



City of Oakland Meeting Agenda

*Rules & Legislation Committee

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk

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

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

Thursday, July 10, 2014

10:45 AM

City Council Chambers - 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 June 19, 2014 And June 26, 2014
- 3 Determination Of Schedule Of Outstanding Committee Items
([Rules071014Item3](#))
- 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
- S-4.1 Subject: Professional Services Agreement With Managed Health Network
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter

Into A Professional Services Agreement With Managed Health Network (MHN) In Order To Meet The Requirements Of The Memorandum Of Understanding (MOU) With The Oakland Police Officers' Association (OPOA) To Provide: (1) Psychological Counseling Services For Sworn Members Of The Oakland Police Department (OPD) And Their Dependents For The Period Of July 1, 2014 To June 30, 2017, For An Amount Not To Exceed \$315,000, With An Option To Extend For An Additional Two Years, In An Amount Of \$105,000 Per Year, For A Total Contract Amount Of \$525,000; And (2) Substance Abuse Counseling To Sworn Members And Their Dependents And Civilian Members Of The OPD For The Period Of January 1, 2015 To June 30, 2017, For An Amount Not To Exceed \$210,000, With An Option To Extend For An Additional Two Years, In An Amount Of \$84,000 Per Year, For A Total Contract Amount Of \$378,000; For An Overall Total Contract Amount Of \$903,000; On The July 22, 2014 Public Safety Committee Agenda

[\(13-0725\)](#)

S-4.2 Subject: Port Security Grant Program Funds

From: Department of Fire

Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: (1) Enter Into An Agreement With The United States Department Of Homeland Security's Federal Emergency Management Agency (FEMA) To Accept Fiscal Year 2013 Port Security Grant Program (PSGP) Funds; And (2) Accept, Appropriate And Administer Fiscal Year 2013 PSGP Grant Funds In An Amount Up To One Hundred Sixty-Nine Thousand, Six Hundred And Seventy-Nine Dollars (\$169,679); And (3) Approve The Preliminary Spending Plan; And (4) Expend Funds In Accordance With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases Of Equipment And Services Approved In The Federal Authorized Equipment List (AEL) And Required By The Grant, Provided The City's Competitive Solicitation And Purchasing Programs/Policies Are Followed; And (5) Allocate Thirty-Two Thousand Dollars (\$32,000) From The General Purpose Fund To Satisfy The In-Kind Or Cash Match Requirement ; On the July 22, 2014 Public Safety Committee Agenda

[\(13-0723\)](#)

S-4.3 Subject: Support For AB 2188 - Simplifying Solar Energy Permitting Process

From: Councilmember Dan Kalb

Recommendation: Request To Withdraw The Following Item From The July 17, 2014 Rules & Legislation Committee Agenda And Reschedule To The July 24, 2014 Rules & Legislation Committee Agenda:

Adopt A Resolution In Support Of Assembly Bill (AB) 2188 (Muratsuchi) - State Legislation That Would Make California Statewide Permitting Process For Rooftop Solar Systems Simpler And More Efficient And Help Advance Goals Outlined In Oakland Climate Action Plan

[\(13-0703\)](#)

S-4.4 Subject: Support For SB 1199 - Scenic River Designation For Mokelumne River

From: Councilmember Dan Kalb

Recommendation: Adopt A Resolution In Support Of Senate Bill (SB) 1199 (Hancock) State Legislation That Would Provide California Wild And Scenic River Designation For

The Mokelumne River From Below Salt Springs Dam To The Upstream End Of Pardee Reservoir; On The July 24, 2014 Rules & Legislation Committee Agenda
[\(13-0714\)](#)

S-4.5 Subject: Traffic Signal Installations & Modifications
From: Department Of Public Works
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Increasing The Change Order Limit Amount For The Contract With Bay Area Lightworks For Construction Of Traffic Signal Installations And Modifications (Project No. C313710), From Twenty Percent (20%) To Twenty-Three Percent (23%) Of The Original Contract Amount, For A Total Amount Not-To-Exceed One Million Six Thousand Six Hundred Thirty-One Dollars And Thirty-Three Cents (\$1,006,631.33); On The July 22, 2014 Public Works Committee Agenda
[\(13-0715\)](#)

S-4.6 Subject: Golden Gate Branch Library Exterior Window Restoration Project
From: Department Of Public Works
Recommendation: Adopt A Resolution To Reject All Bids, Waive Further Advertising And Competitive Bidding And Authorize The City Administrator, Or His Designee, To Negotiate And Execute A Construction Contract Up To The Amount Of One Hundred And Sixty Three Thousand Dollars (\$163,000.00) With Rockridge Builders, Sole Bidder, Or In The Open Market For The Golden Gate Branch Library Exterior Window Restoration Project (No. B00570) In Accordance With The Plans And Specifications; On The July 22, 2014 Public Works Committee Agenda
[\(13-0716\)](#)

