



City of Oakland Meeting Minutes

*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, November 08, 2012

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Present: Member Brooks, Member Schaaf, Member Reid and President Pro Tempore De La Fuente

The Oakland City Council Rules and Legislation Committee convened at 10:46 am, with Council President Reid presiding as Chairperson.

1 Determinations of Closed Session

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to *Approve as Submitted a Special Closed Session for November 13, 2012 at 3:00p.m. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente

2 Approval of the Draft Minutes from the Committee meeting of October 11, 2012

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

Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente

3 Determination of Schedule of Outstanding Committee Items

A motion was made by Member Schaaf, seconded by President Pro Tempore De La Fuente, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente

4 Scheduling of Agenda Items and revisions to previously distributed 10 Day Agendas (SUPPLEMENTAL)

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Member Brooks, Member Reid and President Pro Tempore De La Fuente

S-4.1 Subject: Sobriety Checkpoint 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 In The Amount Of Fifty Five Thousand Dollars (\$55,000.00) 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, For The 2011 Sobriety Checkpoint Program To Be Conducted By The Police Department
[12-0149](#)

Scheduled to *Public Safety Committee on 11/27/2012

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[84118 CMS.pdf](#)

S-4.2 Subject: Oakland Youth Court Program Agreement
From: Oakland Police Department
Recommendation: Adopt A Resolution Amending Resolution Number 83756 C.M.S., Which Accepted And Appropriated State Of California Corrections Standards Authority Title II Formula Grant Program Funds (Title II Grant Funds) In The Amount Of One Hundred Seventy Two Thousand One Hundred Forty One Dollars (\$172,141) For The Oakland Youth Court And Authorized A Professional Services Agreement With McCullum Youth Court Corporation To Administer And Operate The Program, To: 1) Authorize A Services Agreement With Centerforce Corporation (Centerforce), In An Amount Not To Exceed Eighty Three Thousand Six Hundred And Thirty Eight Dollars (\$83,638) For The Period July 20, 2012 Through December 31, 2012 For The Administration And Operation Of The Oakland Youth Court Program; And 2) Waive The Advertising And Request For Proposals/Qualifications (RFP/Q) Process For The Proposed 2012 Centerforce Agreement
[12-0150](#)

Scheduled to *Public Safety Committee on 11/27/2012

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[84117 CMS.pdf](#)

S-4.3 Subject: 2011 - 2012 Fourth Quarter Revenue Results
From: Office Of The City Administrator
Recommendation: Receive A Report On Fiscal Year 2011-2012 Fourth Quarter Revenue And Expenditure Results And Year-End Summaries For Four Selected Funds - General Purpose Fund (1010), Landscape & Lighting Assessment District Fund (2310), Equipment Fund (4100) And Facilities Fund (4400); And Overtime Analysis For The General Purpose Fund (1010) And All Funds
[12-0077](#)

Scheduled to *Finance & Management Committee on 11/27/2012

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S-4.4 Subject: 2013 - 2018 Five-Year Forecast
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Presenting The Five-Year Financial Plan For Fiscal Year 2013-2014 Through 2017-2018
[12-0078](#)

Scheduled to *Finance & Management Committee on 11/27/2012

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S-4.5 Subject: Measure Y Status Report
From: Office Of The City Administrator
Recommendation: Receive A Quarterly Report To The Public Safety Committee On The Status Of Measure Y From The Measure Y Oversight Committee
[12-0129](#)

Scheduled to *Public Safety Committee on 12/11/2012

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S-4.6 Subject: Civil Service Board Recommendations
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Recommending To The Civil Service Board The Exemption Of The Following Classifications From The Operation Of The Civil Service: Engineer, Civil Principal; Performance Audit Manager; Manager, Crime Laboratory; And Controller
[12-0145](#)

Scheduled to *Finance & Management Committee on 12/11/2012

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S-4.7 Subject: 2011-2012 OFCY Evaluation
From: Department Of Human Services
Recommendation: Receive An Informational Report On The Oakland Fund For Children And Youth Evaluation Findings For 2011-2012. The Reports Were Prepared By An Independent Evaluator And Submitted By The Planning And Oversight Committee Of The Oakland Fund For Children And Youth
[12-0137](#)

Scheduled to *Life Enrichment Committee on 11/27/2012

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S-4.8 Subject: Oakland Fund For Children And Youth Investment Plan
From: Department Of Human Services
Recommendation: Adopt A Resolution To Adopt The Oakland Fund For Children And Youth 2013-2016 Strategic Investment Plan
[12-0151](#)

Scheduled to *Life Enrichment Committee on 11/27/2012

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[84130 CMS.pdf](#)

