



# 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, March 3, 2016

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:**

Abel J. Guillén, District 2; Dan Kalb, District 1; President Pro Tempore Larry Reid, District 7; Chairperson: Council President Lynette Gibson McElhaney, District 3

1 Determinations Of Closed Session

[15-0478](#)

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

- 2 Approval Of The Draft Minutes From The Committee Meetings Of January 14, January 28, February 4, 2016 And February 18, 2016

[15-0479](#)

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

[View Report](#)

*There are no minutes to approve for January 28 and February 18, 2016 as those meetings were cancelled.*

- 3 Determination Of Schedule Of Outstanding Committee Items

[15-0480](#)

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

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

[15-0481](#)

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

- 4.1 Subject: Amending Fire Code Chapter 15.12, Section 114.3

From: Finance Department

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Chapter 15.12, Section 114.3 Of The Oakland Fire Code To Authorize Use Of The Lien Process To Recover Unpaid Administration And Reinspection Fees, Fines, Interest, Penalties, And Collection Fees And Other Costs Associated With Enforcement Of The Fire Code

[15-0654](#)

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

- 4.2 Subject: Amending The Master Fee Schedule

From: Finance Department

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance Number 13320 C.M.S. (As Amended, The FY 2016-17 Master Fee Schedule, "MFS"), To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus And Agencies Of The City Of Oakland, Referenced Herein

[15-0655](#)

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

- 4.3 Subject: Settlement Agreement - Tillis 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 Antonio Tillis V. City Of Oakland, Alameda County Superior Court Case No. RG12645745, In The Amount Of Four Hundred Fifty Thousand Dollars And No/100 Cents (\$450,000.00) (Oakland Public Works - Dangerous Condition)  
[15-0714](#)
- 4.4 Subject: Settlement Agreement - Douglas 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 Trulynia Douglas V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG13691032, City Attorney's File No. 29435, In The Amount Of Sixty Thousand Dollars And Zero Cents (\$60,000.00) (Public Works - Dangerous Condition)  
[15-0715](#)
- 4.5 Subject: Settlement Agreement - Claim Of William Jetter  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of William Jetter, In The Amount Of Nine Thousand Nine Hundred Ninety-Seven Dollars And 00/100 Cents (\$9,997.00) (Public Works-Dangerous Conditions)  
[15-0716](#)
- 4.6 Subject: Settlement Agreement - Claim Of Bristol West A/S/O Sofia Alma Martin Del Campo  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Bristol West A/S/O Sofia Alma Martin Del Campo, In The Amount Of Nine Thousand Six Hundred Seventy-Five Dollars And 16/100 Cents (\$9,675.16) (Oakland Police Department-Automobile Collision)  
[15-0717](#)
- 4.7 Subject: Locate Unlawful Detainers & Self-Help Center In Oakland Courthouse  
From: Office Of The City Attorney And Council President Gibson McElhaney  
Recommendation: Adopt A Resolution Asking The Alameda County Superior Court To Reconsider Its Decision To Relocate All Unlawful Detainer Actions And The Self-Help Center To Hayward, And Instead To Locate Oakland Unlawful Detainers And A Self-Help Center In An Oakland Courthouse  
[15-0718](#)

**4.8** Subject: Purchase Of Mobile Radios  
From: Information Technology Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: 1) Negotiate And Enter Into An Agreement With Motorola Solutions, Inc., In An Amount Not To Exceed Three Million Eight Hundred Thousand Dollars (\$3,800,000) For The Purchase Of Nine Hundred (900) Mobile Radios And Associated Equipment, Programming, Testing, Installation And Professional Services In Support Of The Mobile Radios Replacement Project; 2) Reallocate Funds In The Amount Not To Exceed Two Million Dollars (\$2,000,000) Through Previously Allocated Funds As Approved By Council On Resolution No. 85113 C.M.S. July 15, 2014 To Pay For The Radio Fleet Replacement; 3) Allocate Funds In The Amount Not To Exceed One Million Dollars (\$1,000,000) From Previously Released 2008 Surety Bonds Allocated For Capital Projects; 4) Appropriate And Allocate In The Amount Not To Exceed Eight Hundred Thousand Dollars (\$800,000) Through Radio Funds To Pay For The Radio Fleet Replacement; And 5) Waive The City's Advertising, Competitive Bid And Request For Proposal (RFP) Process For Equipment, Products And Professional Services For The Above Described Contract

