



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, December 05, 2013

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call To Order

Excused: Vice Mayor Reid

Present: Council President Kernighan, Member Schaaf and Member Kalb

The Oakland City Council Rules & Legislation Committee convened at 11:04 am, with Council President Kernighan presiding as Chairperson.

1 Determinations Of Closed Session

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

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan
Closed Session scheduled for December 10, 2013 from 2P.M.-5:30P.M.

2 Approval Of The Draft Minutes From The Committee Meeting Of November 21, 2013

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

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

3 Determination Of Schedule Of Outstanding Committee Items

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

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

[rlc120513](#)

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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: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

S-4.1 Subject: MOU With DOJ DNA Laboratory For Continued Use Of CODIS
From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, On Behalf Of The City Of Oakland (City) Police Department (OPD) Criminalistics Division Combined DNA Index System (CODIS) Administrator, To Enter Into A Memorandum Of Understanding (MOU) With The California Department Of Justice (DOJ) Deoxyribonucleic Acid (DNA) Laboratory For The Continued Use Of CODIS And Its Administration Within The State Of California

[13-0223](#)

Scheduled to *Public Safety Committee on 12/17/2013

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S-4.2 Subject: Spending Authority For ACS Parking Citation Management
From: Office Of The City Administrator

Recommendation: Adopt Resolution Of The City Council Of The City Of Oakland Establishing Spending Authority On The Existing Contract With ACS State And Local Solutions Inc., In An Annual Amount Not To Exceed Nine Hundred Thousand Dollars (\$900,000) For Parking Citation Administration And Revenue Collection Services, And Authorizing An Appropriation Upon Receipt Of Collection Fee Revenues In An Annual Amount Not To Exceed Two Million Eight Hundred Thousand Dollars (\$2,800,000), As Required And Equal To The Thirty Percent (30%) Special Collection Fee On All Assigned Citations, Which Is Imposed By The Contractor In Addition To The Motorist's Outstanding Citation

[13-0220](#)

Scheduled to *Finance & Management Committee on 12/17/2013

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S-4.3 Subject: Proposed Parking Scofflaw Program Report
From: Office Of The City Administrator

Recommendation: Receive An Informational Report Regarding The Proposed Parking Scofflaw Program

[13-0221](#)

Scheduled to *Finance & Management Committee on 12/17/2013

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S-4.4 Subject: Elsie Giani's 100th Birthday
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Celebrating Elsie Giani On The Occasion Of Her 100th Birthday
[13-0227](#)

Scheduled to Meeting of the Oakland City Council on 1/7/2014

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S-4.5 Subject: Annual CAPER
From: Department Of Housing And Community Development
Recommendation: Conduct A Public Hearing And Review The Consolidated Annual Performance And Evaluation Report (CAPER) Submitted To The U.S. Department Of Housing And Urban Development (HUD) For Fiscal Year 2012-2013, And Upon Conclusion Adopt A A Resolution Amending Resolution No. 84344 C.M.S., Accepting And Appropriating Funds Totaling \$12,299,836 For The Home, Emergency Solutions Grant, Housing Opportunities For Persons With Aids, And Community Development Block Grant (CDBG) Programs, To Allocate \$536,162 Of Additional CDBG Funds As Follows: (A) \$195,000 For City Of Oakland Housing Assistance Center Services, (B) \$25,000 For Hello Housing's Administration Of A Community Buying Program, (C) \$25,000 For Urban Strategies Council's Data Analysis To Assist With International Boulevard Corridor Community Development Efforts, (D) \$30,000 For City Staff Support With International Boulevard Corridor Community Development Efforts, And (E) \$261,162 For CDBG Administration
[13-0228](#)

Scheduled to *Community & Economic Development Committee on 12/17/2013

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S-4.6 Subject: Encroachment At 1065 3rd Avenue
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Oakland Unified School District To Allow A Roof Overhang For The Cooling Tower Of The Building Located At 1065 3rd Avenue To Encroach Into The Public Right-Of-Way Along The Building's Frontage On East 10th Street
[13-0232](#)

Scheduled to *Public Works Committee on 12/17/2013

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S-4.7 Subject: Encroachment At 409 13th Street
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Callsocket Holding Company, LLC To Allow A Sidewalk Cafe On A Raised Sidewalk With A 6-Inch Curb And A Fixed Railing, Seven Tables, Chairs, Awnings And Heaters To Encroach Into The Public Right-Of-Way At 409 13th Street
[13-0233](#)

Scheduled to *Public Works Committee on 12/17/2013

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S-4.8 Subject: Encroachment to Native American Health Center
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To The Native American Health Center, Inc. To Allow An Existing Basement To Encroach Below The Sidewalk Adjacent To International Boulevard
[13-0234](#)