S-4.9 Subject: 2nd Generation Early Warning System
From: Department Of Information Technology
Recommendation: Adopt A Resolution For Awarding A Contract To Sierra Systems Inc. In An Amount Not To Exceed Nine Hundred Thousand Dollars (\$900,000.00) For A Two Year Term For As-Needed Technical And Project Management Services In The Implementation Of A Second Generation Early Warning System For The Oakland Police Department
[12-0148](#)

Scheduled to *Public Safety Committee on 11/27/2012

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[84120 CMS.pdf](#)

S-4.10 Subject: Oakland Army Base Environmental Review Services Agreement
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute An Amendment To The Professional Services Agreement With LSA Associates, Inc. To Increase The Contract By An Amount Not To Exceed \$66,606 For A Total Contract Amount Of \$426,606 For Additional Environmental Review Services For The 2012 Oakland Army Base Project
[12-0132](#)

Scheduled to *Community & Economic Development Committee on 11/27/2012

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[84121 CMS.pdf](#)

S-4.11 Subject: Central District Redevelopment Five-Year Plan
From: Office Of Neighborhood Investment
Recommendation: Conduct a Public Hearing On The Report Providing Mid-Term Review Of The Five-Year Implementation Plans (2009-2014) For The Broadway/Macarthur/San Pablo, Central District, Coliseum And Stanford/Adeline Redevelopment Project Areas; And Upon Conclusion Adopt the Following Pieces Of Legislation:
[12-0135](#)

Scheduled to *Community & Economic Development Committee on 11/27/2012

And as a Public Hearing on the December 4, 2012 City Council Agenda

[View Report.pdf](#)

1) An Oakland Redevelopment and Successor Agency Resolution Adopting An Amendment To The Five Year Implementation Plan, 2009-2014, For The Central District Redevelopment Project To Add The Following Projects: 1800 San Pablo Avenue, 2330 Webster And 2315 Valdez Street, City Center T-5/6 (1114 Clay Street And 498 11th Street), Henry J. Kaiser Convention Center (1000 Oak Street), 12th Street Remainder Parcel, Uptown Parcel 4 (1901 Telegraph Avenue), And The Telegraph Plaza Garage (2100 Telegraph Avenue); And
[12-0135-1](#)

[2012-009 ORSA.pdf](#)

2) An Oakland Redevelopment Successor Agency Resolution Adopting An Amendment To The Five Year Implementation Plan, 2009-2014, For The Central City East Redevelopment Project To Add The Following Projects: Seminary Point, 27th Avenue And Foothill Boulevard, 36th Avenue And Foothill Boulevard, Eastmont, Foothill Square, And Melrose Ford; And
[12-0135-2](#)

[2012-010 ORSA.pdf](#)

3) An Oakland Redevelopment Successor Agency Resolution Adopting An Amendment To The Five Year Implementation Plan, 2009-2014, For The Coliseum Redevelopment Project To Add The Following Projects: Coliseum City, Fruitvale Transit Village Phase II, 66th Avenue And San Leandro Street, Hill-Elmhurst, Melrose Ford, And Clara Street And Edes Avenue
[12-0135-3](#)

[2012-011 ORSA.pdf](#)

S-4.12 Subject: Mobile Food Vending Regulations Extensions
From: Department Of Planning And Building
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Ordinance Extending Interim Regulations With Minor Amendments For Permitting Mobile Food Vending Group Sites Within A Limited Area Of The City Of Oakland Defined, In Part, By City Council Districts 1, 2, 3, And 4. The Interim Regulations Contained Herein Shall Remain In Place And Be Effective Through July 1, 2013, Or Until The City Council Adopts New Permanent Mobile Food Vending Regulations, Whichever Comes First
[12-0136](#)

Scheduled to *Community & Economic Development Committee on 11/27/2012

As a Public Hearing on the December 4, 2012 City Council Agenda

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2) An Ordinance Amending The Master Fee Schedule (Ordinance No. 13133 C.M.S. As Amended) To Reduce The Interim Food Vending Group Site Operation Date Fee
[12-0136-1](#)

S-4.13 Subject: 2013-2014 Montclair Business Improvement District Assessment
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2013/2014 For The Montclair Business Improvement District, Approving The Annual Report Of The Montclair Business Improvement District Advisory Board
[12-0138](#)

Scheduled to *Community & Economic Development Committee on 11/27/2012

As a Public Hearing on the December 18, 2012 City Council Agenda

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[84111 CMS.pdf](#)

S-4.14 Subject: 2013-2014 Rockridge Business Improvement District Assessment
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2013/2014 For The Rockridge Business Improvement District, Approving The Annual Report Of The Rockridge Business Improvement District Advisory Board
[12-0139](#)

