



City of Oakland

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Oakland, California 94612
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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>

Thursday, March 5, 2015

10:45 AM

City Council Chamber, 3rd Floor

*The Oakland City Council Rules & Legislation Committee convened at 11:10 a.m.,
with Councilmember Gibson McElhaney presiding as Chairperson.*

Roll Call / Call To Order

Present 4 - Abel J. Guillén, Dan Kalb, Laurence E. Reid, and Lynette Gibson McElhaney

1 Determinations Of Closed Session

14-0548

Attachments: [View Report.pdf](#)

A Special Closed Session will be held on March 17, 2015 at 1:30 p.m.

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

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

2 Approval Of The Draft Minutes From The Committee Meeting Of February 19, 2015

14-0549

Attachments: [View Report.pdf](#)

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

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

3 Determination Of Schedule Of Outstanding Committee Items

14-0550

Attachments: [View Report.pdf](#)

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

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
14-0551

Attachments: [View Report.pdf](#)

There were 4 speakers on this item.

A motion was made by Reid, seconded by Kalb, that this matter be Scheduled. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

4.1 Subject: Settlement Agreement - Steven Angell 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 Steven Angell, Et Al. V. City Of Oakland, Et Al., United States District Court Case No. C13-0190 NC, City Attorney's File No. 29093 In The Amount Of Nine Hundred Thirty Thousand Dollars And No Cents (\$930,000.00) (OPD)

14-0626

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/17/2015

4.2 Subject: Affirming Oakland's Opposition To "Sex-Selective Abortion Bans"
From: Councilmembers Campbell Washington And Guillen
Recommendation: Adopt A Resolution Affirming Oakland's Opposition To "Sex-Selective Abortion Bans" That Perpetuate Racial Stereotypes

14-0614

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/17/2015

4.3 Subject: Assessment Of Liens For Delinquent Real Property Transfer Taxes
From: Finance Department
Recommendation: Conduct A Public Hearing On The Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

14-0596

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/17/2015 as a Public Hearing

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or

14-0597

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

14-0598

4.4 Subject: Assessment Of Liens For Delinquent Garbage Fees
From: Finance Department
Recommendation: Conduct A Public Hearing On Delinquent Garbage Fees For July/August/September 2014 Monthly Accounts And October -December 2014 Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

14-0599

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/17/2015 as a Public Hearing

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code; Or

14-0600

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

14-0601

4.5 Subject: Support For AB 43: Establishes Refundable CA Earned Income Tax Credit
From: Councilmembers Gibson McElhaney And Campbell Washington
Recommendation: Adopt A Resolution Supporting Assembly Bill 43 Which Establishes A Refundable California Earned Income Tax Credit To Act As A Stimulus For Working Low And Middle-Income Families By Reducing Poverty And Rewarding Work; On The March 19, 2015 Rules & Legislation Committee Agenda

14-0625

This City Resolution was Scheduled.to the *Rules & Legislation Committee to be heard 3/19/2015

- 4.6** Subject: Resolution In Support Of AB 65 - Body Worn Camera Fund
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of State Assembly Bill (AB) 65 (Alejo) That Would Create A State Fund To Help Local Law Enforcement Agencies Purchase, Implement, And Maintain A Body Worn Camera Program
14-0579

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled to the *Rules & Legislation Committee to be heard 3/19/2015

- 4.7** Subject: FY 2015-2016 Landscaping And Lighting Assessment District
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Initiating The Fiscal Year 2015-2016 Assessment Process For The City Of Oakland Landscaping And Lighting Assessment District (LLAD) And Authorizing The City Administrator To Order A Preliminary Engineer's Report Pursuant To California Streets And Highways Code; On The March 24, 2015 Finance & Management Committee Agenda And As A Public Hearing On June 2, 2015
14-0618

This City Resolution was Scheduled to the *Finance & Management Committee to be heard 3/24/2015 and as a Public Hearing on June 2, 2015

- 4.8** Subject: Coliseum Arena 2015 Refunding Series A
From: Finance Department
Recommendation: Adopt A Resolution Regarding The Oakland-Alameda County Coliseum Authority's Issuance Of Lease Revenue Bonds (Oakland Coliseum Arena Project) 2015 Refunding Series A, Approving The Form And Authorizing The Execution And Delivery By The City Of Oakland Of One Or More Letters Of Representations; Approving Such Other Documents And The Taking Of All Necessary Actions By The City In Connection With The Refunding Of The Authority's Outstanding Bonds For The Arena, Including Approving The Form And Distribution Of An Official Statement In Connection Therewith; On The March 24, 2015 Finance & Management Committee Agenda
14-0619

