



City of Oakland

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Meeting Minutes - FINAL

*Rules & Legislation Committee

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

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

Thursday, May 26, 2016

10:45 AM

City Council Chamber, 3rd Floor

Roll Call / Call To Order

The Oakland City Council Rules and Legislation Committee convened at 11:03 a.m., with Council President Gibson McElhaney presiding as Chairperson.

Excused 1 - Laurence E. Reid

Present 3 - Abel J. Guillén, Dan Kalb, and Lynette Gibson McElhaney

1 Determinations Of Closed Session

[15-1011](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

2 Approval Of The Draft Minutes From The Committee Meeting Of April 14, 2016 And May 12, 2016

[15-1003](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

3 Determination Of Schedule Of Outstanding Committee Items

[15-1009](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[15-1012](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

4.1 Subject: FY 2016-2017 Midcycle Budget Amendments
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending The City Of Oakland's Fiscal Year 2015-17 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 85672 C.M.S. On June 30, 2015, To Make Adjustments: (1) Increasing The Fiscal Year 2016-17 Revenue Projection In The General Purpose Fund (GPF); (2) Appropriating Additional Fiscal Year 2016-17 GPF Expenditures; And (3) Increasing Fiscal Year 2016-17 Revenues And Appropriations In Other Non-GPF Funds; And
[15-1066](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

2) A Resolution Authorizing The Use Of One-Time Revenues And Excess Real Estate Transfer Tax Revenues For Purposes Other Than Those Denoted In The City's Consolidated Fiscal Policy Adopting A Finding Of Necessity, And Describing Prospective Steps To Be Taken To Return To The Prescribed Uses Of Said Revenues
[15-1067](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

4.2 Subject: Measures M, N, Q, & Z FY 2016-17 Cost-of-Living Tax Adjustment
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2016-17 Increase In Accordance With The Consumer Price Index, Fixing The Rate Of Property Tax, And Levying A Tax On Real And Personal Property In The City Of Oakland For Fiscal Year 2016-2017 For Voter Approved Measure M (The Emergency Medical Services Retention Act), Measure N (The 1997 Paramedic Services Act), Measure Q (The Library Services And Retention Act), And Measure Z (The Public Safety And Services Act Of 2014)
[15-1068](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

- 4.3 Subject: Elder Abuse Awareness Month
From: Vice Mayor Annie Campbell Washington
Recommendation: Adopt A Resolution Declaring June 15, 2016 As Elder Abuse Awareness Day And June 2016 As Elder Abuse Awareness Month
[15-1077](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

- 4.4 Subject: Travel Authorization - (NALEO) Conference Participation
From: Councilmember Abel Guillén
Recommendation: Adopt A Resolution Authorizing Councilmember Abel Guillén To Travel To Washington, Dc To Attend The 33rd Annual National Association Latino Elected Officials (NALEO) 2016 Conference From June 22-25, 2016
[15-1083](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

- 4.5 Subject: Circleup Education For Diversity and Inclusion Training - Contract Extension
From: Human Resources Management Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Extend The Contract With Circleup Education For Diversity And Inclusion Training And Facilitation Services From July 1, 2016 To June 30, 2017, At A Cost Of \$51,000 For A Total Contract Amount Not To Exceed \$150,000, And Waiving The Competitive Request For Proposals/Qualification Process For The Additional Services
[15-1069](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

- 4.6 Subject: City's Single Audit For Fiscal Year 2014-15
From: Finance Department - Office of the Controller
Recommendation: Receive An Informational Report On The City's Single Audit For Fiscal Year (FY) 2014-15 As Issued By Macias Gini & O'Connell LLP ("MGO"), The City's External Auditor
[15-1070](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

- 4.7 Subject: 1611 Telegraph Avenue - Major Encroachment Permit
From: Department of Public Works
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To CREFII-RCI Telegraph, LLC, To Allow Portions Of The Building At 1611 Telegraph Avenue To Encroach Into The Public Right-Of-Way Along 16th Street And Along Telegraph Avenue
[15-1071](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 6/14/2016

- 4.8 Subject: PFRS Investment Portfolio As Of March 31, 2016
From: Finance Department - Treasury Bureau
Recommendation: Receive an Informational Report On The Oakland Police And Fire Retirement System's Investment Portfolio As Of March 31, 2016
[15-1072](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

- 4.9 Subject: Semi - Annual Vacancy Report:
From: Human Resources Management Department
Recommendation: Receive A Semi-Annual Vacancy Report On Budgeted Vacant Positions For The Period Of September 15, 2016 Through April 25, 2016
[15-1073](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

- 4.10 Subject: Classification Exemption - Police Communications Manager
From: Human Resources Management Department
Recommendation: Adopt A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Police Communications Manager From The Operation Of Civil Service
[15-1074](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

- 4.11 Subject: Addition And Civil Service Exemption Of New Classification
From: Human Resources Management Department
Recommendation: Adopt The Following Pieces Of Legislation: 1) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Of Special Counsel - Labor Employment; And
[15-1075](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

2) Adopt A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Special Counsel - Labor Employment From The Operation Of Civil Service

