



City of Oakland Meeting Agenda

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

*Rules & Legislation Committee

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

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

Thursday, October 13, 2011

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:

Vice Mayor Brooks, District 6; Pro Tempore Ignacio De La Fuente, District 5; Libby Schaaf, District 4; and Council President Larry Reid; District 7

- 1 Determinations of Closed Session
 - 2 Approval of the Draft Minutes from the Committee meeting of September 29, 2011
 - 3 Determination of Schedule of Outstanding Committee Items
([rules101311](#))
 - 4 Scheduling of Agenda Items and revisions to the agendas for the Council Committee meetings of October 18, 2011 (SUPPLEMENTAL).
([rules101311item4](#))
- S-4.1 Subject: Justice Assistance Grant
From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Six Hundred And Seventy Four Thousand Five Hundred And Ninety Two Dollars (\$674,592) From The U.S. Department Of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) And Appropriate Said Funds To The Police Department; On The November 8, 2011 Public Safety Committee Agenda
[\(11-0087\)](#)

S-4.2 Subject: Sole-Source Contract - Crossroads Software
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Award A Sole-Source Professional Service Contract To Crossroads Software, Inc. For The Online Dissemination Of Traffic Collision Reports For An Initial Term Of Two Years With No More Than Two Discretionary One -Year Extensions; On The November 8, 2011 Public Safety Committee Agenda
[\(11-0088\)](#)

S-4.3 Subject: COPS Hiring Recovery Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing the City Administrator, On Behalf of the City of Oakland, to Accept And Appropriate Grant Funds from the U.S. Department of Justice, Office of Community Oriented Policing Services (USDOJ/COPS) COPS Hiring Recovery Program (CHRP) To the Oakland Police Department to Fund the Hiring of Twenty-Four (24) Police Officers; On The November 8, 2011 Public Safety Committee Agenda
[\(11-0089\)](#)

S-4.4 Subject: DNA Backlog Reduction Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Four Hundred Forty-Three Thousand Two Hundred And One Dollars (\$443,201) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2011 Forensic Casework DNA Backlog Reduction Grant Program In The Police Department For The Period October 1, 2011 Through March 31, 2013, And Approve The 3% Cap On Central Services Overhead Charges As Allowed By The Granting Agency; On The October 25, 2011 Public Safety Committee Agenda
[\(11-0105\)](#)

S-4.5 Subject: Review Of The November 2011 Meeting Schedule
From: Offices of the City Administrator and City Clerk
Recommendation: Review The Meeting Schedule For Council Committees And City Council For The Month Of November 2011.
[\(11-0078\)](#)

S-4.6 Subject: Performance Based Budgeting Report
From: Councilmember De La Fuente
Recommendation: A Request To Withdraw An Item Previously Scheduled To The October 25, 2011 Finance And Management Committee Agenda With No New Date

Receive An Informational Report From The Budget Office Regarding "Performance Based Budgeting" Including How The City May Be Able To Save Money By Moving To Such A Model, Experiences Of Other Cities That Have Moved To A Performance Based Budgeting Model And Information Of What The Process Would Be To Move The City Towards A Performance Based Budgeting Model

Reason: Staff is requesting to reschedule the report as additional time is needed to meet with stakeholders and put together an actionable plan.

(10-0367)

S-4.7

Subject: Fire Chief Salary Adjustment

From: Department Of Human Resources Management

Recommendation: Adopt A Resolution In Conformance With The Requirements Of Ordinance No. 12918 C.M.S. To Authorize The City Administrator To Approve An Initial Salary For The Position Of Director, Fire Services Agency (Fire Chief) That Exceeds The Mid-Point, And Not To Exceed The Top Of The Salary Range Of \$211,382 Annually And Temporarily Adjusted To \$194,196 Annually To Reflect An 8.85% Reduction For Fiscal Year 2011-2012; On The October 25, 2011 Finance And Management Committee Agenda

(11-0096)

S-4.8

Subject: WIA Providers Performance Report And Funds Allocation

From: Community And Economic Development Agency

Recommendation: Receive A Report On The Performance Of Workforce Investment Service Providers For Program Year 2010-2011, And Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting The Fiscal Year 2011-2012 Workforce Investment Budget, And Accepting And Appropriating Workforce Investment Act (WIA) Title I Funds For Adult, Dislocated Worker, And Youth Programs In The Amount Of \$4,908,908.00 And Special Grant Funds In The Amount Of \$1,517,462.00, For A Total Of \$6,426,370.00; And

