$1,015,000.00); On The March 19, 2019 Special Public Works Committee Agenda

**18-1480**

**4.17** Subject: Update Regulations For Restaurants Serving Alcoholic Beverages  
From: Planning And Building Department  
Recommendation: Adopt An Ordinance Amending The Planning Code (Title 17) To Update Regulations For Restaurants Serving Alcoholic Beverages, Under Chapters 17.09, 17.10, 17.103, 17.134, And 17.156, As Recommended By The Planning Commission; On The March 5, 2019 Special Community And Economic Development Committee Agenda And On The March 12, 2019 Special City Council Agenda As A Public Hearing

**18-1433**

**4.18** Subject: Air Quality Plan For Operations Of ConGlobal Container Depot  
From: Planning And Building Department  
Recommendation: Receive An Informational Report On The Air Quality Plan Approved By The City Administrator For Operations Of The ConGlobal Container Depot And Repair Facility Located At 11 Burma Road In The New Central Gateway Area Of The Oakland Army Base Redevelopment Project; On The March 5, 2019 Special Community And Economic Development Committee

**18-1448**

**4.19** Subject: Repeal And Adopt Code For Minimum Ceiling Heights  
 From: Council President Kaplan  
 Recommendation: Adopt An Ordinance Repealing Part Of The Oakland Amendments To The 2016 Edition Of The State Housing Law Regulations And The California Model Building Construction Codes Implemented Through Ordinances No. 13407 And No. 13408 In The Oakland Municipal Code By Striking Out Sections 15.04.3.2545 And 15.04.3.2550 And Amending Section 15.08.210.A By Adopting The Existing 2016 California Residential Code To Require A Minimum Ceiling Height Of 7 Feet For Habitable Spaces And 6 Feet 8 Inches For Bathrooms, Toilet Rooms, And Laundry Rooms; On The March 19, 2019 Special Community And Economic Development Committee Agenda  
**18-1486**

**4.20** Subject: Rent Adjustment Program Annual Reports  
 From : Housing And Community Development Department  
 Recommendation: Receive The Annual Report Of The Rent Adjustment Program For Fiscal Years 2014-15, 2015-16, 2016-17, And 2017-18; On The March 19, 2019 Special Community And Economic Committee Agenda  
**18-1488**

**4.21** Subject: Informational Presentation On Fairyland  
 From: Councilmember McElhaney  
 Recommendation: Receive An Informational Report From Fairyland On Their Programmatic And Financial Performance; On The March 5, 2019 Specail Life Enrichment Committee Agenda  
[18-1307](#)

**Legislative History**

1/24/19	*Rules & Legislation Committee	Scheduled to the *Special Life Enrichment Committee
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**4.22** Subject: OFCY 2017-2018 Year End Evaluation Reports  
 From: Human Services Department  
 Recommendation: Adopt A Resolution Adopting The Oakland Fund For Children And Youth Final Evaluation Reports For Fiscal Year (FY)2017-2018; On The March 5, 2019 Special Life Enrichment Committee Agenda  
[18-1343](#)

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

**Legislative History**

1/31/19	*Rules & Legislation Committee	Scheduled to the *Special Life Enrichment Committee
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- 4.23** Subject: Interim Housing Funding From The Kaiser Foundation  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator: 1) To Accept And Appropriate Grant Funding From The Kaiser Foundation In The Amount Of Three Million Dollars (\$3,000,000) Awarded To The City For The Purpose Of Funding The Interim Housing Program For Unsheltered Persons Currently Operating At 641 West Grand Avenue; And 2) To Amend The Grant Agreement With Bay Area Community Services (BACS) To Increase The Grant By An Additional Amount Not To Exceed Three Million Dollars (\$3,000,000) And Extend The Grant Term Through January 31, 2022 To Continue Property Management Services And Operation Of The Interim Housing Program For Unsheltered Persons At 641 West Grand Avenue; And 3) To Accept And Appropriate Any Additional Grant Funding That Becomes Available From The Kaiser Foundation And Amend The Grant Agreement With BACS To Increase The Grant Amount Within The Grant Term; On The March 5, 2019 Special Life Enrichment Committee Agenda  
**18-1442**
- 4.24** Subject: Resolution to Purchase Library Microcomputer Workstations  
From: Oakland Public Library Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To PC Professional, The Lowest Responsible And Responsive Bidder, In An Amount Not-To-Exceed Two Hundred Seventy-Four Thousand Five Hundred Dollars (\$274,500.00) To Purchase Microcomputer Workstations For The Oakland Public Library (OPL) For A Period Of Ninety (90) Days From Designated Library Fund 2243, In Accordance With Specification No. 17-204-00 / Request For Quotation (RFQ) 135501; On The March 19, 2019 Special Life Enrichment Committee Agenda  
**18-1474**
- 4.25** Subject: Michael Palmertree Professional Services Contract  
From: Oakland Polic Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Waive 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 Purchase Of Professional Services; And 2) Enter Into A Professional Services Agreement With Michael Palmertree To Provide Behavior Science Consultation And Training Services To The Oakland Police Department For The Period Of July 1, 2019 To June 30, 2022, With An Option To Extend For An Additional Two Years, In The Amount of One Hundred Thousand Dollars (\$100,000) Per Year, With A Total Contract Amount of Five Hundred Thousand Dollars (\$500,000); On The March 5, 2019 Specail Public Saftey Committee Agenda  
**18-1445**