Scheduled to *Community & Economic Development Committee on 11/27/2012

As a Public Hearing on the December 18, 2012 City Council Agenda

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S-4.15 Subject: 2012-2013 Cultural Services Grants
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Seventy-Nine (79) Cultural Services Grants To Sixty-Nine (69) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2012-2013 In A Total Amount Not To Exceed \$950,001
[12-0140](#)

Scheduled to *Life Enrichment Committee on 11/27/2012

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[84114 CMS.pdf](#)

S-4.16 Subject: Professional Services Agreement - Roloff
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Professional Services Agreement With Artist John Roloff For Public Art Design And Fabrication Services For The Lake Merritt - Oakland Estuary Channel Project To (1) Extend The Termination Date To December 31, 2016, And (2) Increase The Contract For A Total Amount Not To Exceed Three Hundred Twenty-Six Thousand Nine Hundred Forty Dollars (\$326,940) In Measure DD Series B Bond Funds
[12-0141](#)

Scheduled to *Life Enrichment Committee on 11/27/2012

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S-4.17 Subject: Professional Services Agreement - 12th Street Reconstruction Project
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Professional Services Agreement With Artist John Colle Rogers For Public Art Design And Fabrication Services For The 12th Street Reconstruction Project To (1) Extend The Termination Date To December 31, 2013, And (2) Increase The Contract For A Total Amount Not To Exceed One Hundred Thirty Thousand Five Hundred Dollars (\$130,500) In Measure DD Series B Bond Funds
[12-0142](#)

Scheduled to *Life Enrichment Committee on 11/27/2012

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[84115 CMS.pdf](#)

S-4.18 Subject: Army Base Interim Leasing Report
From: Office Of Neighborhood Investment
Recommendation: Receive An Informational Report Regarding The Oakland Army Base Interim Leasing Program
[12-0143](#)

Scheduled to *Community & Economic Development Committee on 11/27/2012

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S-4.19 Subject: Master Lease-Purchase Agreement
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Execute A Master Lease-Purchase Agreement In The Amount Of \$11,860,000 To Replace Approximately 161 Vehicles And Equipment Items And (2) Enter Into Cooperative Purchase Agreements With Other Governmental Agencies To Purchase The Needed Vehicles And Equipment, And If Such Equipment Is Not Obtainable Through Cooperative Purchase Agreements, (3) Authorizing The Waiver Of The Oakland Purchasing Ordinance's Formal Advertising And Competitive Bidding Requirements And Allowing The City Administrator To Solicit Bids From Three Vendors And Award Contracts For The Purchase Of The Vehicles And Equipment, Without Returning To Council And (4) Authorizing The City Administrator To Hire A Contract Project Manager To Assist In Specifying, Ordering, And Placing Into Service The New Vehicles And Remarketing Of The Old Vehicles; On The November 27, 2012 Finance And Management Committee Agenda
[12-0130](#)

Continued to *Rules & Legislation Committee on 11/15/2012

S-4.20 Subject: Cityworks Contract Amendment
From: Public Works Agency
Recommendation: Adopt A Resolution: (1) Amending The Contract With Azteca Systems, Inc., For The Purchase Of Licensing, Software Maintenance Services And Software Upgrades For The City's Cityworks Computerized Maintenance Management System, (2) Increasing The Contract Amount By \$550,000.00 And Extending The Contract For An Additional Five-Year Term, And (3) Authorizing The City Administrator To Waive Advertising, Competitive Bidding And The Request For Proposals/Qualifications Requirements
[12-0131](#)

Scheduled to *Finance & Management Committee on 12/11/2012

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S-4.21 Subject: Contract Award For LED Light Replacement
From: Public Works Agency
Recommendation: Adopt A Resolution: (1) Waiving Advertising And Bidding And Authorizing The City Administrator To Award Contracts To Suppliers And Contractors Through An Advertised Request For Proposals ("RFP") Selection Process For The Replacement Of Existing HPS Cobra Head Street Lights With LED Street Lights Citywide, Without Return To Council; (2) Awarding Contracts To: (A) Amland Corporation For Three Million, Nine Hundred, Ninety Thousand Dollars (\$3,990,000.00) For The Installation Of The LED Street Lights, For Lighting And Electrical Engineering Services And For Documentation Services For This Project, And (B) Graybar For Ten Million, Eight Hundred And Fifty Two Thousand, Six Hundred And Fifty Dollars (\$10,852,650.00) For The Supply Of LED Street Lights, And (C) Authorizing The City Administrator To Increase Said Contracts By Up To An Amount Not To Exceed Seven And One Half Percent (7.5%) Of The Original Contract Price, Without Returning To Council; And (3) Authorizing The City Administrator To Waive Advertising And Request For Proposal/Qualification Process Requirements And Award A Project Loan Contract For Financing, For An Amount Of \$16,000,000.00, At An Interest Rate Not-To-Exceed Four And One-Tenth Percent (4.10%) For A Term Of Not More Than Twelve (12) Years, To Be Repaid By Energy Savings From Landscape And Lighting Assessment District (LLAD) Funds, Without Return To Council To Amland Corporation, Or To A Lender Selected By The City Administrator Though A Request For Proposal/Qualifications Process, Without Return To Council; And (4) Accepting, Appropriating And Directing Rebates From The Utility Company Estimated At Two Million, Nine Hundred And Twenty-Five Thousand Dollars (\$2,925,000.00) To Be Deposited In The Landscape And Lighting Assessment District Funds (LLAD)
[12-0146](#)

