



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 04, 2012

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

The Oakland City Council Rules and Legislation Committee convened at 10:46 a.m. with Council President Pro Tempore De la Fuente presiding as Chairperson.

COMMITTEE MEMBERSHIP:

Absent: Member Reid

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

1 Determinations of Closed Session

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

Votes: Absent; 1 - Member Reid

Aye; 3 - Member Schaaf, Member Brooks and President Pro Tempore De La Fuente

2 Approval of the Draft Minutes from the Committee meeting of September 20, 2012

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

Votes: Absent; 1 - Member Reid

Aye; 3 - Member Schaaf, Member Brooks and President Pro Tempore De La Fuente

3 Determination of Schedule of Outstanding Committee Items

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

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

Votes: Absent; 1 - Member Reid

Aye; 3 - Member Schaaf, Member Brooks and President Pro Tempore De La Fuente

[rules100412item4](#)

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S-4.1 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 10/23/2012

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S-4.2 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 *Education Partnership Committee on 10/23/2012

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S-4.3 Subject: Firefighter MOU Amendment
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Amending Resolution No. 83517 C.M.S., Approved July 26, 2012, Which Extended The July 2008-June 2012 Memorandum Of Understanding With The International Association Of Firefighters (IAFF) Local 55, To Temporarily Waive The Definition Of A Training Company In Order To Assign Sufficient Fire Fighter Paramedics To Conduct Mandatory Field Evaluation Of Probationary Fire Fighter Paramedics
[12-0086](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
Successor Agency and the City Council on 10/16/2012**

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[84070 C.M.S.pdf](#)

S-4.4 Subject: Workers Compensation Program Report
From: Department Of Human Resource Management
Recommendation: Receive An Informational Workers' Compensation Program Report
[12-0083](#)

Scheduled to *Finance & Management Committee on 10/23/2012

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S-4.5 Subject: Safeway Project Appeal
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeals A12-146 & A12-148, Thus Upholding The Planning Commission's Approval Of Case Numbers CMDV09-107, TPM-09889, ER09-0006 And Certification Of The EIR For The College Avenue Safeway Project Located At 6310 College Avenue
[12-0085](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
Successor Agency and the City Council on 10/16/2012**
As a Public Hearing.

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S-4.6 Subject: Police Vehicle Replacement
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Appropriate Four Hundred Nineteen Thousand Six Hundred Ninety Two Dollars And Twenty Three Cents (\$419,692.23) In Interest Earnings From The 2000 And 2002 Equipment Master Lease-Purchase Agreements To Fund The Purchase Of Approximately Seven Marked Police Patrol Vehicles 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
[12-0076](#)

Scheduled to *Finance & Management Committee on 10/23/2012

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S-4.7 Subject: Pacific Trenchless, Inc., Construction Contract
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Pacific Trenchless, Inc., The Lowest Responsible, Responsive Bidder For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Mountain Boulevard, Greenridge Drive, And Keller Avenue (Sub-Basin 85-502 Project No. C312510) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of One Million Three Hundred Twenty Thousand Three Hundred Ninety-Four Thousand Dollars (\$1,320,394.00) In Accord With The Project Plans And Specifications And The Contractor's Bid
[12-0082](#)

Scheduled to *Public Works Committee on 10/23/2012

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S-4.8 Subject: Biggs Cardosa Associates Inc., Agreement
From: Public Works Agency
Recommendation: Adopt A Resolution Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Biggs Cardosa Associates, Inc., To Provide Professional Engineering Services For Seismic Retrofit Of Adeline Street Bridge (Project No. G426910) For An Amount Not To Exceed Seven Hundred Eighteen Thousand Dollars (\$718,000.00) In Accord With The Request For Proposal (RFP) And Its Amendment
[12-0084](#)

Scheduled to *Public Works Committee on 10/23/2012

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[84077 CMS.pdf](#)

S-4.9 Subject: Bishop O'Dowd International Program
From: Council President Larry Reid
Recommendation: Adopt A Resolution Recognizing The Educatius International Program For Bishop O'Dowd High School And Honoring The International Students
[12-0073](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
Successor Agency and the City Council on 10/16/2012**

As a Ceremonial Item.

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S-4.10 Subject: United Nations Month
From: Mayor Jean Quan And Vice Mayor Nancy Nadel
Recommendation: Adopt A Resolution Declaring October 2012 United Nations Month And October 24th, 2012 United Nations Day In The City Of Oakland And Authorizing The City Of Oakland To Serve As An Honorary Sponsor Of The United Nations Anniversary Flag Raising Ceremony On Saturday, October 20th, 2012
[12-0089](#)

**Scheduled to * Concurrent Meeting of the Oakland Redevelopment
Successor Agency and the City Council on 10/16/2012**

As a Ceremonial Item.

