



# City of Oakland

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

## Meeting Minutes - DRAFT \*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 19, 2015

10:45 AM

City Council Chamber, 3rd Floor

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*The Oakland City Council Rules & Legislation Committee convened at 11:02 a.m.,  
with Councilmember Gibson McElhanev presiding as Chairperson.*

### Roll Call / Call To Order

**Excused** 1 - Dan Kalb

**Present** 3 - Abel J. Guillèn, Laurence E. Reid, and Lynette Gibson McElhanev

### 1 Determinations Of Closed Session

**14-0538**

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

*A Special Closed Session will be held on March 3, 2015 at 3:00 p.m.*

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

**Excused:** 1 - Kalb

**Aye:** 3 - Guillèn, Reid, and Gibson McElhanev

### 2 Approval Of The Draft Minutes From The Committee Meeting Of February 5, 2015

**14-0480**

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

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

**Excused:** 1 - Kalb

**Aye:** 3 - Guillèn, Reid, and Gibson McElhanev

**3** Determination Of Schedule Of Outstanding Committee Items  
**14-0488**

Attachments: [View Report](#)

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

Excused: 1 - Kalb

Aye: 3 - Guillèn, Reid, and Gibson McElhaney

**4** Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)  
**14-0489**

Attachments: [View Report.pdf](#)

*There were 3 speakers on this item.*

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

Excused: 1 - Kalb

Aye: 3 - Guillèn, Reid, and Gibson McElhaney

**4.1** Subject: Report On Debt Portfolios And Long-Term Liabilities  
From: Finance Department  
Recommendation: Receive An Informational Report Providing A Summary Of The City And Redevelopment Successor Agency's Debt Portfolio And Long-Term Liabilities  
**14-0553**

This Informational Report was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 3/2/2015

**4.2** Subject: Five Year Financial Forecast  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report Presenting The Five-Year Financial Forecast For Fiscal Year 2015-2016 Through Fiscal Year 2019-2020 In Accordance With The Consolidated Fiscal Policy As Part Of The Fiscal Year 2015-2017 Budget Development  
**14-0564**

This Informational Report was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 3/2/2015

- 4.3** Subject: Settlement Agreement - Vernon Walker 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 Vernon Walker v. City Of Oakland, Alameda County Superior Court Case No. RG14734012, City Attorney's File No. 29402, In The Amount Of Ten Thousand Dollars (\$10,000.00) (Public Works Department - Dangerous Condition)  
**14-0542**

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/3/2015

- 4.4** Subject: City-IAFF Local 55 Side Letter Agreement  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution To Implement The Terms Of The Side Letter Agreement Between The City Of Oakland And International Association Of Firefighters Local 55, To Modify Article 3. Insurance Programs Section 3.7 Health Reimbursement Arrangement Of The Current Labor Agreement And Make A One Thousand Dollar Payment Into A Health Reimbursement Arrangement Account By March 31, 2015 For All Eligible Firefighters  
**14-0556**

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/3/2015

- 4.5** Subject: Alameda County Transportation Commission (ACTC) Appointment  
From: Council President Gibson McElhaney  
Recommendation: Adopt A Resolution Appointing Vice Mayor Rebecca Kaplan To The Alameda County Transportation Commission  
**14-0567**

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/3/2015

- 4.6** Subject: Youth Ventures Joint Powers Authority Appointments  
From: Councilmember Gibson McElhaney  
Recommendation: Adopt A Resolution Appointing Mayor Libby Schaaf And Lieutenant Leronne Armstrong To The Youth Ventures Joint Powers Authority  
**14-0520**

*The title will be amended to include additional appointments which will be reflected on the final agenda.*

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/3/2015

- 4.7** Subject: Honoring Jahahara Amen-Ra Alkebulan-Ma'at  
From: Council President Gibson McElhaney  
Recommendation: Adopt A Resolution Honoring Jahahara Amen-Ra Alkebulan-Ma'at For His Remarkable Achievements As A Community Organizer, Public Health Activist, Green Energy Advocate And Developer In Oakland And Beyond; On The March 3, 2015 City Council Agenda Committee Agenda As A Ceremonial Item  
**14-0566**

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/3/2015

- 4.8** Subject: Support For Moratorium On Fracking In California  
From: Councilmembers Kaplan, Gibson McElhaney And Kalb  
Recommendation: Adopt A Resolution In Support Of A Request To The Governor To Adopt A Moratorium On Fracking In California  
**14-0535**

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/3/2015 as a Non-Consent Item

- 4.9** Subject: Honoring Cesar Chavez Day  
From: Councilmembers Gallo And Guillen  
Recommendation: Adopt A Resolution In Celebration Of Cesar Chavez Day Honoring Oakland Latinos And Latinas Who Through Their Leadership And Community Service Have Continued The Legacy Of Cesar Chavez; On The March 31, 2015 City Council Agenda  
**14-0565**