- 4.26** Subject: Unapproved Surveillance Technology Under Exigent Circumstances  
From: Oakland Police Department  
Recommendation: Receive An Informational Report On The Use Of Unapproved Surveillance Technology Under Exigent Circumstances In Accordance With Oakland Municipal Code (OMC) 9.64.035 And Forward To The City Council; On The March 19, 2019 Special Public Safety Committee Agenda  
**18-1472**
- 4.27** Subject: Resource Development Associates 2018 Measure Z Annual Report  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report And Presentation By Resource Development Associates (RDA) Of Measure Z: 2018 Community Policing Neighborhood Services Evaluation Annual Report; On The March 19, 2019 Special Public Safety Committee Agenda  
**18-1484**
- 4.28** Subject: Appeals Board Ordinance, Introduction  
From: Office Of The City Attorney  
Recommendation: Adopt An Ordinance Amending Oakland Amendments To California Model Building Construction Codes (O.M.C. 15.04) And Oakland Building Maintenance Code (O.M.C. 15.08) To Create An Appeals Process In Compliance With The California Building Code; On The March 12, 2019 Special City Council Agenda  
**18-1452**
- 4.29** Subject: Resolution Honoring Pelayo Llamas  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Honoring Pelayo Llamas For 18 Years Of Exemplary Service To The City Of Oakland; On The March 12, 2019 Special City Council Agenda As A Ceremonial Item  
**18-1473**
- 4.30** Subject: Settlement Agreement In Kathleen Ferry V. City Of Oakland, Et Al.  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of: Kathleen Ferry V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG18892166 In The Amount Of Forty-Five Thousand Dollars And No Cents (\$45,000.00) Arising From A February 7, 2017 Landslide At 2061 Manzanita Drive; On The March 12, 2019 Special City Council Agenda  
**18-1482**
- 4.31** Subject: Postpartum Justice Day  
From: President Kaplan  
Recommendation: Adopt A Resolution Declaring May 19th As Postpartum Justice Day; On The March 12, 2019 Special City Council Agenda As A Consent Item  
**18-1487**

- 4.32** Subject: Settlement Agreement - Esmeralda Olson 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 Esmeralda Olson V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG17859149, In The Amount Of Fifty Thousand Dollars And No Cents (\$50,000.00) (Department Of Transportation - Sidewalk); On The March 12, 2019 Special City Council Agenda  
**18-1489**
- 4.33** Subject: Travel Authorization - Councilmember Kalb  
From: President Pro Tempore Kalb  
Recommendation: Adopt A Resolution Authorizing Council President Pro Tempore Dan Kalb To Travel To Yosemite, California To Attend The California Association Of Councils Of Governments And The Local Government Commission Leadership & Policymakers Conference On March 14, 2019 Through March 17, 2019, And Be Reimbursed For Necessary Expenses; On The March 12, 2019 Special City Council Agenda  
**18-1490**
- 4.34** Subject: Honoring The Laney College Eagles Jr. Football Team  
From: Councilmember Bas  
Recommendation: Adopt A Resolution Honoring The Tremendous Accomplishments Of The Laney College Eagles For Ranking As The No. 1 Junior College Football Team In The Nation; On The March 12, 2019 Special City Council Agenda As A Ceremonial Item  
**18-1491**
- 4.35** Subject: Honoring The Legacy Of Cesar Chavez  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution In Celebration Of The Legacy Cesar Chavez By Recognizing Volunteerism And Giving Back To Oakland Through Leadership And Community Service; On The April 2, 2019 City Council Agenda As A Ceremonial Item  
**18-1481**
- 5** A Review Of The Draft Agendas For The Special City Council Meeting Of March 12, 2019 And The Rules And Legislation Committee Of March 14, 2019  
[18-1406](#)
- Attachments:** [View Report](#)

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

**Adjournment**

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**Office of the City Clerk - Agenda Management Unit**

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**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.**