



# City of Oakland Meeting Minutes

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 24, 2013

10:45 AM

City Council Chambers - 3rd Floor

### Roll Call / Call To Order

Excused: Vice Mayor Reid

Present: Council President Kernighan, Member Schaaf and Member Kalb

*The Oakland City Council Rules And Legislation Committee convened at 11:06 a.m., with Councilmember Kernighan presiding as Chairperson.*

#### 1 Determinations Of Closed Session

**A motion was made by Member Schaaf, seconded by Member Kalb, to  
\*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

Subject: Status Report On The Oakland Animal Shelters

From: Councilmember Noel Gallo

Recommendation: Receive An Informational Report From The City Administrator Regarding The Staffing, Areas Of Focus, Services, And Volunteers At The City Of Oakland Animal Shelters; On The October 22, 2013 Public Safety Committee Agenda  
[13-0102](#)

**\*Withdrawn with No New Date**

#### 2 Approval Of The Draft Minutes From The Committee Meeting Of October 10, 2013

**A motion was made by Member Schaaf, seconded by Member Kalb, to  
\*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

#### 3 Determination Of Schedule Of Outstanding Committee Items

**A motion was made by Member Schaaf, seconded by Member Kalb, to  
\*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

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

**A motion was made by Member Schaaf, seconded by Council President Kernighan, to \*Approve with the following amendments. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

S-4.1 Subject: Office Of Traffic Safety DUI Grant

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland (City), To Accept And Appropriate Grant Funds In The Amount Of Forty-Eight Thousand Five Hundred Dollars (\$48,500) From The Regents Of The University Of California, Berkeley, School Of Public Health, Traffic Safety Center, Serving As The Fiscal Agent For The State Of California, Office Of Traffic Safety (OTS), For The 2013-2014 Sobriety Checkpoint Program To Be Conducted By The Oakland Police Department (OPD), And For A Waiver Of The Central Services Office (CSO) Overhead Charges In The Amount Of Five Thousand One Hundred One Dollars (\$5,101)

[13-0124](#)

**Scheduled to \*Public Safety Committee on 11/12/2013**

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[84711 C.M.S.pdf](#)

S-4.2 Subject: Office Of Traffic Safety STEP 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 The Amount Of One Hundred Seventy-Five Thousand Dollars (\$175,000) From The Regents Of The University Of California, Berkeley, School Of Public Health, Traffic Safety Center, Serving As The Fiscal Agent For The State Of California, Office Of Traffic Safety (OTS), For The 2013-2014 Selective Traffic Enforcement Program (STEP) To Be Conducted By The Oakland Police Department (OPD) And To Authorize Coverage Of The Central Services Overhead (CSO) From The General Fund In An Amount Not To Exceed Twenty Thousand Two Hundred Ten Dollars (\$20,210)

[13-0131](#)

**Scheduled to \*Public Safety Committee on 11/12/2013**

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[84712 C.M.S.pdf](#)

S-4.3 Subject: FY 2012-2013 Annual Report On Grants Up To \$50,000

From: Office Of The City Administrator

Recommendation: Receive The Annual Informational Report From The City Administrator On The Acceptance And Appropriation Of Restricted Grant Funds, Gifts And Donations Of \$50,000 Or Less For The Period July 1, 2012 Through June 30, 2013

[13-0125](#)

**Scheduled to \*Finance & Management Committee on 11/12/2013**

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S-4.4      Subject:    FY 2011-2012 Annual Report On Grants Up To \$50,000  
From:        Office Of The City Administrator  
Recommendation: Receive The Annual Informational Report From The City Administrator On  
The Acceptance And Appropriation Of Restricted Grant Funds, Gifts And Donations Of  
\$50,000 Or Less For The Period July 1, 2011 Through June 30, 2012  
[13-0134](#)

**Scheduled to \*Finance & Management Committee on 11/12/2013**

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S-4.5      Subject:    Montclair BID Annual Levy  
From:        Department Of Economic & Workforce Development  
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For  
Fiscal Year 2014/15 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 10, 2013  
[13-0135](#)

**Scheduled to \*Community & Economic Development Committee on  
11/12/2013**

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[84704 C.M.S.pdf](#)