S-4.7 Subject: UPRR Crossing Improvement Agreements
From: Department Of Public Works
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, The Director Of Public Works Or The Assistant Director Of Public Works, Bureau Of Engineering And Construction, To Negotiate And Execute Agreements With Union Pacific Railroad (UPRR) For Crossing Improvements And Maintenance, In Accordance With California Public Utility Commission (CPUC) Regulations At: (1) Broadway And Embarcadero West Intersection (No. 001D-6.70); (2) Fruitvale Avenue South Of San Leandro Boulevard (No. 001D-9.80) And (3) 23rd And 29th Avenues, Near Glascock Street (Nos. 0010-10.39-C And 0010-10.40-C); On The July 22, 2014 Public Works Committee Agenda
[\(13-0717\)](#)

S-4.8 Subject: Emeryville Berkeley Oakland Transit Study
From: Department Of Economic And Workforce Development
Recommendation: Receive An Informational Report On The Emeryville Berkeley Oakland Transit Study; On The July 22, 2014 Community And Economic Development Committee Agenda
[\(13-0719\)](#)

S-4.9 Subject: Application To Expand Foreign Trade Zone
From: Department Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Submit A Foreign Trade Zone Alternative Site Framework Application And To Sign And Enter

Into An Agreement With The Foreign Trade Zone Board, U.S. Department Of Commerce; On The July 22, 2014 Community And Economic Development Committee Agenda
[\(13-0720\)](#)

S-4.10 Subject: ENA For 2315 Valdez St And 2330 Webster Street
From: Department Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement For A Period Of One Year With The Option To Extend Administratively For 90 Days With Harrison TDP Partners LLC To Develop A Mixed-Use Project On City-Owned Properties At 2315 Valdez Street And 2330 Webster Street; On The July 22, 2014 Community And Economic Development Committee Agenda
[\(13-0722\)](#)

S-4.11 Subject: Annual Reports Of Property-Based BID's
From: Department Of Economic And Workforce Development
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Approving The Annual Reports Of The Koreatown/Northgate Community Benefit District Of 2007, The Downtown Oakland Community Benefit District Of 2008, The Lake Merritt/Uptown Community Benefit District Of 2008, The Fruitvale Property Business Improvement District Of 2011, And The Lakeshore/Lake Park Business Improvement Management District Of 2012 Advisory Boards; Confirming The Continuing Annual Assessment For Each Applicable District For Fiscal Year 2014/15; And Authorizing Payment Of The City's Cumulative Fiscal Year 2014/15 Fair Share Assessment In An Approximate Amount Of \$209,150.04 For City-Owned Properties In The Koreatown/Northgate District, The Downtown Oakland District, The Lake Merritt/Uptown District And The Fruitvale District.
[\(13-0730\)](#)

2) An Oakland Redevelopment Successor Agency Resolution Authorizing Payment Of The Oakland Redevelopment Successor Agency's Cumulative Fiscal Year 2014/15 Fair Share Assessment In An Approximate Amount Of \$8,819.40 For Oakland Redevelopment Successor Agency-Owned Properties In The Koreatown/Northgate Community Benefit District Of 2007, The Downtown Oakland Community Benefit District Of 2008, The Lake Merritt/Uptown Community Benefit District Of 2008 And The Fruitvale Property Business Improvement District Of 2011; On The July 22, 2014 Community And Economic Development Committee Agenda
[\(13-0730-1\)](#)

S-4.12 Subject: Basement Backfill And Repair Program
From: Department Of Economic And Workforce Development
Recommendation: Adopt A Resolution (1) Authorizing The Creation Of A City Basement Backfill And Repair Program, (2) Allocating \$2,636,845 For The Program Using Excess Central District Bond Funds Under The Bond Expenditure Agreement, And (3) Authorizing The City Administrator To Make Grants Under The Program Without Returning To Council ; On The July 22, 2014 Community And Economic Development Committee Agenda
[\(13-0731\)](#)

- S-4.13 Subject: Honoring Lu Vason
From: Councilmember Lynnette Gibson McElhaney
Recommendation: Adopt A Resolution to Honor Lu Vason, Founder and Director of the Bill Pickett Invitational Rodeo, on the 30th Anniversary of the Only Touring African American Rodeo in America; On The July 29, 2014 City Council Agenda As A Ceremonial Item
[\(13-0713\)](#)
- S-4.14 Subject: Recognizing District 5 Community Leaders
From: Councilmember Noel Gallo
Recommendation: Receive Commendations Recognizing Delmy Raymundo, Fabian Guerra, And Anthony James As Young Community Leaders Who Have Consistently Participated In District 5 Clean-Ups And Who Have Set An Example For Oakland Residents In Keeping Our City Clean And Safe; On The July 29, City Council Agenda, As A Ceremonial Item
[\(13-0732\)](#)
- S-4.15 Subject: Parks And Recreation Advisory Commission Report
From: Office Of Parks And Recreation
Recommendation: Receive The Annual Report To The City Council From The Parks And Recreation Advisory Commission; On The July 22, 2014 Life Enrichment Committee Agenda
[\(13-0727\)](#)
- S-4.16 Subject: Attrition / Retention Action Plan
From: Oakland Police Department
Recommendation: Receive A Report And Recommendations On The Oakland Police Department's Attrition Reduction /Retention Strategy Action Plan; On The July 22, 2014 Public Safety Committee Agenda
[\(13-0718\)](#)
- S-4.17 Subject: Citywide Street Resurfacing
From: Department Of Public Works
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Authorizing The City Administrator, Or Designee To Execute A Construction Contract With Gallagher & Burk, Inc., The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For Citywide Street Resurfacing (Project No. C369650) And With Contractor's Bid In The Amount Of Three Million Six Hundred Ninety-Eight Thousand Nine Hundred Ninety-Five Dollars And Eighty Cents (\$3,698,995.80); And
[\(13-0726\)](#)
 - 2) Resolution Waiving Advertising And Bidding Requirements And Increasing The Contract Amount By Nine Hundred Thousand Dollars (\$900,000.00) For Additional Street Resurfacing, For A Total Contract Authorization Of Four Million Five Hundred Ninety-Eight Thousand Nine Hundred Ninety Five Dollars And Eighty Cents (\$4,598,995.80); On The July 22, 2014 Public Works Committee Agenda
[\(13-0726-1\)](#)

