



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, May 30, 2013

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call To Order

Present: Vice Mayor Reid, Council President Kernighan, Chairperson Schaaf and Councilmember Kalb

The Oakland City Council Rules and Legislation Committee convened at 10:52 a.m. with Council President Kernighan presiding as Chairperson.

1 Determinations Of Closed Session

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

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

At this time a closed session was scheduled for June 4, 2013 at 2:00 pm.

2 Approval Of The Draft Minutes From The Committee Meeting Of May 16, 2013

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

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

3 Determination Of Schedule Of Outstanding Committee Items

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

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

At this time an item regarding the Maddy Act was removed from the Rules and Legislation pending list.

[rules053013item3](#)

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

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

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

S-4.1 Subject: Establishing New Impact Fees For Development
From: Department Of Planning And Building
Recommendation: Request To Revise The Following Item Which Is Scheduled On The June 11, 2013 Community & Economic Development Committee Agenda:

ORIGINAL TITLE: Receive An Informational Report And Possible Action On Establishing New Housing, Transportation, And Additional Impact Fees For The Purposes Of Developing Affordable Housing Projects Throughout The City Of Oakland

NEW TITLE: Receive An Informational Report On Establishing A Transportation Impact Fee For Funding Transportation Infrastructure Needs Resulting From New Development, As Well As A New Housing And/Or Other Development Impact Fee For The Purposes Of Developing Affordable Housing Projects Throughout The City Of Oakland

REASON: The Report Prepared By Staff Addresses A Range Of Possible Impact Fees, Not All Of Which Are Related To Affordable Housing Only. To Properly Notice The Breadth Of Discussion, Staff Requests Approval For The More Expansive New Title.

[12-0539](#)

Scheduled to *Community & Economic Development Committee on 6/11/2013

With an amended title

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S-4.2 Subject: Investment Policy For Fiscal Year 2013-2014
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting The City Of Oakland Investment Policy For Fiscal Year 2013-2014;
And

[12-0574](#)

Scheduled to *Finance & Management Committee on 6/11/2013

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S-4.3 Subject: Partial Abandonment And Renaming Of Apgar Street
From: Department Of Planning And Building
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Findings Supporting The Vacation Without Cost To The Abutting Property Owner Horizon Services Of A Portion Of The Public Right-Of-Way Of Apgar Street From Its Intersection At Telegraph Avenue To Its Termination At The MacArthur Transit Village Project Boundary; And
[12-0578](#)

Scheduled to *Public Works Committee on 6/11/2013

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2) An Ordinance Vacating Without Cost To The Abutting Property Owner Horizon Services A Portion Of The Public Right-Of-Way Of Apgar Street From Its Intersection At Telegraph Avenue To Its Termination At The MacArthur Transit Village Project Boundary; And
[12-0578-1](#)

3) A Resolution Renaming Apgar Street As Apgar Lane Between Telegraph Avenue And The Boundary Of The MacArthur Transit Village Project; And
[12-0578-2](#)

4) A Resolution Prohibiting Vehicle Parking And Standing At All Times And Approving Removal By Towing In Apgar Lane (Formerly Apgar Street) Between Its Intersection At Telegraph Avenue And Its Termination At The MacArthur Transit Village Project Boundary; And
[12-0578-3](#)

5) A Resolution Approving The Installation Of Official Traffic Control Stop Signs For Apgar Lane At Its Intersection At Telegraph Avenue For The MacArthur Transit Village Project
[12-0578-4](#)

S-4.4 Subject: Report On The State Of Domestic Violence In Oakland
From: Councilmember Dan Kalb
Recommendation: Receive An Informational Report From Oakland Police Department, Partner Service Providers, And Other Agencies On The State Of Domestic Violence In The City Of Oakland
[12-0580](#)

Scheduled to *Public Safety Committee on 6/25/2013

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S-4.5 Subject: Addition Of Classification Of Inspector General To Salary Ordinance
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Of Inspector General
[12-0482](#)

Scheduled to *Finance & Management Committee on 6/11/2013

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S-4.6 Subject: Semi-Annual Vacancy Report
From: Department Of Human Resources Management
Recommendation: Receive An Informational Report On Budgeted Vacant Positions And Hiring For The Period September 6, 2012 Through April 8, 2013
[12-0573](#)