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[84060 C.M.S..pdf](#)

S-4.11 Subject: Public Library Trust Fund
From: Oakland Public Library
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Close Project C325110, In The Oakland Public Library Trust Fund (7540), And Transfer The Remaining Uncommitted Revenue And Appropriation Of Up To \$325,000 To A New Project To Be Used For Upgrades And Refurbishment Of Three Oakland Public Library Branches: Brookfield, Dimond And Montclair, And (2) To Apply For, Accept And Appropriate Additional Grants And Donations To Be Used For The Same Purpose.
[12-0088](#)

Scheduled to *Life Enrichment Committee on 10/23/2012

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[84127 CMS.pdf](#)

S-4.12 Subject: Raiders Ticket Surcharge
From: Office Of Parks And Recreation
Recommendation: Adopt A Resolution Increasing Estimated Revenue And Offsetting Expenditures From The 2011 Raiders Ticket Surcharge To Reflect Actual Revenues Collected And Authorizing A Transfer Of \$165,407.55 Which Is The Actual Revenue Collect From The Non-Departmental Citywide Activities Budget To The Office Of Parks And Recreation Budget To Benefit Citywide Youth Activities
[12-0080](#)

Scheduled to *Finance & Management Committee on 10/23/2012

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[84079 CMS.pdf](#)

S-4.13 Subject: Metropolitan Golf Links Rent Relief
From: Office Of Parks And Recreation
Recommendation: Adopt A Resolution To Approve Fifty Percent (50%) Of The Minimum Rent Relief To Oakland Golf LLC For The Operation Of The Metropolitan Golf Links During Fiscal Year July 1, 2012 Through June 30, 2013 In The Amount Of \$147,881 As Authorized In The First Sublease And Operating Agreement Approved By Resolution No. 81274 On May 6, 2008
[12-0081](#)

Scheduled to *Finance & Management Committee on 10/23/2012

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Items Submitted on the Dais

#1 Subject: Bauchi Sister-City Agreement
From: Councilmember Desley Brooks
Recommendation: Ceremonial Acknowledgement Of The Establishment, By Agreement, Of Sister-City Relationship Between Bauchi City Of Bauchi, Nigeria And The City Of Oakland, California
[12-0092](#)

#2 Subject: Oakland Police Department's Protocols
From: Councilmember Desley Brooks And Jane Brunner
Recommendation: Receive An Informational Report And Possible Action On Oakland Police Department's Protocols When There Has Been An Officer Involved Shooting. The Report Should Set Forth Existing Policy Regarding Notification Of Next Of Kin; Release Of Information To The Media; Dissemination Of Information To The Public; Incident Commander Duties And Responsibilities; Reporting Requirements For All Officers Present; Movement Of The Body Of The Decedent; Critical Incident Stress Debriefing Of Involved Officers Prior To Return To Duty; Establishment Of A Board Of Inquiry; Membership On The Board Of Inquiry. The Report Should Compare OPD'S Existing Policies With The Council On Accreditation For Law Enforcement Agencies (CALEA) Guidelines/Protocols For Officer Involved Shootings
[12-0093](#)

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#3 Subject: Oakland Police Department's Sworn Hiring Standards
From: Councilmember Desley Brooks And Jane Brunner
Recommendation: Receive An Informational Report And Possible Action On The Oakland Police Department's (OPD) Existing "Sworn Applicant's Hiring Standards"; How Background Information Is Verified; Existence Of A Preliminary Screening Interview Process; Responsibility Of The Background Unit Supervisor; Applicant Interview Process; Post Background Investigation Review And Reporting; Final Selection Meeting Prior To Issuing A Conditional Offer Of Employment; And Compliance With California Commission On Peace Officers Standards And Training (CAPOST) Requirements If Any. The Report Should Compare OPD'S Existing Policies With The Council On Accreditation For Law Enforcement Agencies (CALEA) Guidelines/Protocols For Background Investigations
12-0094
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5 A review of the Draft Agendas for the October 16, 2012 Meeting of the Oakland City Council and the October 18, 2012 Rules and Legislation Committee Meeting
A motion was made by Member Schaaf, seconded by Member Brooks, to *Approve as Submitted. The motion carried by the following vote:
Votes: Absent; 1 - Member Reid
Aye; 3 - Member Schaaf, Member Brooks and President Pro Tempore De La Fuente

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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 11:18 a.m.

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City Clerk and Clerk of the Council