This City Resolution was Scheduled to the *Finance & Management Committee to be heard 3/24/2015

- 4.9** Subject: Designation And Authorization To Examine Sales And Use Tax Records
From: Revenue Management Bureau
Recommendation: Adopt A Resolution Authorizing The City Administrator To Update And Expand The List Of Designated City Officials Who Are Permitted To View And Use City Of Oakland Sales And Use Tax Information To (1) Include Assistant City Administrator, Director Of Finance, Revenue And Tax Administrator, Budget Director, Director Of Economic And Workforce Development, City Administrator Analyst, Assistant To The City Administrator, City Attorney, Deputy City Attorney IV, Deputy City Attorney III, Principal Revenue Analyst, Principal Financial Analyst, Tax Auditor III, Tax Auditor II, Accountant II, Tax Enforcement Officer II, Revenue Assistant, Collections Officer, Tax Representative II, And (2) Remove From The Existing List Revenue Collections Supervisor, Revenue Audit Supervisor, And Finance Manager; And (3) Add A Consultant Authority To Examine Sales And Use Tax Records For The City Of Oakland From The Board Of Equalization Pursuant To California Revenue And Taxation Code Section 7056(B); On The March 24, 2015 Finance And Management Committee Agenda

14-0622

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 3/24/2015

- 4.10** Subject: Agreement For Property Tax, And Sales And Use Tax Consultant Services
From: Revenue Management Bureau
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Execute A Professional Services Contract With Hinderliter, de Llams And Associates (HdL) For Sales And Use Tax Consulting Services In An Amount (I) Not To Exceed \$10,200 Annually For Sales And Use Tax Economic Analysis, Web Based Data, Auditing Services, And Training; And (II) Additional Compensation Not To Exceed 15% Of Net Revenue Discovered And Recovered For The City As A Result Of Consultant Performed Audits, (Revenue Recovery Will Be Calculated Based On The Retroactive Recovery Plus Eight Future Quarters, But Not To Exceed A Total Of Eleven Quarters); And Authorizing This Contract For An Initial Three-Year Term With Two Optional Annual Extensions; And

14-0627

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 3/24/2015

2) A Resolution Authorizing The City Administrator To Execute A Professional Services Contract With Hinderliter, de Llamas And Associates (HdL) Coren & Cone For Property Tax Consulting Services In An Amount (I) Not To Exceed \$24,000 Annually For Property Tax Economic Analysis, Web Based Data And Staff Training; And (II) Additional Compensation Not To Exceed 25% Of Net Revenue Discovered And Recovered For The City As A Result Of Property Tax Audits Performed By The Consultant; And Authorizing This Contract For An Initial Three-Year Term With Two Optional Annual Extensions; On The March 24, 2015 Finance & Management Committee Agenda

14-0628

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 3/24/2015

4.11 Subject: Contract Extension With ACS/Xerox
From: Revenue Management Bureau
Recommendation: Adopt A Resolution Waiving The Request For Qualifications ("RFQ"), Competitive Selection Advertising And Competitive Bidding Requirements And Authorizing The City Administrator To Execute A Third Amendment To The Agreement With Acs State And Local Solutions Inc. (ACS/Xerox), Extending The Term Of The Agreement For A Period Not To Exceed One- Year, Starting April 2, 2015 And Terminating April 1, 2016 To Provide A Parking Citation Administration And Revenue Reconciliation ("CARR") System; And Compensate ACS/Xerox Under The Current Terms Of The Existing Agreement In An Amount Not To Exceed \$900,000; On The March 24, 2015 Finance And Management Committee Agenda

14-0623

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 3/24/2015

4.12 Subject: Oakland Tourism Business Improvement District 2015
From: Economic & Workforce Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Of Intention To Establish The Oakland Tourism Business Improvement District 2015 (OTBID) And Scheduling A Related Public Meeting For April 21, 2015 And A Related Public Hearing For May, 19, 2015 And Giving Notice Thereof

14-0621

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 3/24/2015 and as Public Hearings on April 21, 2015 and May 19, 2015