Scheduled to *Finance & Management Committee on 6/11/2013

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S-4.7 Subject: Workers' Compensation Administration Services Agreement
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Awarding A Contract To JT2 Integrated Resources For The Provision Of Workers' Compensation Administration Services For A Contract Amount Of \$2,477,278.82 For Contract Years 2013-14 And A Contract Amount Of \$2,477,278.82 Contract Year 2014-15 With An Option To Extend The Agreement For Three Additional Two-Year Terms For A Total Contract Amount Of \$2,528,668.18 For Contract Year 2015-16, \$2,581,599.23 For Contract Year 2016-17, \$2,636,118.21 For Contract Year 2017-18, \$2,692,272.75 For Contract Year 2018-19, \$2,750,111.94 For Contract Year 2019-20, \$2,809,686.29 For Contract Year 2020-21
[12-0575](#)

Scheduled to *Finance & Management Committee on 6/11/2013

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S-4.8 Subject: Infrastructure Report: Sidewalks
From: Public Works Agency
Recommendation: Receive An Informational Report On The State Of The City's Sidewalk Repair Program As A Follow-Up To The April 23, 2013, "2012 Infrastructure Report Card"
[12-0576](#)

Scheduled to *Public Works Committee on 6/11/2013

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S-4.9 Subject: Army Base Long-Range Property Management Plan
From: Office Of Neighborhood Investment
Recommendation: Adopt An Oakland Redevelopment Successor Agency (ORSA) Resolution Approving The Long-Range Property Management Plan For The Oakland Army Base, And Authorizing The Transfer Of Army Base Parcel E And The Quitclaim Of Any Other ORSA Interest In The Army Base To The City Of Oakland Pursuant To The Plan
[12-0577](#)

Scheduled to *Community & Economic Development Committee on 6/11/2013
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S-4.10 Subject: MOU With East Bay Sanitary Sewer Collection Agencies
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Memorandum Of Understanding With East Bay Sanitary Sewer Collection Agencies For Cost Sharing Of Regional Consultant Services In An Annual Amount Not To Exceed Fifty Thousand Dollars (\$50,000.00)
[12-0579](#)

Scheduled to *Public Works Committee on 6/11/2013
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Items Submitted On The Dais

#1 Subject: Oakland Army Base Real Estate Actions
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Authorizing The City Administrator To Negotiate And Execute A Sixty-Six (66) Year Lease Or Easement With The Port Of Oakland For Rail Uses And Service On Approximately 8 Acres Of Port Land Adjacent To City-Owned Land On The Former Oakland Army Base; And
[12-0581](#)

Scheduled to *Community & Economic Development Committee on 6/11/2013
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2) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up To Sixty-Six (66) Year Sublease Or Easement With Prologis CCIG Oakland Global, LLC, Or Related Entities For Rail Uses And Service On Approximately 8 Acres Of Land Adjacent To City-Owned Land On The Former Oakland Army Base; And
[12-0581-1](#)

3) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up To Thirty (30) Month Lease With The Port Of Oakland For Truck Parking And Truck Services On Up To 11.7 Acres Of Land On The Port-Owned Portion Of The Former Oakland Army Base; And
[12-0581-2](#)

4) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up To Thirty (30) Month Sublease With Oakland Maritime Support Services (Or A Related Entity) For Truck Parking And Truck Services On Up To 11.7 Acres Of Land On The Port-Owned Portion Of The Former Oakland Army Base; And
[12-0581-3](#)

5) An Ordinance Authorizing The City Administrator To Negotiate And Enter Into A Lease Or License Agreement With California Capital & Investment Group, Inc., For Installation Of Air Quality Monitoring Facilities, Equipment And Utilities At Raimondi Park In West Oakland; And
[12-0581-4](#)

6) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Amendment To The 2005 Purchase And Sale Agreement Between The Oakland Base Reuse Authority And The California Department Of Transportation For Approximately 6.5 Acres Of Property Adjacent To The Former Oakland Army Base; And
[12-0581-5](#)