This City Resolution was Scheduled to the Special Meeting of the Oakland City Council to be heard 3/31/2015 as a Ceremonial Item

- 4.10** Subject: Adopt Retirement Health Savings (RHS) Plan  
From: Human Resources Management Department  
Recommendation: Request To Change The Title Of A Previously Scheduled Item:

OLD TITLE: Adopt A Resolution To Adopt The Vantagecare Retirement Health Savings (RHS) Plan And Authorize The City Administrator Or Designee To Execute All Necessary Administrative Agreements To Implement The RHS Plan

NEW TITLE: Adopt A Resolution Authorizing The City Administrator Or Designee To Establish And Implement A Health Reimbursement Arrangement (HRA) With ICMA-RC Through Execution Of A Plan In Substantially The Form Of The Vantagecare Retirement Health Savings (RHS) Plan; And, Authorizing The City Administrator Or Designee To Approve Any Necessary Additions, Changes And Modifications To Such Plan And To Execute All Related Documents And Agreements Required To Implement The HRA; On The March 10, 2015 Finance & Management Committee Agenda

**14-0385**

Attachments: Retirement Plan

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/3/2015

- 4.11** Subject: Informational Report On PFRS Investments  
From: Finance Department  
Recommendation: Receive An Informational Report On The Oakland Police And Fire Retirement System (PFRS) Investment Portfolio As Of December 31, 2014; On The March 10, 2015 Finance & Management Committee Agenda

**14-0563**

This Informational Report was Scheduled.to the \*Finance & Management Committee to be heard 3/10/2015

- 4.12** Subject: Update On The Status Of The Zero Waste Garbage Contract  
From: Vice Mayor Rebecca Kaplan  
Recommendation: Receive An Update On The Status Of The Zero Waste Garbage Contract, Including Full Text Of Draft Contracts With Waste Management And California Waste Solutions; On The March 10, 2015 Public Works Committee Agenda

**14-0536**

This Informational Report was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 3/31/2015 as a Non-Consent Item

- 4.13** Subject: TFCA Funding For Bike Share, City Racks, And The Broadway "B" Shuttle  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Transportation Funds For Clean Air (TFCA) County Program Manager Fund Award In The Amount Of Nine Hundred Thousand Six Hundred Sixteen Dollars (\$900,616.00) For The Bay Area Bike Share Expansion Program (Bike Share Program), Eighty-Eight Thousand Dollars (\$88,000.00) For The CityRacks Bicycle Parking Program, Phase 11, And Forty-One Thousand Five Hundred Dollars (\$41,500.00) For The Oakland Broadway "B" Shuttle Peak Hour Operations; On The March 10, 2015 Public Works Committee Agenda  
**14-0543**

This City Resolution was Scheduled.to the \*Public Works Committee to be heard  
3/10/2015

- 4.14** Subject: Latham Square Streetscape Improvements  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution To: 1) Award A Construction Contract To McGuire And Hester, The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For The Latham Square Streetscape Improvements (Project No. C464560) And With Contractor's Bid In The Amount Of Four Million One Hundred Ninety Thousand One Hundred Fifty-Six Dollars (\$4,190,156.00); And 2) Authorize The City Administrator Or Designee To Negotiate And Execute A Reimbursement Agreement With East Bay Municipal Utilities District ("EBMUD") In The Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000.00) And To Accept And Appropriate These Funds For The Construction And City Staff Costs Associated With The Construction Of EBMUD Water Main Relocation For The Latham Square Project (No. C464560); On The March 10, 2015 Public Works Committee Agenda  
**14-0561**

This City Resolution was Scheduled.to the \*Public Works Committee to be heard  
3/10/2015

- 4.15** Subject: I-880 Integrated Corridor Management North Alameda Segment Project  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To Negotiate And Enter Into A Memorandum Of Understanding (MOU) With The Metropolitan Transportation Commission, For The Interstate 880 Integrated Corridor Management (I-880 ICM) North Alameda Segment Project (Project) To Provide Transportation Improvements In Oakland. The Project Consists Of Interconnected Traffic Signals, Electronic Guide Signs, Monitoring Cameras And Other Equipment To Manage Traffic During Emergencies And Incidents On Interstate 880 That Impact City Of Oakland Streets That Are Near The Freeway; On The March 10, 2015 Public Works Committee Agenda  
**14-0560**

This City Resolution was Rescheduled.to the \*Public Works Committee to be heard 3/10/2015

- 4.16** Subject: Assignment Of Oakland Marriott Hotel City Center Ground Lease  
From: Economic & Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing The Interim City Administrator To Execute A Consent To An Assignment Of The Oakland Marriott Hotel City Center Ground Lease To AGRE DCP Oakland City Center Owner LLC, Or A Related Entity; On The March 10, 2015 Community & Economic Development Committee Agenda  
**14-0562**

