



City of Oakland

Meeting Agenda

*Rules & Legislation Committee

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

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

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

Thursday, September 17, 2015

10:45 AM

City Council Chamber, 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:

Abel J. Guillén, District 2; Dan Kalb, District 1; President Pro Tempore Larry Reid, District 7; Chairperson: Council President Lynette Gibson McElhaney, District 3

1 Determinations Of Closed Session

[15-0075](#)

Attachments: [View Report.pdf](#)

- 2 Approval Of The Draft Minutes From The Committee Meetings Of July 23, 2015 And July 30, 2015

[15-0054](#)

Attachments: [View Report.pdf](#)

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- 3 Determination Of Schedule Of Outstanding Committee Items

[15-0053](#)

Attachments: [View Report.pdf](#)

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

[15-0076](#)

Attachments: [View Report.pdf](#)

- 4.1 Subject: Banning New Business With Felonious Financial Institutions
From: Member of the Public

Recommendation: Adopt A Resolution Of The Oakland City Council (1) To Ban For Ten Years Future New Business, Including Using Investment Services Or Buying Commercial Paper Or Bonds, With Felonious Financial Institutions Or Financial Institutions Paying Regulatory Or Civil Penalties Over \$150 Million During A Five Year Period, And (2) To Unwind Existing Relationships To The Greatest Extent Possible, And (3) Directing The City Administrator Or His/Her Designee To Examine The City's Business Dealings And Future Investments To Assure That The City Complies With This Policy, And (4) Urging The Governing Boards Of The Oakland Municipal Employees' Retirement System (OMERS), The Oakland Police And Fire Retirement System (PFRS), The California Public Employees' Retirement System (CALPERS), And Other State And Local Jurisdictions To Ban Future New Business With All Financial Institutions Described In This Resolution, In An Effort To Support The Goal Of Protecting Public Funds; On The Finance & Management Committee Agenda

[15-0111](#)

Attachments: [View Report.pdf](#)

- 4.2 Subject: Adding Chapter 9.08.270 To Chapter 9 Of The Oakland Municipal Code
From: Members Of The Public:100 Black Men

Recommendation: Adopt An Ordinance Adding Chapter 9.08.270 To Chapter 9 Of The Oakland Municipal Code Establishing The Right To Photograph, Video And/Or Audio Record Police And/Or Peace Officer(s); On The September 21, 2015 Special City Council Agenda As A Consent Item

[14-1219](#)

Attachments: [View Report.pdf](#)

- 4.3** Subject: T5/6 DDA Public Hearing
From: Economic Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing: (1) The City Administrator, Without Returning To The City Council, To Negotiate And Execute A Disposition And Development Agreement And Related Documents Between The City Of Oakland, And Strada T5 Llc (Or A Related Entity Or Affiliate) For Sale Of The City Center T-5/6 Parcels Located On The Block Bounded By Broadway, 11th Street, 12th Street And Clay Street For No Less Than \$6.45 Million And Development As A Residential Mixed-Use Project And A Hotel Mixed-Use Project, All Of The Foregoing Documents To Be In A Form And Content Substantially In Conformance With The Term Sheet Attached As Exhibit A; And (2) Set-Aside Of No More Than \$1,000,000 From Land Sales Proceeds For Remediation Of Property; On The September 21, 2015 Special City Council Agenda As A Consent Item
[15-0049](#)
- 4.4** Subject: MOU Between The City & Local 1021
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The Service Employees International Union, Local 1021 Representing Employees In Representation Units SB1, SC1, SD1, And SI1 Covering The Period From July 1, 2015 To June 30, 2017; And Amending Salary Schedule Of Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Increase Salaries By Amounts Pursuant To The Memorandum Of Understanding; On The September 21, 2015 Special City Council Agenda
[15-0060](#)
- 4.5** Subject: MOU Between The City And Local 1245
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The International Brotherhood Of Electrical Workers, Local 1245 Representing Employees In Representation Units IE1 And TV1 Covering The Period From July 1, 2015 To June 30, 2017; And Amending Salary Schedule Of Ordinance 12187 C.M.S. (The Salary Ordinance) To Increase Salaries By Amounts Pursuant To The Memorandum Of Understanding; On The September 21, 2015 Special City Council Agenda
[15-0061](#)
- 4.6** Subject: Settlement Agreement - State Farm Ins. Co. v. Jean Quan
From: Office Of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of State Farm Mutual Automobile Ins. Co. v. Jean Quan, City Of Oakland, Alameda County Superior Court Case No. RG15762054, City Attorney's File No. X04132, In The Amount Of Ten Thousand Five Hundred Dollars (\$10,500.00) (Subrogation Claim); On The Spectember 21, 2015 Special City Council Agenda As A Consent Item
[15-0066](#)

