



# 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

## \*Special Finance & Management Committee

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

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

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Tuesday, May 08, 2012

11:30 AM

Sgt. Mark Dunakin Room - 1st Floor

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### Roll Call / Call to Order

Councilmember Present: 4 - Member Brunner, Member Kernighan, Member Brooks and Chair De La Fuente

*The Oakland City Council Finance and Management Committee convened at 11:35, with Pro Tempore, Ignacio De La Fuente presiding as Chairperson.*

1 Approval of the Draft Minutes from the Committee Meeting held on April 24, 2012

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

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente

2 Determination of Schedule of Outstanding Committee Items

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

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente

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3 Subject: State and Federal Budget Status

From: Office Of Budget

Recommendation: Receive An Informational Report Regarding The Status Of The State and Federal Budget Development And Its Potential Impacts On The City Of Oakland [TITLE CHANGE]

[09-0439-22](#)

**A motion was made by Member Kernighan, seconded by Member Brooks, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente

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4 Subject: Contract Increase - Networkfleet, Inc. For Automatic Vehicle Locators  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Increase Spending Authority On The Existing Contract With Network fleet, Inc., And To Waive Advertising And Bidding Requirement Of The Oakland Municipal Code As Authorized By City Council Resolution No. 83120 C.M.S. On December 21, 2010, For The Purchase And Mounting Of Additional Automated Vehicle Locator (AVL) Units For Both The Public Works Agency (PWA) And Parking Enforcement Vehicles. The Additional Authority Increases The Contract Limit By \$250,000, Which Brings The Total Contract Amount Not To Exceed \$350,000

[11-0378](#)

**A motion was made by Member Brunner, seconded by Chair De La Fuente, that this matter be \*Approve the Recommendation of Staff, and Forward to the \* Meeting of the Oakland City Council, due back on May 15, 2012 as a consent item The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente

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5 ~~Subject: OMC Amendment - Interim Department Names~~  
~~From: Office Of The City Administrator~~  
~~Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (OMC) Chapter 2.29 "City Agencies, Departments And Offices" To Establish The Interim Departments And Offices Of Housing And Community Development, Economic And Workforce Development, Neighborhood Investment, And Planning, Building And Neighborhood Preservation~~

~~[11-0380](#)~~

**\*Withdrawn with No New Date**

*This item was withdrawn by the May 3, 2012 Rules and Legislation Committee*

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6 Subject: Police Vehicle Retrofit  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Lehr Auto Electric, A Corporation, To Provide All Labor, Material And Equipment To Retrofit One Hundred Forty-Nine (149) Police Vehicles For The City Of Oakland In An Amount Not To Exceed Two Hundred Seventy Six Thousand, Eight Hundred Forty Two Dollars (\$276,842.00) Per Request For Quotation (RFQ) 2241, Specification No. 11-928-33 And The General Conditions Therefore On File In The Purchasing Division According To Its Bid Filed With The City On October 24, 2011  
[11-0354](#)

**A motion was made by Member Brooks, seconded by Chair De La Fuente, that this matter be \*Approve the Recommendation of Staff, and Forward to the \* Meeting of the Oakland City Council, due back on May 15, 2012 as a consent item The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente  
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7 Subject: Workers' Compensation Report 2nd Qtr 2011 - 2012  
From: Department Of Human Resources Management  
Recommendation: Receive An Informational Report Regarding The Workers' Compensation Program For The 2nd Quarter Of Fiscal Year 2011-2012  
[11-0434](#)

**A motion was made by Member Brunner, seconded by Member Brooks, that this matter be \*Withdrawn and Rescheduled to the \*Finance & Management Committee, to be heard at the May 22, 2012 meeting. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente  
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8 Subject: LLAD Levy Assessment  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The Fiscal Year 2012-2013 Preliminary Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District, And Setting June 5, 2012 As The Date For A Public Hearing  
[11-0417](#)

**A motion was made by Member Brunner, seconded by Member Kernighan, that this matter be \*Approve the Recommendation of Staff, and Forward to the \* Meeting of the Oakland City Council, due back on May 15, 2012 as a consent item The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente  
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9           Subject:     Oakland Army Base Audit Report FY 2010 - 2011  
              From:       Finance And Management Agency  
              Recommendation: Receive An Informational Report Presenting The Oakland Army Base  
              Audit Report For The Fiscal Year Ended June 30, 2011  
              [11-0433](#)

**A motion was made by Member Kernighan, seconded by Member Brunner, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente  
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10           Subject:     Single Audit Report FY 2010 - 2011  
              From:       Finance And Management Agency  
              Recommendation: Receive An Informational Report Presenting The Single Audit Report For  
              The Fiscal Year Ended June 30, 2011  
              [11-0432](#)

