



City of Oakland

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

Meeting Minutes - DRAFT *Rules & Legislation Committee

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

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

Thursday, March 26, 2015

10:45 AM

City Council Chamber, 3rd Floor

*The Oakland City Council Rules & Legislation Committee convened at 11:00 a.m.,
with Councilmember Gibson McElhaney presiding as Chairperson.*

Roll Call / Call To Order

Present 4 - Abel J. Guillén, Dan Kalb, Laurence E. Reid, and Lynette Gibson McElhaney

1 Determinations Of Closed Session

[14-0646](#)

Attachments: [View Report.pdf](#)

A Special Closed Session has been scheduled on March 31, 2015 at 2:00 p.m.

A motion was made by Reid, seconded by Guillén, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

2 Approval Of The Draft Minutes From The Committee Meeting Of March 12, 2015

[14-0647](#)

Attachments: [View Report.pdf](#)

A motion was made by Guillén, seconded by Reid, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

3 Determination Of Schedule Of Outstanding Committee Items

[14-0644](#)

Attachments: [View Report.pdf](#)

A motion was made by Kalb, seconded by Guillén, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

- 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[14-0648](#)

Attachments: [View Report.pdf](#)

There were 3 speakers on this item.

A motion was made by Reid, seconded by Kalb, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

- 4.1 Subject: Support For AB 700: California Disclose Act
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of State Assembly Bill (AB) 700 (Gomez & Levine), The California Disclose Act, That Would Require Radio, Telephone, TV, And Video Ads Regarding Ballot Measures To State The Top Contributors To The Committee Paying For The Ad
[14-0673](#)

This City Resolution was Rescheduled to the *Rules & Legislation Committee to be heard 4/16/2015

- 4.2 Subject: Settlement Agreement - Clifton Raines v. City Of Berkeley, 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 Clifton Raines v. City Of Berkeley, City Of Oakland, Et Al., Alameda County Superior Court Case No. RG13-686968, In The Amount Of Ten Thousand Dollars And No Cents (\$10,000.00) As A Result Of A Trip And Fall Incident On Or About October 15, 2012 (PWA); On The April 21, 2015 City Council Agenda As A Consent Item
[14-0701](#)

This City Resolution was Scheduled to the Meeting of the Oakland City Council to be heard 4/21/2015 as a Consent Item

- 4.3** Subject: Subordinated Tax Allocation Refunding Bonds, Series 2015-TE & 2015-T
From: Finance Department
Recommendation: Adopt A Successor Agency Resolution Authorizing The Issuance And Prescribing The Terms, Conditions And Form Of Not To Exceed \$115,000,000 Combined Aggregate Principal Amount Of The Oakland Redevelopment Successor Agency Subordinated Tax Allocation Refunding Bonds, Series 2015-TE And Oakland Redevelopment Successor Agency Taxable Subordinated Tax Allocation Refunding Bonds, Series 2015-T, Approving The Form Of And Authorizing The Execution And Delivery Of An Indenture Of Trust And A Purchase Agreement; Approving The Selection And Retention Of A Financial Advisor And Underwriters; Authorizing Payment Of Costs Of Issuance; And Authorizing And Approving Necessary Actions In Connection Therewith; On The April 14, 2015 Finance And Management Committee Agenda
[14-0705](#)

This ORSA Resolution was Scheduled.to the *Finance & Management Committee to be heard 4/14/2015

- 4.4** Subject: General Obligation 2015 Refunding Bonds
From: Finance Department
Recommendation: Adopt A Resolution Ratifying And Approving The Issuance And Sale Of Not To Exceed \$140,000,000 Aggregate Principal Amount Of City Of Oakland General Obligation Refunding Bonds (Dedicated Unlimited Ad Valorem Property Tax), Series 2015A; Prescribing The Terms Of Sale Of Said Bonds; Approving The Form Of And Authorizing The Execution And Delivery Of A Fiscal Agent Agreement, Escrow Agreements, Continuing Disclosure Certificate And Bond Purchase Contract; Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing The Execution And Delivery Of An Official Statement; And Authorizing Necessary Actions Related Thereto; On The April 14, 2015 Finance And Management Committee Agenda
[14-0707](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 4/14/2015

- 4.5** Subject: Salary Ordinance Amendments To Add Part Time Classifications
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Part Time Classifications Of Cable TV Stage Manager, PT; Hearing Officer PT; Language Interpreter, PT; And To Modify Existing Full Time Classifications By Adding The Part Time Equivalents Of The Classifications Of Emergency Planning Coordinator, PT; Emergency Planning Coordinator, Senior, PT; Head Start Program Coordinator, PT; Senior Services Program Assistant, PT; Special Events Coordinator, PT; Veterinarian, PT; And To Correct The Published Salary Rates For The Part Time Equivalent Classifications Of Emergency Medical Services Instructor, PT; Management Intern, PT; Management Assistant, PT; And Program Analyst I, PT To Align With The Salary Rate For The Full Time Rate For Those Classifications; And To Delete The Classifications Of Case Manager, Supervising, PT; CD Cleanup Supervisor, PT; Employee Assistance Program Counselor, PT; And Senior Center Director, PT; On The April 14, 2015 Finance & Management Committee Agenda
[14-0706](#)