4.13 Subject: Cityspan Contract For Oakland Paratransit
From: Human Services Department
Recommendation: Adopt A Resolution Waiving The Advertising And Bidding Requirements And The Request For Proposal/Qualifications Process And Authorizing The City Administrator To Execute An Agreement With Cityspan Technologies, Inc. To Provide Licensing And Hosting, Web-Based Client-Level Tracking And Contract Management Database Systems For The Oakland Paratransit For The Elderly And The Disabled (OPED) Program In An Amount Not To Exceed \$55,000 For Three Years From April 1, 2015 To March 31, 2018; On The March 24, 2015 Life Enrichment Committee Agenda

14-0616

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 3/24/2015

4.14 Subject: Creating The Department Of Race And Equity
From: Councilmember Desley Brooks
Recommendation: Request To Change The Title Of The Following Item And Schedule The Item As Follows:

OLD TITLE: Receive An Informational Report Providing Analysis Of The Recommendation To Amend Chapter 2.29 Of The Oakland Municipal Code Entitled, "City Agencies, Departments And Offices", To Create A Department Of Race And Equity That Would Report Directly To The City Administrator

NEW TITLE: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled, "City Agencies, Departments And Offices", Which Established The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of The City Charter Section 600, To Create The Department Of Race And Equity By December 2015, That Will Report Directly To The City Administrator; Establishing Definitions And Implementation Steps Related To A Citywide Strategy Of A Fair And Just City; And Receive An Informational Report Identifying The Timeline And All Steps Necessary To Implement The Department By December 2015; On The March 24, 2015 Life Enrichment Committee Agenda And On The March 31, 2015 City Council Agenda As A Non-Consent Item

14-0457

Attachments: [View Finance Committee Report.pdf](#)
[View Life Enrichment Committee Report.pdf](#)
[View Finance Supplemental Report.pdf](#)
[View Life Enrichment Supplemental Report.pdf](#)

This Informational Report was Scheduled.to the Meeting of the Oakland City Council to be heard 3/31/2015 as a Non-Consent Item and to the Life Enrichment Committee on March 24, 2015

- 4.15** Subject: Fiscal Year 20142-2015 Port Security Grant Program
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To 1) Enter Into An Agreement With The U.S. Department Of Homeland Security Federal Emergency Management Agency (FEMA) To Accept, Appropriate, Administer And Expend Grant Funds Associated With The Fiscal Year (FY) 2014/15 Port Security Grant Program (PSGP) In An Amount Not To Exceed Five Hundred Seventy-Eight Thousand, Five Hundred And Twenty-Seven Dollars (\$578,527) For All Programs In Accordance To The Preliminary Spending Plan Including Purchases Of Equipment And Services In Excess Of The City Administrator's Purchasing Authority Without Return To Council, For Equipment And Services Required By The Grant Provided The City Bidding Requirements, Contracts Purchasing Programs/Policies Are Followed; 2) Authorize Use Of Existing (Budgeted) Funding In The Amount Of One Hundred Ninety-Two Thousand, Eight Hundred And Forty-Two Dollars (\$192,842) From General Purpose Fund For Personnel And Other Administrative Resources, To Satisfy The In-Kind Match Requirement; On The March 24, 2015 Public Safety Committee Agenda
14-0620

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 3/24/2015

- 4.16** Subject: National Dispatcher Appreciation Week
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Recognizing April 13 - 19, 2015 As Emergency Dispatcher Week In The City Of Oakland
14-0617

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/31/2015

- 4.17** Subject: Sexually Exploited Minors Awareness Week
From: Councilmembers Gibson McElhaney And Campbell Washingotn
Recommendation: Adopt A Resolution Declaring April 20 - 26 As Sexually Exploited Minors Awareness Week In The City Of Oakland, And Calling On Oaklanders To Be Aware That The Commercial Sexual Exploitation Of Children Is A Tragic Form Of Child Abuse And Urging Ardent Community Support To End This Exploitation Of Children And All People; On The April 21, 2015 City Council Agenda As A Ceremonial Item
14-0624