**A motion was made by Member Brooks, seconded by Member Brunner, that this matter be \*Approve the Recommendation of Staff, and Forward to the \* Meeting of the Oakland City Council, due back on May 15, 2012 The committee directed staff upon return Council with the following:**

- 1. A copy of the random testing on compliance issues with respect to certified payroll and hiring**
- 2. Information regarding the forgiven debt of \$13 million**
- 3. Schedule at Rules Committee the Formulation of Policy and include A133**
- 4. A future report on developing real time data regarding local hiring and prevailing wages**

**The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente  
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- 11 Subject: Tax And Revenue Anticipation Notes - 2012 -2013  
From: Finance And Management Agency  
Recommendation: Adopt The Following Pieces Of Legislation:  
1) An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2012-2013 In An Amount Not To Exceed \$85,000,000 And The Issuance And Sale Of 2012-2013 Tax And Revenue Anticipation Notes Therefore And Approving Certain Related Matters; And  
[11-0435](#)

**A motion was made by Member Kernighan, seconded by Member Brunner, that this matter be \*Approve the Recommendation of Staff, and Forward to the \* Meeting of the Oakland City Council, due back on May 15, 2012 as a non-consent item The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente  
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- 2) A Resolution Authorizing The Sale Of The 2012-2013 Tax And Revenue Anticipation Notes In An Amount Not To Exceed \$85,000,000; Authorizing The Execution And Delivery Of Related Documents And Approving Certain Related Actions  
[11-0435-1](#)

**A motion was made by Member Kernighan, seconded by Member Brunner, that this matter be \*Approve the Recommendation of Staff, and Forward to the \* Meeting of the Oakland City Council, due back on May 15, 2012 as a consent item The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente  
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- 12 Subject: WPAD 2012 - 2013 Preliminary Annual Report  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The FY2012-13 Preliminary Annual Report For The City Of Oakland Wildfire Prevention Assessment District, And Setting June 5, 2012 As The Date For A Public Hearing  
[11-0436](#)

**A motion was made by Member Brunner, seconded by Member Kernighan, that this matter be \*Approve the Recommendation of Staff, and Forward to the \* Meeting of the Oakland City Council, due back on May 15, 2012 as a consent item The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente  
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13      ~~Subject: Goldman Sachs Rate Swap  
From: Councilmember Nadel  
Recommendation: Receive A Report And Recommendations For Action on How To Address  
The Goldman Sachs Rate Swap Agreement Without Having To Pay The \$16 Million Early  
Termination Fee  
11-0306~~

**\*Withdrawn with No New Date**

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14      Subject: Goldman Sachs Swap Agreement Termination  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland  
Authorizing The City Administrator To Negotiate And Terminate The City's Interest Rate  
Swap Agreement With Goldman Sachs & Co. To The Extent That The City Is Able To Do So  
At A Below Market Value Cost And Not Later Than The End Of The Next Fiscal Year, June  
30, 2013  
11-0424

**A motion was made by Member Brunner, seconded by Chair De La Fuente, that this matter be Continued to the \*Finance & Management Committee, due back on June 12, 2012 The committee directed staff to return to the Finance and Management Committee and provide the following:**

- 1. Research of what other cities are doing**
- 2. The complete BLX report**
- 3. Legal analysis assessing the risks if payment is not made**
- 4. Legal analysis if the contract is terminated**
- 5. Methods on shopping for outside council**

**The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente

*There were twenty-two (22) speakers on this item*

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15      Subject:      Sale Of Pension Obligation Bonds  
From:          Finance And Management Agency  
Recommendation: Adopt An Ordinance Authorizing The Issuance And Sale Of City Of  
Oakland, California Taxable Pension Obligation Bonds, Series 2012 For The City Of Oakland  
Police And Fire Retirement System (PFRS) And Approving Certain Related Matters [TITLE  
CHANGE]  
[11-0431](#)

**A motion was made by Member Brunner, seconded by Chair De La Fuente, that this matter be Continued to the \*Finance & Management Committee, due back on May 22, 2012 The committee directed staff to return to the Finance and Management committee with the following:**

- 1. Color Charts showing options 1 and 2**
- 2. Provide a written report as well as a presentation**
- 3. Preliminary information on the PFRS working group**

**The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Brooks, Member Kernighan, Member Brunner and Chair De La Fuente

*There were five (5) speakers on this item*

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**Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)**

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Finance and Management Committee adjourned at 2:30 p.m.*

\* In the event of 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.

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*City Clerk and Clerk of the Council*