S-4.6      Subject:    Rockridge BID Annual Levy  
From:        Department Of Economic & Workforce Development  
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For  
Fiscal Year 2014/15 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 10, 2013  
[13-0136](#)

**Scheduled to \*Community & Economic Development Committee on  
11/12/2013**

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S-4.7      Subject:    Settlement Agreement - Johnson 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 Johnson v. City Of Oakland, Et Al., Alameda County  
Superior Court, Case No. RG12653800 City Attorney's File No. 29168, In The Amount Of  
Seventy Thousand Dollars (\$70,000.00) (Public Works Department - Trip And Fall)  
[13-0122](#)

**Scheduled to Meeting of the Oakland City Council on 11/5/2013**

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S-4.8      Subject:      Settlement Agreement - Fred Fakraei 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 Fred Fakraei v. City Of Oakland, Alameda County Superior Court Case No. RG12-643200 In The Amount Of \$550,000.00 As A Result Of A Vehicle Accident At 11th And Clay Streets (Oakland Fire Department-Vehicle Collision)  
[13-0123](#)

**Scheduled to Meeting of the Oakland City Council on 11/5/2013**

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[84675 CMS.pdf](#)

S-4.9      Subject:      Settlement Agreement - Christina And Alphonso Acampo  
From:          Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromised And Settle The Claim Of Christina And Alphonso Acampo, City Attorney's Claim No. C29342, In The Amount Of Nine Thousand One Hundred Twenty-Three Dollars And Fourteen Cents (\$9,123.14) (Public Works Agency - Tree Limb Damaged Property)  
[13-0137](#)

**Scheduled to Meeting of the Oakland City Council on 11/5/2013**

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[84676 CMS.pdf](#)

S-4.10     Subject:      Settlement Agreement - Blesilda Alcantara  
From:          Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromised And Settle The Claim Of Blesilda Alcantara, City Attorney's Claim No. C29545, In The Amount Of Nine Thousand Two Hundred Twenty-Nine Dollars And Eighty-Three Cents (\$9,229.83) (Public Works Agency - Sewer Overflow)  
[13-0138](#)

**Scheduled to Meeting of the Oakland City Council on 11/5/2013**

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[84677 CMS.pdf](#)

S-4.11     Subject:      911 Fire Dispatch Center Phone Upgrade  
From:          Department Of Information And Technology  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept Equipment And Services From AT&T, Funded By The State Of California, Needed To Upgrade The City Of Oakland's Fire Dispatch 9-1-1 Phone System, Customer Premise Equipment (CPE), And Related Equipment, Valued At Three Hundred Thirty-Six Thousand Dollars (\$336,000). All Equipment And Services For The Project Will Be Paid From The State Of California 9-1-1 Program; No City Of Oakland Funds Are Required To Implement This Project  
[13-0118](#)

**Scheduled to \*Public Safety Committee on 11/12/2013**

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[84715 C.M.S.pdf](#)

S-4.12      Subject:      Supporting Richmond's Strategy Of Local Principle Reduction  
From:          Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Recognizing The Devastating Effect Of The Foreclosure Crisis On Local Communities, Supporting The City Of Richmond's Strategy Of Local Principle Reduction To Assist Homeowners In Risk Of Foreclosure Remain In Their Homes, And Declaring Oakland's Intention To Study Whether It Should Embark Upon A Similar Strategy  
[13-0120](#)

**Scheduled to \* Special Meeting of the Oakland City Council on 11/5/2013**

*The Rules Committee approved the scheduling of a Special Meeting of the Council on November 5, 2013 at 4:30 PM.*

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S-4.13      Subject:      CalRecycle Grant Applications  
From:          Public Works Agency  
Recommendation: Adopt A Resolution Authorizing Submittal Of Grant Applications To The California Department Of Resources Recycling And Recovery City/County Payment Program And To Appropriate City/County Payment Program Funds For Recycling Programs Beginning With Fiscal Year 2013/2014 Through Fiscal Year 2014/2015  
[13-0126](#)

