



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 - FINAL

*Rules & Legislation Committee

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

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

Thursday, October 30, 2014

10:45 AM

City Council Chamber, 3rd Floor

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:

Dan Kalb, District 1; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Chairperson:
Council President Patricia Kernighan, District 2

1 Determinations Of Closed Session

2 Approval Of The Draft Minutes From The Committee Meeting Of October 16, 2014

3 Determination Of Schedule Of Outstanding Committee Items

[Rules103014Item3](#)

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

4.1 Subject: Fiscal Year 2014-2015 Cultural Funding Grants
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Eighty-Six (86) Cultural Services Grants To Seventy-One (71) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2014-2015 In A Total Amount Not To Exceed \$950,000
14-0159

4.2 Subject: Rockridge BID Annual Report And Intent To Levy
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution of Intention To Levy An Annual Assessment For Fiscal Year 2015-2016 For The Rockridge Business Improvement District, Approving The Annual Report Of The Rockridge Business Improvement District Advisory Board, And Scheduling A Public Hearing For December 9, 2014
14-0160

4.3 Subject: Montclair BID Annual Report And Intent To Levy
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution of Intention To Levy An Annual Assessment For Fiscal Year 2015/16 For The Montclair Business Improvement District, Approving The Annual Report Of The Montclair Business Improvement District Advisory Board, And Scheduling A Public Hearing For December 9, 2014
14-0161

4.4 Subject: Real Property Acquisition And Disposition
From: Economic & Workforce Development Dept. & City Attorney
Recommendation: Adopt An Ordinance Updating And Revising The City's Real Property Acquisition And Disposition Laws, And Codifying Such Laws Into The Oakland Municipal Code; On The November 12, 2014 Finance And Management Committee Agenda
14-0162

4.5 Subject: Fruitvale Transit Village ENA
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With The Spanish Speaking Unity Council For Development Of Phase II Of The Fruitvale Transit Village Project At The Bay Area Rapid Transit ("Bart") Fruitvale Station Parking Lot; Authorizing A Predevelopment Loan For The Project In An Amount Not To Exceed \$350,000; And Authorizing An Exclusive Negotiating Period Of One Year And One Optional Six Month Administrative Extension
[14-0171](#)

- 4.6** Subject: Resolution Awarding Contract To Sans Digital
From: Finance Department
Recommendation: Adopt A Resolution Awarding A Contract To Sans Digital, A Corporation, To Furnish A Video File Delivery And File Sharing Network, In An Amount Not To Exceed One Hundred Thousand, Two Hundred Twenty-Three Dollars And Sixty-One Cents (\$100,223.61), In Accordance With Specification No. 14-206-89/Request For Quotation (RFQ) No. 5052, And The General Conditions Therefor On File In Purchasing According To Its Bid Filed With The City On May 5, 2014
[14-0167](#)
- 4.7** Subject: Vegetation Management Update
From: Oakland Fire Department
Recommendation: Receive An Informational Report Regarding Follow -Up To The Information Presented By Staff On April 29, 2014 Concerning The November 19, 2013 Oakland Fire Department Vegetation Inspection Audit
[14-0154](#)
- 4.8** Subject: 2014 US&R Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator, Or Designee To (A) Enter Into A Grant Cooperative Agreement To Accept And Appropriate Federal Emergency Management Agency (FEMA) Funds For The Period Of September 1, 2014 To February 29, 2016, In The Amount Of One Million Two Hundred Fifty Eight Thousand One Hundred Thirty One Dollars (\$1,258,131) To Meet Continuing Management, Training And Equipment Needs Of The Fire Department's Urban Search And Rescue (US&R) Task Force; And (B) Expend FEMA Grant Funds In Accordance With The Preliminary Spending Plan Without Further City Council Approval, Including The Purchase Of US&R Equipment From The General Services Administration (GSA) And Other Government Pricing Schedules; And 2) Waiving The City's Advertising And Bidding Requirements For The Purchase Of The US&R Equipment When Necessary Under Grant Guidelines; And; 3) Approving Travel For City Personnel Who Provide Services Under The FEMA Grant And Cooperative Agreement Of Short Notice Without Further Council Authorization
[14-0165](#)
- 4.9** Subject: Office Of Traffic Safety STEP Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In The Amount Of One Hundred Forty Thousand Two Hundred Twenty Dollars (\$140,220.00) From The State Of California, Office Of Traffic Safety (OTS), For The 2014-2015 Selective Traffic Enforcement Program (STEP) To Be Conducted By The Oakland Police Department (OPD)
[14-0166](#)

4.10 Subject: Amending Residential Recycling Franchise Award & Max Service Rates
From: Oakland Public Works Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Ordinance No. 13254 C.M.S., Which Granted A Franchise For Residential Recycling Collection Services To California Waste Solutions, Inc., Contingent On Its Execution Of A Residential Recycling Collection Services And Nonexclusive Commercial Recycling Collection Services Contract With The City, And Authorizing The City Administrator To Negotiate And Execute Such Contract, And To Change The Term Of The Contract From 10-Years Plus Two 5-Year Extensions To Twenty (20) Years: July 1, 2015 Through June 30, 2035, And Make Appropriate CEQA Findings; And

14-0157

2) An Ordinance Amending Ordinance No. 13258 C.M.S., Which Amended Ordinance No. 13253 C.M.S., Which Granted A Franchise For Mixed Materials And Organics Collection Services To California Waste Solutions, Inc., To Instead Grant The Franchise For Mixed Materials And Organics Collection Services To Waste Management Of Alameda County, And/Or Such Other Affiliate Entity Approved By The City Administrator, Contingent On Its Execution Of A Mixed Materials And Organics Collection Services Contract With The City, And Authorizing The City Administrator To Negotiate And Execute Such A Contract Which May Regulate Maximum Service Rates For Mixed Materials And Organics Collection Services, Residential Recycling Services, And Disposal Services, And Setting Forth Procedures To Allow For Adjustment Of Maximum Service Rates, On Such Terms And Conditions And Rates Approved By The City Council To Add Two Contamination Rates Of \$25 And \$50 To The Maximum Service Rates, And Make Appropriate CEQA Findings; On The November 18, 2014 City Council Agenda