- S-4.18 Subject: Circus Events In The City Of Oakland
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On Draft Regulations For Circus Events In The City Of Oakland ; On The July 22, 2014 Public Safety Committee Agenda
[\(13-0724\)](#)
- S-4.19 Subject: Illegal Dumping And Graffiti Witness Rewards Campaign
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Establishing A Rewards Fund For Illegal Dumping And Graffiti Witnesses Who Provide Information That Leads To Successful Enforcement Actions And (2) Appropriate \$10,000 For A Related Public Awareness Campaign; On The July 22, 2014 Public Works Committee Agenda
[\(13-0728\)](#)
- S-4.20 Subject: Extend Contract With GRM
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Extend The Contract With GRM Information Management Services For Records And Information Management Services On A Month To Month Basis Until Execution Of A New Contract And The City's Records Inventory Is Transferred To The New Records Management Contractor For A Period No Later Than March 31, 2015 In An Amount Not To Exceed \$162,500; And 2) Waive The Advertising And Request For Proposal/Qualification (RFP/Q) Process For The Agreement Extension With Current Contractor GRM Information Management Services; And 3) Proceed With Contract Negotiations And Return To Council Within 90 Days To Award A Contract For Records And Information Management Services; On The July 22, 2014 Finance And Management Committee Agenda
[\(13-0729\)](#)
- S-4.21 Subject: Councilmember Cost-Of-Living Salary Increase For FY 2014-2015
From: Council President Kernighan
Recommendation: Adopt A Resolution Waiving The Full Salary Amount Authorized By The Public Ethics Commission For City Councilmembers And Instead Accepting A Salary Of \$76,100.00 For FY 2014-2015, Which Represents A 2.4 Percent Cost-Of-Living Increase Over The Salary That Most Councilmembers Received In FY 2013-2014; On The June 29, 2014 City Council Agenda
[\(13-0733\)](#)
- S-4.22 Subject: Permanent Regulations For Crematoriums
From: Department Of Planning And Building
Recommendation: Adopt An Ordinance, Recommended By The Planning Commission, And As Directed By City Council Under Emergency Ordinance No. 13222 C.M.S., To Amend The Planning Code To Establish Permanent Regulations Pertaining To Crematories Within The City Of Oakland; On The July 22, 2014 Community And Economic Development Committee Agenda, And As A Public Hearing on the July 29, 2014 City Council Agenda
[\(13-0721\)](#)
[\(rules071014item4\)](#)

- 5 A Review Of The Council Committees' Actions From July 8, 2014 And Determination Of Scheduling To The City Council Meeting Of July 15, 2014 (MATRIX)
[\(rules071014item5\)](#)

- 6 A Review Of The Draft Agendas For The Council Committee Meetings Of July 22, 2014 And The Rules And Legislation Committee Of July 24, 2014
[\(rules071014item6\)](#)

- 7 Subject: Amendments To The Oakland Campaign Reform Act
From: Council President Patricia Kernighan
Recommendation: Adopt An Ordinance Amending The Oakland Campaign Reform Act To Prohibit The Use Or Transfer Of Money From Ballot Measure Committees Controlled By Candidates For City Office Or City Officeholders
[\(13-0633\)](#)

This item was Continued from the June 26, 2014 Rules & Legislation Committee meeting.

- 8 Subject: Support For The Policy Direction Of The Rohrabacher Amendment
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution To Support The Policy Direction Of The Rohrabacher Amendment Included In The Commerce And Justice Departments' Appropriation Bill To Prohibit The Use Of Funds To Prevent Certain States From Implementing Their Own State Laws That Authorize The Use, Distribution, Possession, Or Cultivation Of Medical Marijuana
[\(13-0668\)](#)

This item was rescheduled from the July 3, 2014 Rules & Legislation Committee meeting.

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
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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.

**LaTonda Simmons
City Clerk and
Clerk of the Council**