2) A Resolution (1) Authorizing Contracts Or Contract Amendments For Fiscal Year 2011-2012 Workforce Investment Act (WIA) Funds With The Following Service Providers To Provide Adult, Dislocated Worker, And Youth Employment And Training Services In Not-To-Exceed Amounts: (A) Oakland Private Industry Council, Inc. (OPIC), One Stop Operator, \$195,000; (B) OPIC, One Stop Comprehensive Career Center, \$550,000; (C) OPIC, Eastbay Works, \$137,303; (D) The English Center, \$115,000; (E) Lao Family Community Development, One Stop Affiliate, \$102,500; (F) Unity Council, Inc., \$157,500; (G) Assets, \$120,000; (H) Lao Family Community Development Inc., Youth Services, \$215,033.48; (I) Pivotal Point Youth Services, \$152,336.86; (J) Spanish Speaking Citizens Foundation, \$82,365.86; (K) Youth Employment Partnership (YEP), In School Youth, \$124,536.77; (L) YEP, Out Of School Youth, \$229,295.80; And (M) Youth Uprising, \$139,189.81; (2) Authorizing Contracts Or Contract Amendments For Fiscal Year 2011-2012 Special Grant Funds To Service Providers As Specified In The Grant Agreements; And (3) Authorizing The City

Administrator To Provide Additional Funding To Adult Service Providers For Supportive Services, Intensive Training Accounts, And On-The-Job-Training Within Budgeted Amounts Without Returning To Council; On The October 25, 2011 Community And Economic Development Committee Agenda
[\(11-0083\)](#)

S-4.9 Subject: West Oakland Redevelopment Project Implementation Plan
From: Community And Economic Development Agency
Recommendation: Receive A Report On The Midterm Review Of The 2008-2013 Five-Year Implementation Plan For The West Oakland Redevelopment Project; And 1) Adopt A Resolution Authorizing A One-Year Extension Of The Project Area Committee For The West Oakland Redevelopment Project To November 18, 2012; On The November 8, 2011 Community And Economic Development Committee Agenda And As A Public Hearing On The November 15, 2011 City Council Agenda
[\(11-0084\)](#)

S-4.10 Subject: Professional Services Agreement - Kennedy And Associates
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

- 1) An Agency Resolution Authorizing A Waiver Of The Advertising And Request For Proposal/Qualifications Process And A Request To Authorize The Agency Administrator To Negotiate And Execute An Amendment To The Professional Services Agreement With Kennedy And Associates To Increase The Contract By An Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000) For A Total Contract Amount Of Four Hundred Fifty Thousand Dollars (\$450,000) For Additional Civil Engineering Services For The Former Oakland Army Base Project; And
- 2) A City Resolution Authorizing A Waiver Of The Advertising And Request For Proposal/Qualifications Process And A Request To Authorize The City Administrator To Negotiate And Execute An Amendment To The Professional Services Agreement With Kennedy And Associates To Increase The Contract By An Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000) For A Total Contract Amount Of Four Hundred Fifty Thousand Dollars (\$450,000) For Additional Civil Engineering Services For The Former Oakland Army Base Project; On The November 8, 2011 Community And Economic Development Committee Agenda
[\(11-0085\)](#)

S-4.11 Subject: Mills Act Contracts - Trestle Glen And 16th
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Approving Two (2) Mills Act Contracts Between The City Of Oakland And The Properties At 850 Trestle Glen Road (Estimated - \$1,885/Year Property Tax Reduction), And 510 16th Street (Estimated - \$7,838/Year Property Tax Reduction), Pursuant To Ordinance No. 12987 C.M.S., To Provide These Owners With Property Tax Reductions In Exchange For Their Agreement To Repair And Maintain Their Historic Property In Accordance With Submitted Work Programs; On The November 8, 2011 Community And Economic Development Committee Agenda And As A Public Hearing On The November 15, 2011 City Council Agenda

[\(11-0086\)](#)