14-0173

4.12 Subject: 5816-5826 Mendoza Drive Utility Pole Telecomm. Project Appeal
From: Planning & Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following:

1) A Resolution Upholding Appeal #A13115, Thereby Reversing The Decision Of The City Planning Commission And Denying Regular Design Review To Attach A Telecommunications Facility To A Utility Pole Located In The Public Right-Of-Way At 5816-5826 Mendoza Drive; Or

[13-0699](#)

Alternatively, Should The Council Wish To Deny The Appeal And Uphold The Regular Design Review Application, The City Council May, Upon Conclusion Of A Public Hearing, Adopt:

2) A Resolution Denying Appeal #A13115 And Upholding The Decision Of The City Planning Commission To Approve Regular Design Review To Attach A Telecommunications Facility To A Utility Pole Located In The Public Right-Of-Way At 5816-5826 Mendoza Drive

13-0699-1

- 4.13** Subject: Oakland Zoo Conservation Easement
From: Planning & Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, Which Was Considered By The Parks And Recreation Advisory Commission, Granting A 53-Acre Conservation Easement In Knowland Park, Located At 9777 Golf Links Road, To Protect The Alameda Whipsnake, Which Further Implements The June 2011 California Trail Exhibit Project Approvals, Conditions Of Approval And Mitigation Measures And Authorizing The City Administrator To Take Any And All Actions Necessary To Implement The Conservation Easement. Without Returning To Council (CEQA Determination: Reliance On Previously Approved 2011 Subsequent Mitigated Negative Declaration/Addendum)
[14-0158](#)
- 4.14** Subject: Downtown Specific Plan Grant Award
From: Planning & Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (A) Apply For, Accept, And Appropriate Seven Hundred And Fifty Thousand Dollars (\$750,000) In Metropolitan Transportation Commission (MTC) And Association Of Bay Area Governments (ABAG) Priority Development Area (PDA) Planning Grant Funding For The Downtown Specific Plan; And (B) Enter Into A Grant Funding Agreement With MTC And ABAG For The PDA Planning Grant Funds; And (C) Appropriate Seven Hundred And Fifty Thousand Dollars (\$750,000) In Community Benefit Funds From The Jack London Redevelopment Project; And (D) Allocate One Hundred Thousand Dollars (\$100,000) Of The Jack London Redevelopment Project Community Benefit Funds To Fund The Local Match Requirement To Receive MTC Grant Funding For The Downtown Specific Plan.
[14-0163](#)
- 4.15** Subject: Increasing The Salary Of The Director Of Animal Services Classification
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Increase The Salary Of The Director Of Animal Services Classification
[14-0168](#)

- 4.16** Subject: Establishing Oakland Animal Services Community Advisory Commission
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Establishing The Oakland Animal Services Community Advisory Commission, Providing For The Appointment Of Members Thereof, And Defining The Duties Of Said Commission; On The November 12, 2014 Public Safety Committee Agenda
14-0170
- 4.17** Subject: Amendments to the FY 2014-15 Midcycle Budget
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Amending The City Of Oakland's FY 2013-2015 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 84466 C.M.S. On June 27, 2013 And Amended By Resolution 84897 C.M.S. On March 18, 2014, And Further Amended By Resolution No. 85085 C.M.S. On July 1, 2014 To: (1) Appropriate FY 2014-2015 General Purpose Fund Expenditures In An Amount Not To Exceed \$6,832,586 As Detailed In Exhibit 1; And (2) Increase General Purpose Fund Reserve In An Amount Of \$414,301 [NEW TITLE]
[14-0128](#)
- 4.18** Subject: Establishing A Rainy Day Policy And Consolidated Fiscal Policy
From: Office Of The City Administrator And Councilmember Schaaf
Recommendation: Adopt An Ordinance Amending The City Of Oakland Financial Policies, To Establish A New Rainy Day Policy And Consolidating All Fiscal Policies Into The City Of Oakland Consolidated Fiscal Policy
[14-0120](#)
- 4.19** Subject: California Safe Digging Month
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution In Support Of California Safe Digging Month
14-0134
- 4.20** Subject: Approval Of City Council 2015 Meeting Schedule
From: Council President Patricia Kernighan
Recommendation: Review And Adopt The Preliminary Calendar For January 2015 - December 2015 Council/Committee Meeting, Report & Distribution Schedule
14-0174
- 4.21** Subject: Establish Policy To Ground Lease, Rather Than Sell, City Property
From: Offices Of The City Administrator And City Attorney
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (OMC) Chapter 2.41 "Disposition Of City-Owned Property For Development" To Establish A General Policy To Ground Lease, Rather Than Sell, City Property; On The December 2, 2014 Community & Economic Development Committee Agenda
14-0175
Rules103014lt
em4

5 A Review Of The Council Committees' Actions From October 28, 2014 And Determination Of Scheduling To The City Council Meeting Of November 5, 2014 (MATRIX)

Rules103014It

em5

6 A Review Of The Draft Agendas For The Council Committee Meetings Of November 12, 2014 And The Rules And Legislation Committee Of November 13, 2014

Rules103014It

em6

Open Forum (Total Time Available: 15 Minutes)

Adjournment

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.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 238-3254

[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.**