Scheduled to *Public Works Committee on 11/27/2012

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S-4.22 Subject: Gallagher & Burke, Inc., Construction Contract
From: Public Works Agency
Recommendation: Adopt A Resolution: Awarding A Construction Contract To Gallagher & Burk, Inc. In Accord With Plans And Specifications For Various Street Resurfacing And Bikeway Facilities No. G427410 And Contractor's Bid Therefor, For Six Million Two Hundred Seventy-Nine Three Hundred Sixty-One Dollars (\$6,279,361.00)
[12-0153](#)

Scheduled to *Public Works Committee on 11/27/2012

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S-4.23 Subject: Bicycle Friendly Community Campaign
From: Public Works Agency
Recommendation: Adopt A Resolution Certifying That The Bicycle Master Plan, Updated December 4, 2007, Is Current And In Compliance With The California Streets And Highways Code Section 891.2; Acknowledging Five Years Of Progress On Plan Implementation; Affirming The Current Priority Lane Conversion Projects; Recommending Solutions That Address Barriers To Plan Implementation; And Establishing The City's 2014 Bicycle Friendly Community Campaign
[12-0154](#)

Scheduled to *Public Works Committee on 11/27/2012

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[84107 CMS.pdf](#)

S-4.24 Subject: Curb and Sidewalk Repair Project
From: Public Works Agency
Recommendation: Adopt A Resolution: Authorizing The City Administrator, Or His Designee To Award A Construction Contract To Rosas Brother Construction, Inc. The Lowest Responsible, Responsive Bidder, In Accord With Plans And Specifications For Citywide Curb Ramps And Sidewalk Repair Project No. C428011 And Contractor's Bid Therefor, In The Amount Of One Million Seven Hundred Thirty-Three Thousand Two Hundred Sixty-Four Dollars And Sixty Cents (\$1,733,264.60)
[12-0155](#)

Scheduled to *Public Works Committee on 11/27/2012

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[84106 CMS.pdf](#)

S-4.25 Subject: Metropolitan Transportation Commission Agreement
From: Public Works Agency
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator or Designee To Apply for \$60,000.00 In Pavement Management Technical Assistance Program Grant Funds From The Metropolitan Transportation Commission; 2) Appropriate \$50,780.00 From Measure B Funds In Local Match; And 3) Enter Into An Agreement With Metropolitan Transportation Commission To Provide Consulting Services For An Amount Not To Exceed \$50,780.00
[12-0156](#)

Scheduled to *Public Works Committee on 11/27/2012

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[84105 CMS.pdf](#)

S-4.26 Subject: Architectural Services Agreements
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into Professional Services Agreements In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000.00) Each With 1) Architecture Dimensions, 2) Devi-Dutta-Choudhury, 3) Hibser Yamauchi Architects, And 4) Vargas Greenan Architecture For On-Call Architectural Services Over A Period Of Three Years
[12-0157](#)

Scheduled to *Public Works Committee on 11/27/2012

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S-4.27 Subject: Goldman Sachs Interest Rate Swap Amendment
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Authorizing The Execution And Delivery And Approving The Forms Of Amendment To Swap Agreement And Promissory Notes And Approving Certain Related Matters
[12-0133](#)

Scheduled to *Finance & Management Committee on 11/27/2012

S-4.28 Subject: Wells Fargo Custodial Banking Services Agreement
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing [One-Year, Two-Year] Extensions To The Current Agreements With Wells Fargo Bank To Provide Primary Depository Services For The City At Costs Not To Exceed \$275,000 Annually And Primary Custodial Banking Services At A Cost Not To Exceed \$25,000 Annually
[12-0134](#)

Scheduled to *Finance & Management Committee on 11/27/2012

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[84129 CMS.pdf](#)

S-4.29 Subject: Cash Management Report
From: Finance And Management Agency
Recommendation: Receive The Cash Management Report For The Quarter Ended September 30, 2012
[12-0144](#)

Scheduled to *Finance & Management Committee on 11/27/2012

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5 A review of the Cancellations for the Council's Committee Meetings of November 20, 2012 and the November 22, 2012 Rules and Legislation Committee Meeting

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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 11:27 a.m.

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* 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.

City Clerk and Clerk of the Council