



# City of Oakland Meeting Agenda

## \*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>**

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**Thursday, February 20, 2014**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### ***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:**

**Dan Kalb, District 1; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Chairperson: Council President Patricia Kernighan, District 2**

- 1 Determinations Of Closed Session
- 2 Approval Of The Draft Minutes From The Committee Meetings Of January 30, 2014 And February 6, 2014
- 3 Determination Of Schedule Of Outstanding Committee Items  
([rules022014item3](#))
- 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
- S-4.1 Subject: ENA With Harrison Bay Partners  
From: Office Of Neighborhood Investment  
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating

Agreement For A Period Of One Year With The Option To Extend Administratively For 90 Days With Harrison Bay Partners LLC To Develop A Mixed-Use Project On City-Owned Properties At 2315 Valdez Street And 2330 Webster Street; On The March 11, 2014 Community And Economic Development Committee Agenda  
[\(13-0359\)](#)

S-4.2 Subject: Realignment Easement At 13451 Campus Drive  
From: Department Of Planning And Building  
Recommendation: Adopt A Resolution Conditionally Approving The Realignment Of An Existing Public Service Easement At 13451 Campus Drive; On The March 11, 2014 Public Works Committee Agenda  
[\(13-0360\)](#)

S-4.3 Subject: Cash Management Report  
From: Office Of The City Administrator  
Recommendation: Receive The Cash Management Report For The Quarter Ended December 31, 2013; On The March 11, 2014 Finance And Management Committee Agenda  
[\(13-0361\)](#)

S-4.4 Subject: Measure C - Oakland Hotel Tax Audit And Status Report  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report Regarding Measure C - Oakland Hotel Tax Audit And Program Status Report; On The March 11, 2014 Finance And Management Committee Agenda  
[\(13-0362\)](#)

S-4.5 Subject: Measure DD Series 2009B Fund Report Audit Of Financial Statements  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report Regarding Measure DD Series 2009B Fund Report On Audit Of Financial Statements For The Period Of July 22, 2009 Through June 30, 2012; On The March 11, 2014 Finance And Management Committee Agenda  
[\(13-0363\)](#)

S-4.6 Subject: Settlement Agreement - City Of Oakland v. AMBAC Financial Group  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Approving Partial Settlement Of City Of Oakland v. AMBAC Financial Group, Inc., Et Al., San Francisco Superior Court Case No. CGC-08-479241, Authorizing Acceptance Of Payment From Syncora Guarantee, Inc. Of \$25,830.33, In Exchange For Dismissal Of The Lawsuit By The City; On The March 4, 2014 City Council Agenda  
[\(13-0349\)](#)

S-4.7 Subject: Settlement Agreement- Henderson 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 Antionette Henderson v. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG11595026, City Attorney's File No. 28096-B, In The Amount Of Forty-Four Thousand Dollars (\$44,000.00) (Oakland Public

Works - Tree Limb Failure); On The March 4, 2014 City Council Agenda

[\(13-0367\)](#)

- S-4.8      Subject:     Recognizing Juanita Matthews  
From:        Councilmember Dan Kalb  
Recommendation: Adopt A Resolution Recognizing Juanita Matthews For Over 40 Years Of Service As A Teacher At Emerson Elementary; On The March 18, 2014 City Council Agenda As A Ceremonial Item  
[\(13-0364\)](#)
- S-4.9      Subject:     Support Of SB 962 - Smartphone Theft Prevention  
From:        Councilmember Dan Kalb  
Recommendation: Adopt A Resolution In Support Of The Senate Bill (SB) 962 (Leno) - Smartphone Theft Prevention; On The March 6, 2014 Rules And Legislation Committee  
[\(13-0365\)](#)
- S-4.10     Subject:     Travel Authorization - Kalb  
From:        Councilmember Dan Kalb  
Recommendation: Adopt A Resolution Authorizing Councilmember Kalb To Travel To Ontario, California To Attend The League Of California Cities' Public Safety Committee Meeting On April 4, 2014; On The March 18, 2014 City Council Agenda  
[\(13-0366\)](#)
- S-4.11     Subject:     Waste Collection Franchise Agreement Policy  
From:        Councilmembers Kalb, Gibson McElhaney And Gallo  
Recommendation: Adopt A Resolution Setting Forth A City Of Oakland Policy For Future City Waste/Garbage Collection, Disposal, Or Recycling Franchise Agreements, Or The Renewal Or Extension Of Any Such Existing Agreement, To (1) Require That Source-Separated Third Bin Services For Organic/Green/Compostable Waste Be Provided To All Oakland Residents, Including In Multifamily Buildings, (2) Require That Access To Curbside Bulky Waste Pick Up Be Provided For All Oakland Residents, And (3) Provide For Family-Supporting Wages And Benefits To All Workers Who Provide Recycling Services To The City Of Oakland, Its Residents And Businesses; On The March 11, 2014 Public Works Committee Agenda  
[\(13-0373\)](#)
- S-4.12     Subject:     Measure DD Fund Report And Reallocation  
From:        Public Works Agency  
Recommendation: Receive An Informational Update On Measure DD, The Oakland Trust For Clean Water And Safe Parks, And Adopt A Resolution To 1) Approve The Reallocation Of Measure DD Bond Series 2009B Proceeds, And 2) Authorize The City Administrator, Or The City Administrator's Designee, To Make Final Adjustments To The Allocations Of Measure DD Series 2009B Bond Proceeds As The City Administrator Deems Necessary For The Timely Completion Of Measure DD Projects; On The March 11, 2014 Public Works Committee Agenda  
[\(13-0355\)](#)
- S-4.13     Subject:     23rd Ave / 29th Ave Rail Crossing Improvements Project  
From:        Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her