7) An Ordinance Authorizing The City Administrator To Negotiate And Enter Into A Real Property Agreement With BNSF Railway Company To Relocate An Existing Rail Line Easement Near Engineers Road To Facilitate The Development Of The Former Oakland Army Base
[12-0581-6](#)

#5 Subject: Recognizing New General Purpose Fund Revenue
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending The City Of Oakland's FY 2011-13 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 83444 C.M.S. On June 30, 2011 And Amended By Resolution 83943 C.M.S. On June 28, 2012, To Recognize New Revenue Based On The FY 2012-13 Third Quarter Revenue And Expenditure Report, Resulting In A General Purpose Fund Revenue Increase From \$409,346,763 To \$431,290,617; And
[12-0583](#)

Scheduled to *Finance & Management Committee on 6/11/2013

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#3 2) A Resolution Authorizing The City Administrator Or Her Designee To Appropriate Four Million Four Hundred Thousand Dollars (\$4,400,000) For The Overtime The Oakland Police Department Is Projected To Spend Over The FY 2012-13 Police Department General Purpose Fund Budget, From Undesignated General Purpose Fund Balance; And
[12-0583-1](#)

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#4 3) A Resolution Authorizing The City Administrator Or Her Designee To Appropriate Seven Million Dollars To A Reserve For Pending Litigation And Settlements From Undesignated General Purpose Fund Balance; And
[12-0583-2](#)

#6 4) A Resolution Authorizing The City Administrator Or Her Designee To Appropriate Four Million Eight Hundred Fourteen Thousand Six Hundred Ten Dollars (\$4,814,610) From Undesignated General Purpose Fund Balance To Compliance Director Compensation And Staff Costs, Remedial Action Plan Costs, And Strategic Policy Partners Recommendation Costs; And
[12-0583-3](#)

#2 Subject: 911 Infrastructure Upgrades
From: Department Of Information Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Expend (\$3,042,000) Three Million Forty Two Thousand Dollars From The Fy 2012-2013 General Fund Undesignated Fund Balance On Public Safety Radio System (P25) Including 911 Infrastructure Upgrades And Immediate Improvement Needs To Dispatch Communications Centers And Delegate Authority To The City Administrator, Or Her Designee, To Award Contracts
[12-0569](#)

Scheduled to *Public Safety Committee on 6/11/2013

This item will also be heard in the Finance & Management Committee on June 11, 2013.

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#7 Subject: Support For SB 52: Disclosure Of Top Three Funders Of Political Ads
From: Council President Patricia Kernighan And Councilmember Libby Schaaf
Recommendation: Adopt A Resolution In Support Of SB 52, The California Disclose Act Of 2013 [Leno And Hill]
[12-0587](#)

Scheduled to *Rules & Legislation Committee on 6/13/2013

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#8 Subject: CSEC Awareness And Prevention (Commercial Sexual Exploitation Of Children)
From: Councilmember Lynnette Gibson McElhaney
Recommendation: Adopt A Resolution Urging The City Council And Mayor In Partnership With Oakland Unified School District, Local Law Enforcement, The Department Of Human Services, And Community-Based Organizations That Work With Children, Youth And Families To Prioritize The Development And Institutionalization Of A Comprehensive Prevention Model To Eliminate The Commercial Sexual Exploitation Of Children In Oakland
[12-0586](#)

Scheduled to *Life Enrichment Committee on 6/11/2013

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5 A Review Of The Council Committees' Actions From May 28, 2013 And Determination Of Scheduling To The City Council Meeting Of June 4, 2013 Or Future Dates (MATRIX)

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

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

At this time, a motion was made to update the Public Works Committee Matrix to more accurately reflect the Committee's direction.

[rules053013item5](#)

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6 A Review Of The Draft Agendas For The City Council Committee Meetings Of June 11, 2013 And For The Rules & Legislation Committee Meeting Of June 13, 2013

A motion was made by Member Kalb, seconded by Vice Mayor Reid, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

At this time two items from the Finance and Management committee were moved to the Life Enrichment Committee and the Community & Economic Development Committee.

[rules053013item6](#)

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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 Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:41 a.m.

NOTE: 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.

City Clerk and Clerk of the Council