Scheduled to *Public Works Committee on 12/17/2013
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S-4.9 Subject: Amend ENA With Strada Investment Group
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Amending Resolution No. 84514 C.M.S. To Extend The Negotiating Period Under An Exclusive Negotiating Agreement With Strada Investment Group For Development Of The City Center T-5/6 Site Bounded By 11th Street, Clay Street, And 12th Street, To 18 Months With A Six Month Administrative Extension
[13-0236](#)

Scheduled to *Community & Economic Development Committee on 12/17/2013
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S-4.10 Subject: Former Oakland Army Base Street Reservations And Easements
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Acknowledging And Confirming The City's Reservation, Acceptance And Establishment Of Parcels A, B, C And D At Gateway Industrial Park As Public Streets And Public Rights-Of-Way Within The City Of Oakland ; And
[13-0238](#)

Scheduled to *Community & Economic Development Committee on 12/17/2013
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S-4.11 2) An Ordinance Authorizing The City Administrator To Negotiate And Execute Public Utility Easements And Utility Easements With Comcast, East Bay Municipal Utility District, U.S. Department Of The Navy, San Francisco Public Utilities Commission (Or Related Entity), Port Of Oakland, CalTrans And To-Be-Determined Telecommunications Providers To Facilitate The Army Base Public Infrastructure Project On The Former Oakland Army Base
[13-0238-1](#)

Scheduled to *Community & Economic Development Committee on 12/17/2013

S-4.12 Subject: Settlement Agreement - State Farm v. Carden And City
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of State Farm Mutual Automobile Insurance Company v.
Monique Nicole Carden; City Of Oakland, Alameda County Superior Court Case No.
RG13-664366, In The Amount Of Seven Thousand Five Hundred Dollars And No Cents
(\$7,500.00) As A Result Of A Motor Vehicle Collision On Or About June 23, 2011 (Oakland
Parking Division)
[13-0219](#)

Scheduled to Meeting of the Oakland City Council on 12/10/2013

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S-4.13 Subject: November 13, 2013 Special Mail Ballot Election Results
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Declaring The Results Of The City Of Oakland's
Community Facilities District No. 2013-1 (Wildfire Prevention District) Special Mail Ballot
Election Held On Wednesday, November 13, 2013
[13-0229](#)

Scheduled to Meeting of the Oakland City Council on 12/10/2013

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S-4.14 Subject: Annual Rent Adjustment Report
From: Department Of Housing And Community Development
Recommendation: Receive The Annual Report Of The Rent Adjustment Program For Fiscal
Year 2012-2013
[13-0235](#)

**Scheduled to *Community & Economic Development Committee on
12/17/2013**

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S-4.15 Subject: Housing-Related Parks Program Grant
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Authorizing The City To Apply For, Accept And
Appropriate Grant Funds From The California Department Of Housing And Community
Development Under The Housing Related Parks Program In An Amount Not To Exceed
\$2,250,000 For Improvements To Bishop Begin Plaza, Curt Flood Sports Field, And The
Fremont Pool
[13-0237](#)

**Scheduled to *Community & Economic Development Committee on
12/17/2013**

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S-4.16 Subject: RCC's Analysis Of EBRCS P25 Radio Systems
From: Department Of Information And Technology
Recommendation: Receive (A) An Informational Report On RCC's Side-By-Side Analysis Of Oakland And East Bay Regional Communications System (EBRCS) P25 Radio Systems; And (B) Authorize The City Administrator To Enter Into Negotiations With EBRCS And Return To Council In 90-120 Days With Proposed Negotiations Terms And A Funding And Transition Plan
[13-0226](#)

Scheduled to *Finance & Management Committee on 12/17/2013

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S-4.17 Subject: Acceptance Of TFCA Bicycle Grants
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate A Transportation Fund For Clean Air (TFCA) County Program Manger Fund Award In The Amount Of Fifty-One Thousand Dollars (\$51,000) For The Adeline Street Bikeway Gap Closure Project And Eighty-Eight Thousand Dollars (\$88,000) For The CityRacks Bicycle Parking Program; And
[13-0222](#)

Scheduled to *Public Works Committee on 12/17/2013

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2) A Resolution Authorizing The Installation Of Class II Bicycle Lanes On Adeline Street From 47th Street To 61st Street By Reducing Travel Lanes From Four (4) Through Lanes To Two (2) Through Lanes; And
[13-0222-1](#)

3) A Resolution Authorizing The City Administrator To Waive The Advertising And Bidding Requirements For Award Of A Purchase Order To eLock Technologies, LLC, In An Amount Not-To-Exceed Fifteen Thousand Dollars (\$15,000) For The Purchase Of Four Electronic Bicycle Lockers
[13-0222-2](#)

S-4.18 Subject: Railroad Crossing Improvements Construction Contract Award
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Execute A Construction Contract With Ray's Electric, The Lowest Responsive And Responsible Bidder, For The Construction Of The Railroad Grade Crossing Improvements At The Intersections Of Broadway/Embarcadero And Fruitvale Avenue Near San Leandro Street (Project I Nos. C459010, C458910) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Three-Hundred Thirty-Seven Thousand, Seven Hundred Ninety Dollars, And Twenty-Five Cents (\$337,790.25) And Reject All Other Bids
[13-0224](#)