Designee To 1) Appropriate Supplemental Funds In The Amount Of One Million Six Hundred Sixteen Thousand Three Hundred Twelve Dollars And Fifty Cents (\$1,616,312.50) From The State Of California Department Of Transportation (CalTrans) In Accordance With The Fully Executed Cooperative Agreement No. 4-2265; And 2) Execute A Construction Contract With McGuire And Hester, The Lowest Responsive And Responsible Bidder, For The Construction Of The 23rd Ave / 29th Ave Rail Crossing Improvement Project (Project No. G381112) In Accordance With Plans And Specifications For The Project In The Amount Of Four Hundred Seventy Thousand Three Hundred Sixty-Four Dollars (\$470,364.00) And Reject All Other Bids; On The March 11, 2014 Public Works Committee Agenda  
[\(13-0356\)](#)

S-4.14 Subject: Seismic Retrofit of Coliseum Way Bridge Project  
From: Public Works Agency  
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Increasing The Amount Of The Contract With Disney Construction, Inc. For The Seismic Retrofit Of Coliseum Way Bridge (Project No. C346810) By One Hundred Ninety Thousand Six Hundred Twelve Dollars (\$190,612.00) For A Not-To-Exceed Amount Of Three Million Eight Hundred Fifty Thousand Dollars (\$3,850,000.00); On The March 11, 2014 Public Works Committee Agenda  
[\(13-0357\)](#)

S-4.15 Subject: Bike Pedestrian Anti-Harassment Ordinance  
From: Councilmember Libby SchAAF  
Recommendation: Adopt An Ordinance Ordinance To Prohibit Harassment Of Bicyclists, Pedestrians And All Vulnerable Road Users; On The March 25, 2014 Public Safety Committee Agenda  
[\(13-0372\)](#)

S-4.16 Subject: Honoring OSA's Vocal Rush  
From: Councilmember Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution Honoring The Success Of Vocal Rush, A Renowned A Cappella Group From Oakland School For The Arts, Which Placed 3rd On NBC's The Sing Off In December 2013 And Recognizing Their Talented Members For Extraordinary Artistic And Academic Achievement; On The March 18, 2014 City Council Agenda As A Ceremonial Item  
[\(13-0353\)](#)

S-4.17 Subject: Acknowledging Beverly Hodge  
From: Councilmember Noel Gallo  
Recommendation: Adopt A Resolution Acknowledging Beverly Hodge For Her Commitment To Improve The City Of Oakland As A Community Partner, Volunteer, And Leader; On The March 4, 2014 City Council Agenda As A Ceremonial Item  
[\(13-0368\)](#)

S-4.18 Subject: Acknowledging Owens-Illinois Inc  
From: Councilmember Noel Gallo  
Recommendation: Adopt A Resolution Acknowledging Owens-Illinois Inc., A Glass Manufacturing Company, For Their Commitment To The City Of Oakland For Over 100 Years; On The March 4, 2014 City Council Agenda As A Ceremonial Item

[\(13-0369\)](#)

S-4.19 Subject: Informational Report On Public Safety Ballot Measures  
From: Councilmember Gallo  
Recommendation: Receive The Informational Report To Receive Input From And Engage The Community On The Development Of The 2014 Public Safety Ballot Measure; On The March 11, 2014 Public Safety Committee Agenda  
[\(13-0374\)](#)

S-4.20 Subject: Chabot Science Center Board Appointment  
From: Council President Kernighan  
Recommendation: Adopt A Resolution Appointing Councilmember Libby Schaaf To The Chabot Space & Science Center JPA Board Of Directors; On The March 4, 2014 City Council Agenda  
[\(13-0375\)](#)

S-4.21 Subject: Support For The Postal Service Protection Act  
From: President Pro Tempore Rebecca Kaplan  
Recommendation: Adopt A Resolution Supporting The Postal Service Protection Act And Urging Senator Boxer And Feinstein To Support The Act That Protects 6 Day Mail Delivery, Mail Processing, And Door To Door Service To Households And Businesses; On The March 6, 2014 Rules & Legislation Committee Agenda  
[\(13-0354\)](#)  
[\(rules022014item4\)](#)

5 A Review Of The Draft Agendas For The City Council Meeting Of March 4, 2014 And The Rules And Legislation Committee Of March 6, 2014  
[\(rules022014item5\)](#)

6 Subject: Deadlines For Ballot Initiatives For The November 2014 Ballot  
From: Office Of The City Clerk  
Recommendation: Receive An Informational Report Providing Deadlines For Placing Initiatives On Ballot For The November 4, 2014 Election  
[\(13-0309\)](#)

**The February 6, 2014 Rules & Legislation Committee continued this item and requested the City Administrator and City Attorney provide an outline of possible deadline dates and the City Clerk will fill in additional information as needed.**

**Open Forum (Total Time Available: 15 Minutes)**

**Adjournment**

NOTE: 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.

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(TTD)

**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.

**LaTonda Simmons  
City Clerk and  
Clerk of the Council**