This Ordinance was Scheduled.to the *Finance & Management Committee to be heard 4/14/2015

- 4.6** Subject: Salary Ordinance Amendments To Adjust Salaries & Titles
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Adjust The Salaries And Titles Of Various Classifications And Delete The Classifications Of Revenue Collections Supervisor, Revenue Audit Supervisor, And Police Services Technician I And Various Part-Time Camp Classifications; On The April 14, 2015 Finance & Management Committee Agenda
[14-0710](#)

This Ordinance was Scheduled.to the *Finance & Management Committee to be heard 4/14/2015

- 4.7** Subject: Risk Management Subsidy Funds
From: Human Resources Management Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Risk Management Subsidy Funds From The California State Association Of Counties - Excess Insurance Authority (CSAC-EIA) In An Estimated Amount Of \$135,511.39 For The Purchase Of A Risk Management Information System Called Riskmaster Through A Cooperative Agreement With Computer Sciences Corporation And Receive Annually Thereafter Risk Management Subsidy Funds From CSAC-EIA In The Amount Of \$39,560 To Pay For The Ongoing Maintenance, User And Licensing Fees For Riskmaster; On The April 14, 2015 Finance & Management Committee Agenda
[14-0711](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 4/14/2015

- 4.8** Subject: 2021 Broadway Major Encroachment Permit
From: Planning & Building Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Alameda Bayfarm Investment, LLC To Allow An Existing Under-Sidewalk Basement To Encroach Into The Public Right-Of-Way Along The Building's Frontage On 2021 Broadway
[14-0702](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 4/14/2015

- 4.9** Subject: Contract Authorization For Sewer Operations Equipment & Supplies
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To 1) Execute A One-Year Contract For Service With One Or More Vendors, To Be Identified, For The Period of May 1, 2015 Through April 30, 2016, In An Amount Not To Exceed Four Hundred Thousand Dollars (\$400,000.00), For The Purchase Of Iron And Steel Castings For Manhole Frames, Covers, Drainage Grates And Other Related Capital Improvement Supplies And Equipment On Behalf Of Oakland Public Works; 2) Authorize The Execution Of Two Additional One-Year Contract Extensions With One Or More Vendors, To Be Identified, In An Amount Not To Exceed Four Hundred Thousand Dollars (\$400,000.00) Per Year, Without Returning To Council, For A Grand Total Contract Amount Of One Million Two Hundred Thousand Dollars (\$1,200,000.00); And 3) Authorize The Purchase Of Supplies And Equipment In Excess Of The City Administrator's Purchasing Authority Without Further City Council Review And Action, Provided That The City's Bidding Requirements, Contracts And Purchasing Programs/ Policies Are Followed In Relationship To The Proposed Contracts For Service
[14-0704](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 4/14/2015

- 4.10** Subject: Tract No. 7621 Subdivision Map, Brooklyn Basin Project 845 Embarcadero
From: Planning & Building Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving A Final Map For Tract No. 7621 Phase I Located At 845 Embarcadero For A Six Lot Subdivision For Zarison-OHP I LLC; And
[14-0708](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 4/14/2015

2) A Resolution Approving A Subdivision Improvement Agreement With Zarison-OHP I LLC For Deferred Construction Of Public Infrastructure Improvements For The Final Map For Tract No. 7621 Phase 1 Located At 845 Embarcadero

[14-0709](#)

**This City Resolution was Scheduled.to the *Public Works Committee to be heard
4/14/2015**

4.11 Subject: DeFremery Park Rec Center Exterior Rehabilitation Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution To Reject All Bids, Waive Further Advertising And Competitive Bidding, And Authorize The City Administrator, Or Designee, To Negotiate And Execute A Construction Contract Up To The Amount Of Six Hundred Forty Thousand Dollars (\$640,000.00) In The Open Market For The DeFremery Park Recreation Center Exterior Rehabilitation Project (No. C469510) In Accordance With The Project Plans and Specifications

[14-0712](#)

**This City Resolution was Scheduled.to the *Public Works Committee to be heard
4/14/2015**

4.12 Subject: Rehab Of Sanitary Sewers
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Pacific Trenchless, 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, Joaquin Miller Road, Skyline Boulevard And Castle Drive (Project No. C329144) And With Contractor's Bid In The Amount Of Four Million Three Hundred Seventy-One Thousand Seven Hundred Seventy-Three Dollars (\$4,371,773.00)