- 4.7** Subject: Settlement Agreement - Lakisha Renee Lovely v. Jean Quan
From: Office Of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Lakisha Renee Lovely v. Jean Quan, City Of Oakland, Alameda County Superior Court Case No. RG14746187, City Attorney's File No. 30171, In The Amount Of Fifteen Thousand Dollars (\$15,000.00) (Motor Vehicle Accident); On The September 21, 2015 Special City Council Agenda As A Consent Item
[15-0067](#)
- 4.8** Subject: Settlement Agreement - Kenneth Windsor 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 Kenneth Windsor v. City Of Oakland, Alameda County Superior Court Case No. RG14-733628, In The Amount Of Eighty Thousand Dollars And No Cents (\$80,000.00) As A Result Of A Bicycle Accident On Or About September 7, 2013 (Public Works Department - Dangerous Condition); On The September 21, 2015 Special City Council Agenda As A Consent Item
[15-0068](#)
- 4.9** Subject: Settlement Agreement - Claim Of Ezio Maiolini
From: Office Of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Ezio Maiolini, In The Amount Of Eight Thousand Seven Hundred Seventy-Five Dollars And Seventy Cents (\$8,775.70) (Public Works-Failed Sewer Main); On The September 21, 2015 Special City Council Agenda As A Consent Item
[15-0070](#)
- 4.10** Subject: Settlement Agreement - Claim Of Shirley Zhang
From: Office Of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Shirley Zhang, In The Amount Of Seven Thousand Five Hundred Dollars And 00/100 Cents (\$7,500.00) (Oakland Police Department-Automobile Collision); On The September 21, 2015 Special City Council Agenda As A Consent Item
[15-0071](#)
- 4.11** Subject: Chabot Space And Science Center JPA Appointment - Quan
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Appointing Jean Quan To The Chabot Space And Science Center Joint Powers Authority Board Of Directors; On The September 21, 2015 Special City Council Agenda As A Consent Item
[15-0069](#)

- 4.12** Subject: PFRS Investment Portfolio As Of June 30, 2015
From: Finance Department
Recommendation: Receive An Informational Report On The Oakland Police And Fire Retirement System's Investment Portfolio As Of June 30, 2015; On The September 29, 2015 Finance Management Committee Agenda
[15-0100](#)
- 4.13** Subject: Equal Access Annual Compliance Report
From: Human Resources Management Department
Recommendation: Recieve The Equal Access Annual Compliance Report For Fiscal Year 2014-2015; On The September 29, 2015 Finance & Management Committee Agenda
[15-0104](#)
- 4.14** Subject: Aftermarket Automotive Parts & Accessories Contract
From: Finance Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To General Auto Parts Company The Lowest Responsible, Responsive Bidder, In An Annual Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) To Provide Aftermarket Automotive Parts & Accessories For A Three Year Term, August 1, 2015 To July 31, 2018 For A Total Not To Exceed Contract Amount Of One Million Five Hundred Thousand Dollars (\$1,500,000.00), In Accordance With Specification No. 15-465-14-01/Request For Quotation (RFQ) No. 5466, And The General Conditions Therefor On File In Purchasing Section And Contractor's Bid Filed With The City On June 1, 2015; On The September 29, 2015 Finance & Management Committee Agenda
[15-0106](#)
- 4.15** Subject: CalTrans Annual Progress Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On The Annual Progress Of CalTrans Maintenance Activities In The City Of Oakland; On The September 29, 2015 Public Works Committee Agenda
[15-0107](#)
- 4.16** Subject: Rehabilitation Of Sanitary Sewers
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes Construction, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Mountain Boulevard, Berneves Court, Redwood Road, And Sereno Circle (Project No. C329149) And With Contractor's Bid In The Amount Of Two Million Three Hundred Seventy-One Thousand One Hundred And Fifty-Five Dollars (\$2,371,155.00); On The September 29, 2015 Public Works Committee Agenda
[15-0112](#)