S-4.12 Subject: Pulte Homes Contract Increase - Rainbow Teen Center
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Amending Resolution No. 83165 C.M.S. To Authorize An Increase In The Contract With Pulte Homes For The Construction Of The Rainbow Teen Center By \$30,699 From \$121,000 To \$151,699 To Pay For Prevailing Wage Costs; On The November 8, 2011 Public Works Committee Agenda

[\(11-0090\)](#)

S-4.13 Subject: Rockridge BID - Annual Assessment
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2012/2013 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 6, 2011; On The November 8, 2011 Community And Economic Development Committee Agenda And As A Public Hearing On The December 6, 2011 City Council Agenda

Scheduling Note: This item should follow the following pattern to comply with State BID regulations-Intent to Levy to Committee on 11/8, Intent to Levy to Council on 11/15 (Consent is OK), then actual Levy of Assessment to Council as a Public Hearing 12/6/11.

[\(11-0091\)](#)

S-4.14 Subject: Montclair BID - Annual Assessment
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2012/2013 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 6, 2011; On The November 8, 2011 Community And Economic Development Committee Agenda And As A Public Hearing On The December 6, 2011 City Council Agenda

Scheduling Note: This item should follow the following pattern to comply with State BID regulations-Intent to Levy to Committee on 11/8, Intent to Levy to Council on 11/15 (Consent is OK), then actual Levy of Assessment to Council as a Public Hearing 12/6/11.

[\(11-0092\)](#)

S-4.15 Subject: Rent Adjustment Program Annual Report
From: Community And Economic Development Agency
Recommendation: Receive An Annual Report Of The Rent Adjustment Program For Fiscal Year 2010-2011; On The November 8, 2011 Community And Economic Development Committee Agenda

[\(11-0094\)](#)

S-4.16 Subject: Parklet Pilot Program Report
From: Community And Economic Development Agency
Recommendation: Receive An Informational Report Regarding The Parklet Pilot Program, Which Provides A Temporary Use Of Space In The Dedicated Public

Right-Of-Way For Public Uses Such As Seating Or Bicycle Racks On The November 8, 2011 Public Works Committee Agenda
[\(11-0095\)](#)

S-4.17 Subject: Change Order Limit Increase - 12th St Reconstruction Project
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Increase The Change Order Limit For The Contract With McGuire & Hester For The 12th Street Reconstruction Project (Project No. C241610) From Ten Percent To Fifteen Percent Of The Original Contract Amount For A Total Contract Amount Not-To-Exceed Thirty Six Million Eight Hundred Forty-One Thousand Eight Hundred Eighty Dollars And Eighty Six Cents (\$36,841,880.86); On The November 8, 2011 Public Works Committee Agenda
[\(11-0097\)](#)

S-4.18 Subject: Contract Increase - 10th St Bridge Project
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Contract With Rajappan & Meyer Consulting Engineers, Inc. To Add Additional Design And Engineering Services For The 10th Street Bridge Project And To Increase The Contract From One Million Two Hundred Thousand Dollars (\$1,200,000.00) To A Total Contract Amount Not-To-Exceed One Million Six Hundred Thousand Dollars (\$1,600,000.00) And Waive The Request For Proposal (RFP) Requirement For The New Work; On The November 8, 2011 Public Works Committee Agenda
[\(11-0098\)](#)

S-4.19 Subject: Contract Increase - 12th St Reconstruction Project
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Contract With Rajappan & Meyer Consulting Engineers, Inc. To Add Additional Design And Engineering Services For The 12th Street Reconstruction Project And To Increase The Contract From Five Million Eight Hundred Thousand Dollars (\$5,800,000.00) To A Total Contract Amount Not-To-Exceed Six Million Eighty Thousand Dollars (\$6,080,000.00) And Waive The Request For Proposal (RFP) Requirement For The New Work; On The November 8, 2011 Public Works Committee Agenda
[\(11-0099\)](#)