[15-1076](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

4.12 Subject: Fiscal Year 2016-17 Investment Policy And Treasury Designation For ORSA

From: Finance Department - Treasury Bureau

Recommendation: Adopt A Resolution Adopting The City Of Oakland Investment Policy For Fiscal Year 2016-2017

[15-1078](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

4.13 Subject: Contract Award for Highway Safety Improvement Program Cycle 5 (HSIP5)
From: Public Works Department

Recommendation: Adopt A Resolution Awarding A Construction Contract To Bay Construction, The Lowest, Responsible, Responsive Bidder, For Highway Safety Improvement Program Cycle 5 (HSIP5): 98th Avenue, Project No. C468220 In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Five Hundred Ninety Thousand Two Hundred Fifteen Dollars (\$590,215.00)

[15-1079](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 6/14/2016

4.14 Subject: Settlement Agreement - Communities For A Better Environment
From: Office Of The City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Attorneys' Fees Award In The Case Of Communities For A Better Environment V. City Of Oakland, Et Al, Alameda County Superior Court Case No. RG13-706245, California Court Of Appeal Action No. A146619, In The Amount Of Forty Thousand Dollars And No Cents (\$40,000.00) (Planning Commission Interpretation Of Oakland Planning Code Re Crematoria)

[15-1080](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

- 4.15** Subject: Bay Construction Contract Award - Pump Station Improvements
From: Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Bay Construction Co., The Lowest Responsive, Responsible Bidder, For Pump Station Improvements (Project No. C267630) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Two Million Twenty-Three Thousand Two Hundred Thirty-Two Dollars (\$2,023,232.00)
[15-1081](#)

**This City Resolution was Scheduled.to the *Public Works Committee to be heard
6/14/2016**

- 4.16** Subject: CivicCorps School Contract
From: Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Three-Year Agreement With Civicorps Schools For An Amount Of Two Hundred Twenty-Five Thousand Dollars (\$225,000), To Assist With Used Oil Recycling Activities, Perform Bicycle Locker And Sign Cleaning, And Provide Interns To Assist The City's Recycling Hotline And Community Outreach, And Waiving Advertising And The Competitive Request For Proposal/Qualification Selection Requirements
[15-1082](#)

**This City Resolution was Scheduled.to the *Public Works Committee to be heard
6/14/2016**

- 4.17** Subject: OPD-BHCS Crisis Response MOU Amendment
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, or Designee, To Enter Into An Intergovernmental Memorandum of Understanding (MOU) Between The Alameda County Health Care Services Agency, Behavioral Health Care Services (BHCS) And The Oakland Police Department (OPD) To Continue To Implement The Mobile Evaluation Team (MET) Program
[15-1084](#)

**This City Resolution was Scheduled.to the *Public Safety Committee to be heard
6/14/2016**

- 4.18** Subject: Alameda Safe Drug Collection and Disposal Agreements
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Enter Into A Kiosk Services Agreement and Take-Back Services Agreement With The Alameda MED-Project LLC To Implement The Safe Drug Disposal Kiosk Collection Program
[15-1085](#)

**This City Resolution was Scheduled.to the *Public Safety Committee to be heard
6/14/2016**

Items Submitted On The Dais:

Subject: Resolution In Support Of AB 2818 - Property Taxation: Community Land Trust
From: Councilmember Kalb
Recommendation: Adopt A Resolution In Support Of AB 2818 (Chiu) That Would Require County Tax Assessors To Consider When Valuing Property For Property Taxation Purposes Recorded Affordability Restrictions On Low And Moderate Income Housing Including Community Land Trusts
[15-1088](#)

This City Resolution was Scheduled.to the *Rules & Legislation Committee to be heard 6/16/2016

Subject: Resolution In Support Of AB 2713 - Energy Systems
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of Ab 2713 (Chiu) That Would Require Cities And Counties To Accept Electronic Submissions Of Permit Applications For Advanced Energy Storage Installations, And Creates A California Energy Storage Permitting Guidebook
[15-1089](#)

This City Resolution was Scheduled.to the *Rules & Legislation Committee to be heard 6/16/2016

Subject: Council To Direct Staff To Prepare A Report Regarding Circulating Ballot Measure
From: Office Of The City Administrator
Recommendation: Direct Staff To Prepare A Report By June 21, 2016 Analyzing The Circulating Ballot Measure Concerning Renter Protections Under The Provisions Of Elections Code Section 9212 And Specifically Including Consistency With The City's Charter And Other Ordinances
[15-1090](#)

Pursuant to Rule 28(a) of Resolution 86034 C.M.S., this item was scheduled to the June 7, 2016 City Council agenda.

- 5** A Review Of The Council Committees' Actions From May 24, 2016 And Determination Of Scheduling To The City Council Meeting Of June 7, 2016 (MATRIX)
[15-1013](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

- 6 A Review Of The Draft Agendas For The City Council Meeting Of June 7, 2016 And The Rules And Legislation Committee Of June 9, 2016
[15-1014](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

Open Forum (Total Time Available: 15 Minutes)

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:47 a.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.