4.17 Subject: Seismic Retrofit Of The 23rd Avenue Bridge
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Additional Nine Hundred Fifty Thousand Dollars (\$950,000.00) In Federal Highway Administration And State Proposition 1B Funds For The Seismic Retrofit Of The 23rd Avenue Bridge; On The September 29, 2015 Public Works Committee Agenda

[15-0113](#)

4.18 Subject: City Center DDA Assignment
From: Economic And Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Oakland Redevelopment Successor Agency Resolution Authorizing The Assignment To The City Of Oakland Of The Oakland Redevelopment Successor Agency's Rights And Obligations Under The City Center Disposition And Development Agreement With Oakland T12 LLC For Development Of Property Located At 601 12th Street; And

[15-0101](#)

2) A City Council Resolution Authorizing The Assumption By The City Of Oakland Of The Oakland Redevelopment Successor Agency's Rights And Obligations Under The City Center Disposition And Development Agreement With Oakland T12 LLC For Development Of Property Located At 601 12th Street; On The September 29, 2015 Community & Economic Development Committee Agenda

[15-0102](#)

4.19 Subject: Oakland Sustainable Neighborhood Initiative Status Report
From: Economic And Workforce Development Department
Recommendation: Receive An Informational Report On The Status Of The Oakland Sustainable Neighborhood Initiative International Boulevard Corridor Project; On The September 29, 2015 Community & Economic Development Committee Agenda

[15-0103](#)

4.20 Subject: Amendment Of The Mayor's Commission On Persons With Disabilities
From: Oakland Public Works Department
Recommendation: Adopt An Ordinance Amending And Restating Ordinance No. 9968 C.M.S. And Ordinance No. 11864 C.M.S. To Change The Name Of The Commission On Disabled Persons To The Commission On Persons With Disabilities, And To Modify The Commission's Membership Terms, Quorum Requirement, And Meeting Frequency; On The September 29, 2015 Life Enrichment Committee Agenda

[15-0105](#)

4.21 Subject: FY 2015-2016 Cultural Funding Grant Awards
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Seventy-Seven (77) Cultural Services Grants To Sixty-Eight (68) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland, During Fiscal Year 2015-16 In A Total Amount Not To Exceed \$969,500; On The September 29, 2015 Life Enrichment Committee Agenda
[15-0108](#)

4.22 Subject: Phase 2A Capital Improvements At Raimondi Park
From: Oakland Parks & Recreation Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To: 1) Authorize The City Administrator To Accept Between \$1,700,000 And \$1,900,000 From The East Bay United Soccer Club (EBU) For The Capital Improvements At Raimondi Park; 2) Authorize The City Administrator To Execute A Construction Contract With EBU And Robert A. Bothman Construction For \$1.00 To Perform The Services And Authorize The Work On City Property; And 3) Waive The Advertising And Bidding Requirements For This Project; And
[15-0109](#)

2) An Ordinance Authorizing A License Agreement With The East Bay United Soccer Club (EBU) For Nonexclusive Use Of The Raimondi Park Multi-Purpose Field #2 (Near 20th Street) For A Ten-Year Term With One Seven-Year Option To Renew, In Exchange For In-Kind Maintenance Services By EBU For The Duration Of The Agreement; And Authorizing Capital Improvement Projects At The Multi-Purpose Field #2 By EBU At No Cost To The City; On The September 29, 2015 Life Enrichment Committee Agenda
[15-0110](#)

4.23 Subject: 100th Anniversary Of Fouche's Hudson Funeral Home
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Honoring The 100th Anniversary Of Fouche's Hudson Funeral Home; On The October 6, 2015 City Council Agenda As A Ceremonial Item
[15-0120](#)