**Scheduled to \*Public Works Committee on 11/12/2013**

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S-4.14      Subject:      Five-Year Maintenance Agreement For Fleet Management Software  
From:          Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Execute A Five-Year Extension Of The Current Maintenance Agreement Between The Public Works Agency's Equipment Services Division And AssetWorks, Inc. For The Term Of January 1, 2014 Through December 31, 2018 In An Amount Not To Exceed Three Hundred And Three Thousand Two Hundred And Twelve Dollars (\$303,212.00) For Fleet Management Software Maintenance And Support Associated With The Department's Fleet Management System Software, And 2) Waive The Competitive Request For Proposals/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And The Local And Small Local Business Enterprise Program (L/SLBE) Provisions Associated With Said Maintenance Agreement  
[13-0127](#)

**Scheduled to \*Public Works Committee on 11/12/2013**

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S-4.15      Subject:    Pedestrian Safety Improvement Project  
From:        Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Execute A Construction Contract With McGuire & Hester, The Lowest Responsive And Responsible Bidder, For The Construction Of The Pedestrian Safety Improvement Project (Project No. C371810) In Accordance With Plans And Specifications For The Project In The Amount Of Five Hundred Forty-Three Thousand, Eighty-Six Dollars And Zero Cents (\$543,086.00) And Reject All Other Bids  
[13-0130](#)

**Scheduled to \*Public Works Committee on 11/12/2013**

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4.16        Subject:    Seismic Retrofit Of Coliseum Way Bridge  
From:        Public Works Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Waiving Advertising And Competitive Bidding And Increasing The Change Order Limit For The Contract With Disney Construction, Inc. For The Seismic Retrofit Of Coliseum Way Bridge (Project No. C346810) From Fifteen Percent (15%) To Thirty Percent (30%.) Of The Original Contract Amount For A Total Contract Amount Not-To-Exceed Three Million Six Hundred Fifty-Nine Thousand Three Hundred Eighty-Eight Dollars (\$3,659,388.00); And  
[13-0133](#)

**Scheduled to \*Public Works Committee on 11/12/2013**

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2) A Resolution Authorizing The City Administrator To Accept And Appropriate Up To One Million Eleven Thousand Three Hundred Forty-Four Dollars (\$1,011,344.00) Of Federal Highway Administration And State Proposition IB Funds For The Seismic Retrofit Of Coliseum Way Bridge (Project No. C346810)  
[13-0133-1](#)

**Scheduled to \*Public Works Committee on 11/12/2013**

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S-4.17      Subject:    Honoring Life Academy Of Health And Bioscience High School  
From:        Councilmember Noel Gallo  
Recommendation: Adopt A Resolution Acknowledging The Life Academy Of Health And Bioscience High School Community For Its Academic Growth And Community Contributions  
[13-0119](#)

**Scheduled to Meeting of the Oakland City Council on 11/5/2013**

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S-4.18      Subject:      Status Report On Mobile Food Ordinance  
From:            Councilmember Noel Gallo  
Recommendation: Receive An Informational Report On The Status Of The Mobile Food Ordinance  
13-0132

**Scheduled to \*Community & Economic Development Committee on 12/3/2013**  
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[Rules102413Item4](#)

**Scheduled to \*Public Works Committee on 11/12/2013**  
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**Items Submitted On The Dais**

Subject:      Honoring Corazon Del Pueblo  
From:            Councilmember Noel Gallo  
Recommendation: Adopt A Resolution Acknowledging Corazon Del Pueblo For Their Positive Promotion Of Peace And Cultural Understanding Through The Arts And Education In The Fruitvale Community And For Their Leadership In The Dia De Los Muertos Celebration Throughout The Bay Area  
13-0139

**Scheduled to Meeting of the Oakland City Council on 11/5/2013**  
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5            A Review Of The Council Committees' Actions From October 22, 2013 And Determination Of Scheduling To The City Council Meeting Of October 29, 2013 (MATRIX)  
**A motion was made by Member Schaaf, seconded by Council President Kernighan, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Reid  
Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

[Rules102413Item5](#)

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6            A Review Of The Draft Agendas For The City Council Meeting Of November 5, 2013 And The Rules And Legislation Committee Of November 7, 2013  
**A motion was made by Member Schaaf, seconded by Member Kalb, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Excused; 1 - Vice Mayor Reid  
Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

[Rules102413Item6](#)

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**Open Forum (Total Time Available: 15 Minutes)**

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules And Legislation Committee adjourned the meeting at 11:38 a.m.*

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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[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.

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*City Clerk and Clerk of the Council*