[15-0730](#)

**4.9** Subject: Support For HR 3965 & 3384 -FAA Community Accountability & Quiet Communities Acts  
From: Vice Mayor Annie Campbell Washington And President Pro Tempore Reid  
Recommendation: Adopt A Resolution Declaring The City Of Oakland's Support For HR 3965- The FAA Community Accountability Act Of 2015 And HR 3384- The Quiet Communities Act Of 2015

[15-0700](#)

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

**4.10** Subject: Major Encroachment Permits At Various Locations  
From: Oakland Public Works Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Zwuschen, LLC To Allow Portion Of The Existing Building At 1945 And 1955 Broadway To Encroach Into The Public Right-Of-Way Along The Building Frontage On Broadway And On 20th Street, Major Encroachment Permit ENMJ15057; And

[15-0719](#)

2) A Resolution Granting A Conditional And Revocable Major Encroachment Permits To Broadway Oak Partners LLC To Allow Portion Of The Building Above Grade At 459 8th Street To Encroach Into The Public Right-Of-Way Along 8th Street And Broadway, Major Encroachment Permit ENMJ16001; And

[15-0720](#)

3) A Resolution Granting A Conditional And Revocable Major Encroachment Permits To Trustees Chapel Of The Chimes Special Care Funds To Allow Portion Of The Building Above Grade At 4435 Piedmont Avenue To Encroach Into The Public Right-Of-Way Along The Building Frontage On Piedmont Avenue, Major Encroachment Permit ENMJ15060; And

[15-0721](#)

4) A Resolution Granting A Conditional And Revocable Major Encroachment Permits To 265 Vernon Street, LLC To Allow Portion Of The Building Above Sidewalk At 459 23rd Street To Encroach Into The Public Right-Of-Way Along The Building Frontage On 23rd Street And Valley Street, Major Encroachment Permit ENMJ16003; And

[15-0722](#)

5) A Resolution Granting A Conditional And Revocable Major Encroachment Permits To Temescal Investors, LLC To Allow Portion Of The Building Above Grade At 5239 Claremont Avenue To Encroach Into The Public Right-Of-Way Along The Building Frontage On Telegraph Avenue, Major Encroachment Permit ENMJ16002; On The March 22, 2016 Public Works Committee Agenda

[15-0723](#)

- 4.11** Subject: Highway Safety Improvement Program Cycle 5 (HSIP5) Contract Awards  
From: Oakland Public Works Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To Ray's Electric For Highway Safety Improvement Program Cycle 5 (HSIP5): West MacArthur Boulevard, Project No. C468210 and C468211, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of One Million Thirty-Four Thousand Seventy-One Dollars (\$1,034,071); And

[15-0724](#)

2) A Resolution Awarding A Construction Contract To Beliveau Engineering Contractors, Inc. For Highway Safety Improvement Program Cycle 5 (HSIP5): Market Street, Project No. C468230 and C468231, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, and With Contractor's Bid In The Amount Of Eight Hundred Ninety-Five Thousand Three Hundred Ten Dollars (\$895,310); On The March 22, 2016 Public Works Committee Agenda

[15-0725](#)