Scheduled to *Public Works Committee on 12/17/2013
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S-4.19 Subject: Latham Square Plaza Redesign
From: Public Works Agency
Recommendation: Adopt A Resolution Approving A Permanently Expanded And Redesigned Latham Square Plaza; That The 1500 Block Of Telegraph Avenue Be Redesigned To Reduce The Travel Lanes From Three To Two, With One Travel Lane Northbound And One Travel Lane Southbound
[13-0230](#)

Scheduled to *Public Works Committee on 12/17/2013
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S-4.20 Subject: Service Contract Award For New Models Of Library Service
From: Oakland Public Library
Recommendation: Adopt A Resolution Awarding A Professional Services Contract In The Amount Not To Exceed \$150,000 (One Hundred Fifty Thousand Dollars) To Group 4 Architecture Research & Planning To Assist With The Development Of New Models Of Service For The Oakland Public Library
[13-0225](#)

Scheduled to *Life Enrichment Committee on 12/17/2013
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[rlc120513item4](#)
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Items Submitted On The Dais

#1 Subject: Art & Soul Festival Report
From: Department Of Economic And Workforce Development
Recommendation: Receive An Informational Report On The Art & Soul Festival Including A Five-Year Analysis And Preliminary Plans For 2014
[13-0239](#)

Scheduled to *Life Enrichment Committee on 12/17/2013
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#2 Subject: Informational Report Regarding OPD Civilianization
 From: Oakland Police Department
 Recommendation: Receive An Informational Report From The Oakland Police Department On
 Civilianization
 [13-0240](#)

Scheduled to *Public Safety Committee on 12/17/2013

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Subject: Contracts For Banking And Custodial Services
From: Office Of The City Administrator
Recommendation: The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To: (1) Negotiate And Execute An Agreement With J.P. Morgan Chase, N.A. Or Wells Fargo Bank, N.A. To Provide Primary Depository Services For The City At An Estimated Annual Cost Amount Of \$275,000 For A Three-Year Period With Two One-Year Options To Renew, And (2) Negotiate With J.P. Morgan Chase, N.A. Or Wells Fargo Bank, 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 [TITLE CHANGE]; And
[13-0202](#)

New Title: "Resolution Authorizing The City Administrator To: (1) Negotiate And Execute An Agreement With J.P. Morgan Chase, N.A. Or Wells Fargo Bank, N.A. To Provide Primary Depository Services For The City At An Estimated Annual Cost Amount Of \$275,000 For A Three-Year Period With Two One-Year Options To Renew, And (2) Negotiate With J.P. Morgan Chase, N.A. Or Wells Fargo Bank, 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"

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2) A Resolution Authorizing The City Administrator To: (1) Negotiate And Execute An Agreement With Bank Of New 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 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

[13-0202-1](#)

New Title: "Resolution Authorizing The City Administrator To: (1) Negotiate And Execute An Agreement With Bank Of New Mellon Trust Company, N.A., Or Wells Fargo Bank, 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 Mellon Trust Company, N.A., Or Wells Fargo Bank, 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"

[84765 CMS.pdf](#)

5 A Review Of The Council Committees' Actions From December 3, 2013 And Determination Of Scheduling To The City Council Meeting Of December 10, 2013 (MATRIX)

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

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

[rlc120513item5](#)

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6 A Review Of The Draft Agendas For The City Council Committee Meetings Of December 17, 2013 And The Rules And Legislation Committee Of December 19, 2013

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

Votes: Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

12/17/2013 Item #4 On Life Enrichment will be rescheduled to the first meeting in January

12/17/2013 Public Safety Items #4 and #6 will be removed from the agenda

[rlc120513item6](#)

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

Votes: Excused; 1 - Vice Mayor Reid
Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan
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7 Subject: Report On State Legislative Activities And Priorities
From: Council President Patricia Kernighan
Recommendation: Receive An Informational Report On 2013 State Legislative Activities And Proposed 2014 State Legislative Priorities
[13-0159](#)

A motion was made by Member Schaaf, seconded by Member Kalb, that this matter be *Received and Forwarded to the Meeting of the Oakland City Council, due back on December 10, 2013 Non-Consent The motion carried by the following vote:

Votes: Excused; 1 - Vice Mayor Reid
Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan
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8 Subject: Approval Of City Council 2014 Meeting Schedule
From: Office Of The City Clerk
Recommendation: Adopt The Preliminary Calendar For January 2014 - December 2014 Council/Committee Meeting, Report & Distribution Schedule
[13-0206](#)

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

Votes: Excused; 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)

Adjournment

There being no further business, and upon the motion duly made, the Oakland The Rules and Legislation Committee adjourned the meeting at 12:02 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