[14-0713](#)

**This City Resolution was Scheduled.to the *Public Works Committee to be heard
4/14/2015**

4.13 Subject: Caldecott Settlement Bike/Ped Improvements Award Contract
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Rejecting All Bids, Waiving Further Advertising And Bidding; And Authorizing The City Administrator Or Designee, To Negotiate With Bidders And Execute A Construction Contract, Without Return To Council, In Accordance With The Plans And Specifications, For The Caldecott Fourth Bore Settlement Project #9 And #14, Along Broadway From Keith Avenue To Golden Gate Way (City Project No. C369520), In An Amount Not To Exceed One Million Eight-Hundred Eighty Four Thousand Two Hundred And Fifteen Dollars (\$1,884,215.00) For The Base Bid And A Bid Alternate

[14-0714](#)

**This City Resolution was Scheduled.to the *Public Works Committee to be heard
4/14/2015**

- 4.14** Subject: Agreement With MTC For Pavement Management Assistance
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: 1) Apply For And Accept \$100,000.00 In Pavement Management Technical Assistance Program Grant Funds From The Metropolitan Transportation Commission; 2) Allocate \$20,000.00 In Matching Funds And An Additional \$88,860.00 For Additional Professional Services From An Existing Project; And 3) Enter Into An Agreement With Metropolitan Transportation Commission To Provide Additional Professional Services In An Amount Not-To-Exceed \$88,860.00
[14-0715](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 4/14/2015

- 4.15** Subject: Safer Housing For Oakland - Soft Story Retrofit Program
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code (O.M.C.) By Adding A New Chapter 15.27 Entitled "Mandatory Seismic Retrofit Of Certain Multi-Unit Residential Buildings" And Modifying Certain Sections Of O.M.C. Chapter 15.26, And Establish Financial Incentives For Early Compliance Within The First Two Years; On The April 14, 2015 Community & Economic Development Committee Agenda
[14-0716](#)

This Ordinance was Withdrawn with no new date.

- 4.16** Subject: Brooklyn Basin Transportation Demand Management Plan
From: Planning & Building Department
Recommendation: Adopt A Resolution Approving The Brooklyn Basin Transportation Demand Management Plan (August 2014); On The April 14, 2015 Community & Economic Development Committee Agenda And As A Public Hearing On April 21, 2015
[14-0717](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 4/14/2015 and as a Public Hearing on April 21, 2015

- 4.17** Subject: Update On Citywide Impact Fee Nexus Study And Implementation Strategy
From: Planning & Building Department
Recommendation: Receive An Informational Report Regarding The Status of The Impact Fee Nexus Study and Implementation Strategy; On The April 14, 2015 Community & Economic Development Committee Agenda
[14-0718](#)

This Informational Report was Scheduled.to the *Community & Economic Development Committee to be heard 4/14/2015

- 4.18 Subject: Comprehensive Housing Action Plan
From: Housing & Community Development Department
Recommendation: Receive A Report And Possible Action On The Oakland Housing Equity Roadmap, A Comprehensive Action Plan To Address Oakland's Displacement, Affordable Housing Production, And Housing Habitability Challenges; On The April 14, 2015 Community & Economic Development Committee Agenda
[14-0719](#)

This Report and Recommendation was Withdrawn with No New Date.

- 4.19 Subject: DDA For 12th Street Remainder Parcel
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 A Development Entity Comprised Of Urbancore Development, LLC, And UDR, Inc., (Or Its Related Entities Or Affiliates) For Sale Of The 12th Street Remainder Parcel Located At E12th Street And 2nd Avenue For No Less Than \$5.1 Million And Development As A Residential 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; (2) Set-Aside Of No More Than \$500,000 From Land Sales Proceeds For Remediation Of Property, And (3) Appropriation Of \$200,000 From Land Sales Proceeds To Fund An Asset Portfolio Management Plan; On The April 14, 2015 Community & Economic Development Committee Agenda
[14-0662](#)

This Ordinance was Scheduled.to the *Community & Economic Development Committee to be heard 4/14/2015

- 4.20 Subject: MOU With Alameda County Operational Area
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To 1) Enter Into A Memorandum Of Understanding (MOU) With The Alameda County Operational Area To 1) Administer And Maintain The Local Oil Spill Contingency Plan (LOSCP) For The Alameda County Operational Area; And 2) Accept From The Emergency Management Services Division (EMSD) From The California Department Of Fish And Wildlife (CDFW) Office Of Spill Prevention And Response (OSPR)And Appropriate Up To Thirty-Five Thousand Dollars (\$35,000) Annually In Grant Funds For The Next Five Years For A Total Amount Of One Hundred Seventy-Five Thousand Dollars (\$175,000) To The Emergency Management Services Division (EMSD) Beginning July 1, 2015 Through June 30, 2020 Or Whenever Said Amount Of Grant Funds Is Exhausted, Whichever Occurs Last
[14-0703](#)