This City Resolution was Scheduled.to the \*Public Works Committee to be heard 3/10/2015

- 4.17** Subject: Report Regarding \$12 Million Dollar Loan To Rotunda Partners  
From: Member Of The Public  
Recommendation: Receive An Informational Report Regarding The \$12 Million Dollar Loan Provided To Rotunda Partners I/II (AKA: Phil Tagami) On The Rotunda Building In 1998/1999 Where The First 15 Years Was A No Interest Loan Of 3% Which Deprived The City Of Nearly \$6.5 Million Dollars. This Information Has Been Verified By City Staff Person Patrick Lane; On The Community & Economic Development Committee Agenda  
**14-0503**

*The former Interim City Administrator will provide a letter to the member of the public around February 20, 2015 and the item will then be brought back for possible scheduling.*

- 4.18** Subject: Settlement Agreement Metropolitan Golf Links FY 2013-14 Rental Obligation  
From: Oakland Parks & Recreation Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Execute A Settlement Agreement With The Port Of Oakland And Oakland Golf LLC With Respect To Metropolitan Golf Links Golf Course Fiscal Year 2013-2014 Rental Obligations; 2) Execute A Fourth Supplemental Lease Agreement With The Port For The Lease Of The Metropolitan Golf Links Golf Course; And 3) Execute A Second Amendment To The Sublease And Operating Agreement With Oakland Golf LLC For The Operation Of The Metropolitan Golf Links Golf Course; On The March 10, 2015 Life Enrichment Committee Agenda  
**14-0568**

This City Resolution was Scheduled.to the \*Life Enrichment Committee to be heard 3/10/2015

- 4.19** Subject: 2014-2017 Oakland PATH Rehousing Initiative (OPRI) Program  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Enter Into An Agreement With The Oakland Housing Authority (OHA) And Accept And Appropriate Funds In The Amount Of \$1,500,000 Each Year For Fiscal Years 2015-2016 And 2016-2017 To Continue Implementing The Oakland PATH Re-Housing Initiative (OPRI); And 2) Enter Into Grant Agreements With Service Providers For The Provision Of Permanent Housing And Support Services Under OPRI For Fiscal Years 2015-2016 And 2016-2017; On The March 10, 2015 Life Enrichment Committee Agenda

**14-0559**

This City Resolution was Scheduled.to the \*Life Enrichment Committee to be heard 3/10/2015

- 4.20** Subject: Opportunities For Persons With AIDS (HOPWA) Program  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Apply For Accept And Appropriate Funds From The U.S. Department Of Housing And Urban Development (HUD) Annual Action Plan In An Estimated Amount Of \$2,176,581 Each Year For Fiscal Years 2015-2016 And 2016-2017; And 2) Enter Into Grant Agreements With Alameda And Contra Costa Counties For The Provision Of Housing Opportunities For Persons With Aids Program For Fiscal Years 2014-2015, 2015-2016 And 2016-2017; On The March 10, 2015 Life Enrichment Committee Agenda

**14-0558**

This City Resolution was Scheduled.to the \*Life Enrichment Committee to be heard 3/10/2015

- 4.21** Subject: 2014-2017 Continuum Of Care (CoC) Program  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Apply For Accept And Appropriate Funds From The U.S. Department Of Housing And Urban Development (HUD) In The Amount Of \$3,768,435 Each Year For Fiscal Years 2015-2016 And 2016-2017; And 2) Enter Into Grant Agreements For The Provision Of Transitional And Permanent Housing Under HUD's Continuum Of Care Program For Fiscal Years 2014-2015, 2015-2016, And 2016-2017; On The March 10, 2015 Life Enrichment Committee Agenda

**14-0557**

This City Resolution was Scheduled.to the \*Life Enrichment Committee to be heard 3/10/2015



- 4.22 Subject: 2014-2017 Alameda County Community Food Bank (ACCFB) Program  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Waiving The Advertising And Bidding Process And Authorizing The City Administrator To 1) Enter Into Contracts With The Alameda County Community Food Bank For The Procurement Of Bulk Foods For The City's Hunger Program In The Amount Of \$100,000 Each Year For Fiscal Years 2014-2015, 2015-2016 And 2016-2017; And 2) Accept Funds That May Be Donated To The Hunger Program In Fiscal Years 2014-2015, 2015-2016 And 2016-2017 And Amend The Contracts With The Alameda County Community Food Bank For Additional Funds; On The March 10, 2015 Life Enrichment Committee Agenda  
**14-0555**

This City Resolution was Scheduled.to the \*Life Enrichment Committee to be heard 3/10/2015