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 4/21/2015

- 4.18** Subject: OPD Investigative Capacity Annual Report
From: Councilmember Dan Kalb
Recommendation: Receive An Annual Informational Report From The Oakland Police Department Regarding The State Of The Department's Investigative Capacity, Including Staffing Levels And Resources, Percentage Of Crimes Investigated, Crime Lab Issues, And Status Of Implementing 2013 Recommendations From Strategic Policy Partnership; On The May 12, 2015 Public Safety Committee Agenda
14-0603

This Informational Report was Scheduled.to the *Public Safety Committee to be heard 5/12/2015

Items Submitted On The Dais

- Subject: Informational Report on -Demographic Analysis of City Employees
From: Councilmember Lynette Gibson McElhaney
Recommendation: Receive An Informational Report from the Human Resources Department on the Diversity of City Staff, Including But not Limited to Race, Ethnicity, Gender, Age, Residency by City and Zip Code, and Anticipated Retirement by Department; On The April 14, 2015 Finance And Management Committee
14-0629

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 4/14/2015

Modifications To Previously Distributed 10-Day Agendas

- Subject: Measure WW Public Art
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Reallocate Grant Funds In An Amount Not To Exceed Two Hundred Four Thousand Sixty-Seven Dollars (\$204,067) From The East Bay Regional Park District Local Grant Program Under The Measure WW Park Bond Extension For Public Art At Two Designated Oakland Parks And Open Space Renovation Project Sites At Morcom Rose Garden And Children's Fairyland
14-0496

Attachments: [View Report.pdf](#)

This City Resolution was * Withdrawn and Rescheduled.to the *Life Enrichment Committee to be heard 3/24/2015

Subject: African American Recruitment, Retention And Attrition
From: Councilmember Desley Brooks
Recommendation: Receive An Informational Report Regarding Oakland Police Department Recruitment Efforts From 2010 To Present With A Focus On Efforts To Recruit And Retain African Americans As Police Officers
14-0456

Attachments: [View Report.pdf](#)

This Informational Report was * Withdrawn and Rescheduled.to the *Public Safety Committee to be heard 3/24/2015

Subject: IT/Help Desk Requests From OPD
From: Councilmember Desley Brooks
Recommendation: Receive An Informational Report Providing An Analysis Of All Help Desk Requests Made By The Oakland Police Department (OPD) To The Information Technology Department (ITD); The Date Of The Request; The Date The Request Was Completed And The Status Of Said Request; If The Request Is Incomplete, The Anticipated Completion Date; And A Summary Of The Status Of All OPD-Related Technology Projects ITD Is Working On Or Has Completed For The Reporting Period, Which Is January 1, 2014 To January 31, 2015
14-0477

Attachments: [View Report.pdf](#)

This City Resolution was * Withdrawn and Rescheduled.to the *Public Safety Committee to be heard 3/24/2015

5 A Review Of The Draft Agendas For The City Council Meeting Of March 17, 2015 And The Rules And Legislation Committee Of March 19, 2015
14-0552

Attachments: [View Report.pdf](#)

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

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

- 6 Subject: Resolution To Support The Constitutional Right To Vote
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution To Support Congressional House Joint Resolution 25 Proposing An Amendment To The Constitution Of The United States To Include Provisions Declaring The Rights Of Citizens To Vote, To Promote Democracy And Prevent Political, Racial And Discriminatory Limitations On Voting Access [TITLE CHANGE]

14-0571

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

A motion was made by Reid, seconded by Guillén, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 3/17/2015. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

- 7 Subject: Support For AB 96: Prohibiting The Sale Of Ivory
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution In Support Of Assembly Bill 96 Prohibiting The Sale Of Ivory And Rhinoceros Horn In California

14-0573

Attachments: [View Report.pdf](#)

There were 2 speakers on this item

A motion was made by Reid, seconded by Kalb, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 3/17/2015. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

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

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

The Resolution was amended to add the following: "FURTHER RESOLVED: That the City of Oakland urges support of the Alameda County Board of Supervisors efforts to amend the Alameda County General Plan, East County Area Plan and County Zoning Ordinances to restrict oil and gas extraction, including fracking, countywide."

There was 1 speaker on this item

This City Resolution was Approve the Recommendation of Staff, and Forward.to the Meeting of the Oakland City Council to be heard 3/17/2015

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

Open Forum (Total Time Available: 15 Minutes)

There were 3 Open Forum speakers.

Adjournment

There being no further business, and upon the motion duly made, the Committee adjourned the meeting at 12:00 p.m.

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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.