- 4.12** Subject: On-Call Transportation Professional Services Agreements  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into Professional Services Agreements For On-Call Transportation Planning And Funding Services In The Amount Of Five Hundred Thousand Dollars (\$500,000.00) Each To Six (6) Firms: Nelson Nygaard Consulting Associates, Inc., Fehr And Peers Transportation Consultants, Alta Planning + Design, Community Design + Architecture, Placeworks, And Kittelson Associates Inc.; On The March 22, 2016 Public Works Committee Agenda  
[15-0726](#)
- 4.13** Subject: Measure WW And State HRPP Reallocations  
From: Oakland Parks & Recreation Department  
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Authorizing Reallocation Of A Portion Of The East Bay Regional Park District Open Space, Wildlife, Shoreline, And Parks Bond (Measure WW Bond) Local Grant Program Fund For The Charles Porter Golden Gate Recreation Center Project (No. C377320) In The Amount Of One Million Thirty-One Thousand Seven Hundred Dollars (\$1,031,700.00) To The Curt Flood Field Project (No. TBD); And Authorize The City Administrator Or Designee To Re-Apply And Reallocate The Grant Funds For Both Projects From East Bay Regional Park District For The Measure WW Bond; And  
[15-0727](#)
  - 2) A Resolution Authorizing The City Administrator To Request Reallocation Of Grant Funds From The California Department Of Housing And Community Development Under The Housing Related Parks Program (HRPP) In An Amount Not To Exceed \$1,031,700.00 From The Curt Flood Field Project (No. C495010) To The Charles Porter Golden Gate Recreation Center Project (No. TBD); On The March 22, 2016 Public Works Committee Agenda  
[15-0728](#)
- 4.14** Subject: Maximize Use Of Available Funding To Benefit Oakland's Job Seekers And Employers And Avert Further Displacement Of Oakland Residents Due To Unemployment  
From: President Pro Tempore Reid  
Recommendation: Reallocate City WIOA Funds To Previously Approved Service Providers To 1. Utilize Available City Savings (WIOA Personnel And Other Charges) In The Current Fiscal Year; 2. Avoid Returning Additional Funds To The State For Failure Of The City To Utilize Said Funds In A Timely Manner; 3. Achieve Better Alignment Of Actual Reduction Of WIOA Allocation To Oakland (Less Than 2%) With Reductions To Service Providers (15-24%); On The March 22, 2016 Or ASAP Community And Economic Development Committee Agenda  
[15-0713](#)

- 4.15** Subject: ShotSpotter Contract Extension  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Enter Into An Agreement With SST, Inc. For Gunshot Detection Services; 2) To Consolidate All Three Shotspotter Phase Area Programs Into A Consolidated Contract On An Annual Basis From April 19, 2016 To April 18, 2017, In An Amount Not To Exceed \$494,600.00 Per Year, With An Option To Renew For Three Additional One-Year Terms \$494,600.00 For A Total Contract Amount Not To Exceed \$1,978,400; And 2) Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Local Business (L/SLB) Enterprise Program Provisions For The Contracts With SST, Inc.; On The March 22, 2016 Public Safety Committee Agenda  
[15-0711](#)
- 4.16** Subject: Cadet Program Grant  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To 1) Accept Grant Funds In An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000) From The Oakland Public Education Fund To Fund The Salary And Benefits Of 7.5 Full-Time Equivalent (FTE) Police Cadet Positions From December 17, 2015 Through November 30, 2018; 2) Appropriate Said Funds To The Oakland Police Department; And 3) Authorize The General Purpose Fund To Subsidize The Central Services Overhead Costs Of Approximately One Hundred Four Thousand Two Hundred Ninety-One Dollars (\$104,291); On The March 22, 2016 Public Safety Committee Agenda  
[15-0712](#)
- 4.17** Subject: Declaring A "State Of Emergency" In Rental Housing  
From: Member Of The Public  
Recommendation: Enact Immediately A Resolution Declaring A "State Of Emergency" In Rental Housing With Moratoriums On Rent Increases And No-Cause Evictions; On The March 29, 2016 City Council Agenda  
[15-0729](#)
- 5** A Review Of The Draft Agendas For The City Council Meeting Of March 15, 2016 And The Rules And Legislation Committee Of March 17, 2016  
[15-0482](#)
- Attachments:** [View Report](#)

- 6** Subject: Supporting State Efforts To Increase State Supplementary Payments  
From: Councilmembers Gibson McElhaney, Campbell Washington And Guillen  
Recommendation: Adopt A Resolution Supporting All Efforts By The State Legislature  
And Governor To Increase SSP Payments To Meet Or Exceed The Federal Poverty  
Level For Elderly, Blind Or Disabled Individuals  
[15-0629](#)

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

*Pursuant to Rule 28(b) of Resolution 82580 C.M.S., this item was added to this agenda.*

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

**Adjournment**

**Americans With Disabilities Act**

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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.**