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 4/14/2015

- 4.21** Subject: Honoring Sandra Andrews
From: Councilmembers Reid And Gibson McElhaney
Recommendation: Adopt A Resolution Honoring Sandra Andrews, From The Office of Congresswoman Barbara Lee, Upon Her Retirement After More Than 20 Years Of Dedicated Service; On The April 21, 2015 City Council Agenda As A Ceremonial Item [14-0720](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 4/21/2015

Items Submitted On The Dais

- #1** Subject: Affordable Housing Week May 8-17
From: Councilmembers Gibson McElhaney, Reid, And Kalb
Recommendation: Adopt A Resolution Proclaiming May 8-17, 2015 As The 19th Annual East Bay Affordable Housing Week; On The May 5, 2015 City Council Agenda As A Ceremonial Item [14-0722](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 5/5/2015 as a Ceremonial Item

- #2** Subject: Bike To Work Day May 14, 2015
From: Councilmembers Gibson McElhaney, Kaplan, And Kalb
Recommendation: Adopt A Resolution Proclaiming May 14, 2015 As Bike To Work Day In The City Of Oakland And Urging Oaklanders To Ride Their Bicycles To Work On This Day And As Frequently As Possible To Promote Greater Health And Environmental Benefits For The City And Its Residents; On The May 5, 2015 City Council Agenda As A Ceremonial Item [14-0723](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 5/5/2015 as a Ceremonial Item

- #3** Subject: National Small Business Week
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing Oakland Entrepreneurs In Celebration Of National Small Business Week, May 4 - 8, 2015; On The May 5, 2015 City Council Agenda As A Ceremonial Item [14-0724](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 5/5/2015 as a Ceremonial Item

- #4** Subject: Resolution Calling On Gerawan Farming To Respect The Law
From: Councilmember Abel J. Guillén
Recommendation: Adopt A Resolution Calling Upon Gerawan Farming To Meet Basic Standards Of Fair Conduct And Immediately Implement The Union Contract Issued By The Neutral Mediator And The State Of California; On The April 21, 2015 City Council Agenda As A Consent Item
14-0725

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 4/21/2015 as a Consent Item

- #5** Subject: Support For SB 379: Update Safety Element To Address Climate Adaptation
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of Senate Bill (SB) 379 (Hannah-Beth Jackson) - State Legislation That Would Upon The Next Revision By A City Or County Of Their Housing Element On Or After January 1, 2017, Require The Safety Element To Be Reviewed And Updated As Necessary To Address Climate Adaptation And Resiliency Strategies Applicable To That City Or County, And Include A Set Of Goals, Policies, And Objectives Based On The Most Current Information Available Regarding Climate Change Adaptation And Resiliency
[14-0726](#)

This City Resolution was Scheduled.to the *Rules & Legislation Committee to be heard 4/16/2015

- 5** A Review Of The Council Committees' Actions From March 24, 2015 And Determination Of Scheduling To The Special City Council Meeting Of March 31, 2015 (MATRIX)
[14-0649](#)

Attachments: [View Report.pdf](#)

The vote for Item 9 from the March 24, 2015 Community & Economic Development Committee will be amended as follows: 3 Ayes, 1 Absent - Campbell Washington.

A motion was made by Guillén, seconded by Kalb, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

From The March 31, 2015 Special City Council Agenda:

Subject: Creating The Department Of Race And Equity
From: Councilmember Desley Brooks
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled, "City Agencies, Departments And Offices", Which Established The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of The City Charter Section 600, To Create The Department Of Race And Equity By December 2015, That Will Report Directly To The City Administrator; Establishing Definitions And Implementation Steps Related To A Citywide Strategy Of A Fair And Just City; And Receive An Informational Report Identifying The Timeline And All Steps Necessary To Implement The Department By December 2015 [TITLE CHANGE]
[14-0457](#)

- Attachments:** [View Finance Committee Report.pdf](#)
[View Life Enrichment Committee Report.pdf](#)
[View Finance Supplemental Report.pdf](#)
[View Life Enrichment Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)

This Ordinance was Rescheduled to the Meeting of the Oakland City Council to be heard in May

- 6** A Review Of The Cancellation Agendas For The City Council Meeting Of April 7, 2015 And The Rules And Legislation Committee Of April 9, 2015
[14-0650](#)

Attachments: [View Report.pdf](#)

A motion was made by Reid, seconded by Guillén, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

Open Forum (Total Time Available: 15 Minutes)

There were no Open Forum speakers.

Adjournment

There being no further business, and upon the motion duly made, the Committee adjourned the meeting at 11:29 a.m.

Americans With Disabilities Act

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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.