S-4.20 Subject: Contract Award - Sanitary Sewers Rehabilitation
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Pacific Trenchless, Inc. The Lowest Responsive And Responsible Bidder, For The Rehabilitation Of Sanitary Sewers In The Easement Between Moore Drive And Aitken Drive, Easement Between Saroni Drive And Arrowhead Drive, And Easement Between Glencourt Drive And Homewood Drive (Project No. C329125), In Accord With Plans And Specification For The Project And Contractor's Bid In The Amount Of Two Hundred Fifty-Three Thousand Six Hundred Four Dollars (\$253,604.00); On The November 8, 2011 Public Works Committee Agenda
[\(11-0100\)](#)

- S-4.21 Subject: Contract Award - Sanitary Sewers Rehabilitation
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To B-Side, Inc. The Lowest Responsive And Responsible Bidder, For The Rehabilitation Of Sanitary Sewers In The Easement Between Mastlands Drive And Ascot Drive (Project No. C329124), In The Amount Of Two Hundred Thirty-Two Thousand Thirty-Seven Dollars (\$232,037.00); On The November 8, 2011 Public Works Committee Agenda [\(11-0101\)](#)
- S-4.22 Subject: Zero Waste System Design
From: Public Works Agency
Recommendation: Adopt A Resolution Adopting The Recommended System Design To Meet The Adopted Zero Waste Strategy - Develop A New Waste Management System Design In Preparation Of Oakland's Next Collection And Disposal Contracts; On The November 29, 2011 Special Public Works Committee Agenda [\(11-0104\)](#)
- S-4.23 Subject: Workers' Compensation Report
From: Finance And Management Agency
Recommendation: A Request To Withdraw An Item Already Scheduled To The October 25, 2011 Finance And Management Committee Agenda And Reschedule To The November 8, 2011 Finance And Management Committee Agenda
- Discussion And Possible Action On A Report Regarding Workers' Compensation
- Reason: Staff is receiving additional information from consultants to input into the report. Information was not available in time for the printing of this agenda. [\(10-0561\)](#)
- S-4.24 Subject: Emergency Interim Ordinance - Demolition Permits
From: Councilmember Jane Brunner
Recommendation: Adopt An Emergency Interim Ordinance Amending The Oakland Municipal Code, Chapter 15.36 "Demolition Permits" In Order To Add Restrictions On The Demolition Of A Structure Without A Building Permit For A Replacement Structure, Where The Owner Intends To Create A Vacant Lot; On The October 18, 2011 City Council Agenda
- This Item Requires An Urgency Finding. [\(11-0103\)](#)
- S-4.25 Subject: Contract Extension - Townsend Public Affairs
From: Office Of The Mayor
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal / Qualifications (RFP/Q) Process And Authorizing The City Administrator: 1) To Extend The Existing Agreement With Townsend Public Affairs, Inc., The City's State Legislative Representative, To October 31, 2012, 2) To, Thereafter, Continue The Agreement On A Month-To-Month Basis Until April 31, 2013, At The City's Discretion, And 3) To Increase The Agreement Up To An Amount-Not-To Exceed One Hundred Thirty Thousand Dollars (\$130,000), As Needed, For A Total Agreement

Amount-Not-To- Exceed Five Hundred Eighty Five Thousand Dollars (\$585,000); On The November 3, 2011 Rules And Legislation Committee Agenda
[\(11-0102\)](#)

S-4.26 Subject: 2010 Raiders Ticket Surcharge
From: Office Of Parks And Recreation
Recommendation: Adopt A Resolution Decreasing Estimated Revenue And Offsetting Expenditures From The 2010 Raiders Ticket Surcharge To Reflect Actual Revenues Collected And Authorizing A Transfer Of \$136,665.54 Which Is The Actual Revenue Collected From The Non-Departmental Citywide Activities Budget To The Office Of Parks And Recreation Budget To Benefit Citywide Youth Activities; On The November 8, 2011 Life Enrichment Committee Agenda
[\(11-0093\)](#)

5 A review of the Council Committees' actions from October 11, 2011 and determination of scheduling to the ORA/City Council meeting of October 18, 2011 or future dates (MATRIX)
[\(rules101311item6\)](#)

6 A review of the Agendas for the Council Committees for the meetings of October 25, 2011 and the Rules and Legislation Meeting of October 27, 2011
[\(rules101311item6\)](#)

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.

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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.

LATONDA SIMMONS
Agency Secretary/City Clerk
and Clerk of the Council

ORA - Oakland Redevelopment Agency
S - Supplemental Item