- 4.23 Subject: Reaffirm Council Resolution To Consolidate All Complaints From Residents Against Police At The CPRB  
From: Councilmember Gallo  
Recommendation: Receive A Report And Adopt A Motion To Reaffirm and Implement The City Council Decision Made In 2011 To Consolidate All Complaints From Residents Against Police At The CPRB  
**14-0569**

*The title was amended as follows: Receive A Report And Adopt A Motion To Reaffirm and Implement The City Council Decision Made In 2011 To Consolidate All Complaints From Residents Against Police At The CPRB.*

This Report and Recommendation was Scheduled.to the \*Public Safety Committee to be heard 2/24/2015

- 4.24 Subject: Racial And Religious Profiling In The City Of Oakland  
From: Member Of The Public  
Recommendation: Receive An Informational Report Regarding Racial And Religious Profiling In The City Of Oakland  
**14-0554**

*An additional item was scheduled to the Finance Committee meeting on April 14, 2015 to adopt a resolution directing teh City Administrator to allocate funds for an independent investigation of John Bay's complaints against the Police Department.*

This Informational Report was Scheduled.to the \*Public Safety Committee to be heard 4/14/2015

**Items Submitted On The Dais**

Subject: Council Priorities For City Budget  
From: Council President Gibson McElhaney  
Recommendation: Discuss The Council Priorities In Accordance With The Consolidated Fiscal Policy As Part Of The Fiscal Year 2015-2017 Budget Development Process  
**14-0570**

**This Report and Recommendation was Scheduled.to the Meeting of the Oakland City Council to be heard 3/2/2015**

Subject: Resolution To Support The Constitutional Right To Vote  
From: Council President Gibson McElhaney  
Recommendation: Adopt A Resolution To Support The Constitutional Right To Vote In Order To Promote Democracy And To Prevent Political, Racial, Or Discriminatory Limitations To Voting Access  
**14-0571**

**This City Resolution was Scheduled.to the \*Rules & Legislation Committee to be heard 3/5/2015**

Subject: Censure Policy  
From: Councilmember Noel Gallo  
Recommendation: To Schedule In Closed Session/Public Hearing Before The City Council An Opportunity For City Council President, Lynette Gibson McElhaney, To Address The Allegations Made Against Her By The East Bay Express (12/16/14, 12/31/14, 1/07/15, 1/21/15, 2/11/15); On The March 3, 2015 City Council Agenda  
**14-0572**

*State law does not provide a basis to discuss this matter in Closed Session. It would violate the Brown Act to do so.*

*Councilmember Gallo was advised by the City Attorney that in order for the discussion to take place he would need to follow the procedures provided in the Censure Policy.*

**This City Resolution was No Action Taken.**

Subject: Support For AB 96: Prohibiting The Sale Of Ivory  
From: Council President Gibson McElhaney  
Recommendation: Adopt A Resolution To Support AB 96 Which Prohibits The Sale Of Ivory And Rhinoceros Horn In California  
**14-0573**

**This was Scheduled.to the \*Rules & Legislation Committee to be heard 3/5/2015**

- 5 A Review Of The Draft Agendas For The City Council Meeting Of March 3, 2015 And The Rules And Legislation Committee Of March 5, 2015

14-0490

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

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

Excused: 1 - Kalb

Aye: 3 - Guillèn, Reid, and Gibson McElhanev

- 6 Subject: Support For Senate Act 140  
From: Council President Gibson McElhanev  
Recommendation: Adopt A Resolution In Support Of The Proposed Federal "Combat Human Trafficking Act Of 2015", S.140, Which Would Strengthen Law Enforcement Efforts To Investigate And Prosecute Individuals Who Commit Sex Trafficking Crimes And Require The Department Of Justice To Collect And Monitor Data On The Sexual Exploitation Of Children

14-0400

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

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

A motion was made by Guillèn, seconded by Reid, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 2/3/2015. The motion carried by the following vote:

Excused: 1 - Kalb

Aye: 3 - Guillèn, Reid, and Gibson McElhanev

- 7 Subject: Support For SB 23: Repeal CalWORKS Maximum Family Grant Rule  
From: Councilmembers Campbell Washington And Brooks  
Recommendation: Adopt A Resolution To Support State Senate Bill (SB) 23 Which Would End Discrimination Against Children Born Into Poverty And Repeal The CalWORKS Maximum Family Grant Rule, Denying Financial Support To Babies Born While Their Families Are Receiving CalWORKS Basic Needs Grants

14-0476

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

[View Supplemental Report.pdf](#)

A motion was made by Guillèn, seconded by Reid, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 3/3/2015. The motion carried by the following vote:

Excused: 1 - Kalb

Aye: 3 - Guillèn, Reid, and Gibson McElhanev

**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 & Legislation Committee adjourned the meeting at 12:13 p.m.*

**Americans With Disabilities Act**

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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.**