- 4.24** Subject: Accept And Appropriate JABG Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To: 1) Enter Into A Grant Program Administration Agreement With The State Of California, Board Of State And Community Corrections, For The Juvenile Accountability Block Grant Program (JABG) Funds; 2) Accept And Appropriate JABG Direct Allocation Funds For Fiscal Year (FY) 2015-16 To The Oakland Police Department (OPD) In The Amount Of Twenty-Seven Thousand, Seven Hundred Seventy Dollars (\$27,770) For The OPD School Safety Project For The Period July 1, 2015 Through June 30, 2016; And 3) Contribute Two Thousand Seven Hundred Thirteen Dollars (\$2,713) From The General Purpose Fund To Cover The Central Services Overhead (CSO) Cost; On The September 29, 2015 Public Safety Committee Agenda
[15-0115](#)
- 4.25** Subject: Mutual Aid Reimbursements
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Seek Reimbursement For “Portal-To-Portal” Activities From State And Federal Agencies For Funds Expended By The Oakland Fire Department While Participating In Mutual Aid Incidents And Emergencies; And 2) Accept And Appropriate Funds Received From State And Federal Agencies For Actual Emergency Firefighting, Rescue, Hazardous Materials Response, Recovery Actions, And Support Activities Carried Out By The Oakland Fire Department; On The September 29, 2015 Public Safety Committee Agenda
[15-0116](#)
- 4.26** Subject: OPD Response To Youth Advisory Commission Recommendations
From: Oakland Police Department
Recommendation: Receive An Informational Report Of The Oakland Police Department’s (OPD) List Of: 1) Accomplished Or Implemented Youth Advisory Commission (YAC) Recommendations; And 2) Five Recommendations Which OPD And The Youth Advisory Commission Will Collaborate To Implement; On The September 29, 2015 Public Safety Committee Agenda
[15-0096](#)
- 4.27** Subject: Honoring Yvonne Hudson-Harmon
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Honoring Yvonne Hudson-Harmon For 10 Years Of Exemplary Service To The City Of Oakland And 46 Years Of Public Service; On The October 6, 2015 City Council Agenda As A Ceremonial Item
[15-0007](#)

- 4.28** Subject: Honoring Randolph W. Hall
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Honoring Randolph W. Hall For 29 Years Of Exemplary Service To The City Of Oakland; On The October 6, 2015 City Council Agenda As A Ceremonial Item
[15-0008](#)
- 4.29** Subject: Grandparents Day
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing September 13, 2015 As "Grandparents Day" In The City Of Oakland; On The October 6, 2015 City Council Agenda As A Ceremonial Item
[15-0065](#)
- 4.30** Subject: Actions Taken By The Mayor During The 2015 Annual Recess
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Ratifying Action Taken By The Mayor During The Oakland City Council 2015 Annual Recess In Conformance With The Council's Rules Of Procedure Codified In Resolution No. 82580 C.M.S., Passed March 2, 2010; On The October 6, 2015 City Council Agenda
[15-0099](#)
- 4.31** Subject: MOU With Confidential Management Employee Association
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The Confidential Management Employee Association In Representation Unit U31 Covering The Period From July 1, 2015 To June 30, 2017; And Amending Salary Schedule Of Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Increase Salaries By Amounts Pursuant To The Memorandum Of Understanding; On The October 6, 2015 City Council Agenda
[15-0119](#)
- 4.32** Subject: Delinquent Mandatory Garbage Fees
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For January/February/March 2015 Monthly Accounts And April - June 2015 Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:
- 1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[15-0062](#)

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary-Pursuant To Chapter 8.28 Of The Oakland Municipal Code; Or

[15-0063](#)

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; On The October 20, 2015 City Council Agenda As A Public Hearing

[15-0064](#)

4.33 Subject: Amending The City's FY 2014-2016 Biennial Budget
From: Vice Mayor Kaplan And Councilmember Brooks
Recommendation: Adopt A Resolution Amending The City Of Oakland's Fiscal Year 2014-2016 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 85672 C.M.S. On June 30, 2015; On The September 30, 2015 Special City Council Agenda

[15-0117](#)

5 A Review Of The Council Committees' Actions From September 15, 2015 And Determination Of Scheduling To The City Council Meeting Of October 6, 2015 (MATRIX)

[15-0098](#)

Attachments: [View Report.pdf](#)

6 A Review Of The Draft Agendas For The Council Committee Meetings Of September 29, 2015 And The Rules And Legislation Committee Of October 1, 2015

[15-0077](#)

Attachments: [View Report.pdf](#)

Open Forum (Total Time Available: 15 Minutes)

Adjournment

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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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.**