



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, October 22, 2015

10:45 AM

Hearing Room 1, 1st Floor

**** PLEASE NOTE CHANGE IN LOCATION ****

*The Oakland City Council Rules & Legislation Committee convened at 10:58 a.m.,
with Council President 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

[15-0179](#)

Attachments: [View Report](#)

*A Special closed Session has been scheduled for October 29, 2015 and
November 3, 2015 at 3:00 p.m.*

**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

2 Approval Of The Draft Minutes From The Committee Meeting Of October 8, 2015

[15-0180](#)

Attachments: [View Report](#)

**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

3 Determination Of Schedule Of Outstanding Committee Items

[15-0181](#)

Attachments: [View Report](#)

**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

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[15-0182](#)

Attachments: [View Report](#)

There was one speaker on this item.

A motion was made by Kalb, 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

4.1 Subject: Cancel Education Partnership Committee Meeting
From: Councilmember Noel Gallo
Recommendation: Request To Cancel The Education Partnership Committee Meeting On October 27, 2015
[15-0188](#)

4.2 Subject: Presentation From Assemblymember Rob Bonta
From: Council President Gibson McElhaney
Recommendation: Receive An Informational Report Presented By Assemblymember Rob Bonta (District 15 - San Leandro, Alameda, And Half Of Oakland) On His Legislative Successes In The 2015 Legislative Season And Proposed Policies For 2016
[15-0238](#)

This Informational Report was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015

4.3 Subject: Settlement Agreement - Claim Of Michelle Sosa
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Michelle Sosa, In The Amount Of Sixteen Thousand Three Hundred Thirty-One Dollars And 70/100 Cents (\$16,331.70) (Oakland Public Works-Sewer Main)
[15-0262](#)

Attachments: [View Report](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015

4.4 Subject: Settlement Agreement - Palacios And Carmona 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 Palacios And Carmona V. City Of Oakland, Alameda County Superior Court Case No. RG14741812, City Attorney's File No. 29307, In The Amount Of Fifty Thousand Dollars And No Cents (\$50,000.00) (Public Works Department - Motor Vehicle Accident)
[15-0263](#)

Attachments: [View Report](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015

4.5 Subject: Settlement Agreement - Claim Of Pacific Gas & Electric Company
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Pacific Gas & Electric Company, In The Amount Of Eight Thousand Three Hundred Ten Dollars And 72/100 Cents (\$8,310.72) As The Result Of Damages Sustained From A Construction Event On October 18, 2014 (Oakland Public Works-Property Damage)
[15-0264](#)

Attachments: [View Report](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015

4.6 Subject: Settlement Agreement - Chase Dickens 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 Chase Dickens V. City Of Oakland, Alameda County Superior Court Case No. RG14744830, City Attorney's File No. 30211, In The Amount Of Forty Thousand Dollars And No Cents (\$40,000.00) (Office Of Public Works- Dangerous Condition)
[15-0265](#)

Attachments: [View Report](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015

4.7 Subject: Settlement Agreement - Janett Linn 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 Janet Linn V. City Of Oakland, Alameda County Superior Court Case No. RG14719094 City Attorney's File No. 29726, In The Amount Of Sixty-Five Thousand Dollars And No Cents (\$65,000.00) (Oakland Public Works-Dangerous Condition)
[15-0266](#)

Attachments: [View Report](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015

4.8 Subject: Salary Ordinance Amendment To Add Crime Analyst
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 Classification Of Crime Analyst
[15-0249](#)

This Ordinance was Scheduled.to the *Finance & Management Committee to be heard 11/10/2015

4.9 Subject: Cash Management Report
From: Finance Department
Recommendation: Receive The Cash Management Report For The Quarter Ended September 30, 2015
[15-0247](#)

This Informational Report was Scheduled.to the *Finance & Management Committee to be heard 11/10/2015

4.10 Subject: Salary Ordinance Amendment To Add Director Of Race & Equity
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 Classification Of Director Of Race And Equity
[15-0246](#)

This Ordinance was Scheduled.to the *Finance & Management Committee to be heard 11/10/2015

- 4.11** Subject: Loaned Equity Director For Department Of Race And Equity
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Memorandum Of Understanding With The City Of Portland, Oregon, For The Loan Of An Equity Director To The City Of Oakland For Up To Three Months During The Fiscal Year 2015-16 In An Amount Not-To-Exceed Sixty-Seven Thousand Dollars (\$67,000)
[15-0248](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 11/10/2015

- 4.12** Subject: LAMMPS Streetscape Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Enter Into A Professional Services Contract With BKF Engineers For Providing Engineering Services For Laurel Access To Mills, Maxwell Park & Seminary (LAMMPS) Streetscape (Project No. C478810) For An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00)
[15-0250](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 11/10/2015

- 4.13** Subject: Contract For Car Sharing Program Development
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Professional Services Agreement With The Transportation Sustainability Research Center (TSRC) In An Amount Not-To-Exceed \$80,000.00, And Waiving The Competitive Bid Requirement For The Proposal/Qualification (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Business Enterprise Program (S/LBE) Provisions Associated With Typical Vendor Recruitment In Order To Contract With TSRC To Implement The City Of Oakland Car Share Program
[15-0251](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 11/10/2015

- 4.14** Subject: Amend Resolutions Authorizing Parking Garage Contracts
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Amending Resolutions No. 84993 C.M.S. And 85105 C.M.S. Authorizing The City's Contracts With City Of Oakland Parking Partners And Montclair Village Association, Respectively, By Removing Any Monthly Cap And Not-To-Exceed Limits On Contractor Compensation
[15-0252](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 11/10/2015

- 4.15** Subject: Section 130 Rail Road Grade Crossing Improvement Projects
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Three Grants From The State Of California Section 130 Grade Crossing Improvement Program For 1) 29th Avenue Crossing In The Amount Of Five Hundred Thirty-Six Thousand, Six-Hundred And Twenty-Five Dollars (\$536,625.00); 2) At The 85th Avenue Crossing In The Amount Of Two Hundred Sixty-Four Thousand, Nine-Hundred And Thirty-Eight Dollars (\$264,938.00) And 3) 105th Avenue At Crossing In The Amount Of Three Hundred Eighty-Three Thousand, Nine Hundred Six Dollars (\$383,906.00)

[15-0253](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 11/10/2015

- 4.16** Subject: CalRecycle Funding
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Submit Grant Applications To The California Department Of Resources Recycling And Recovery City/County Payment Program And To Appropriate City/County Payment Program Funds For Recycling Programs In Fiscal Years 2015/2016 And 2016/2017

[15-0254](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 11/10/2015

- 4.17** Subject: Amendments To Relocation Assistance Requirements
From: Vice Mayor Kaplan
Recommendation: Adopt A Resolution To Amend And Expand Upon Oakland's Relocation Assistance Requirements For Displaced Tenants, To Provide Assistance Commensurate With Contemporary Relocation Costs, And To Make Requirements More Consistent; On The November 10, 2015 Community & Economic Development Committee Agenda

[15-0240](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 12/15/2015

- 4.18** Subject: Increasing The Rent Program Service Fee From \$30 To \$100 Per Unit
From: Housing & Community Development Department
Recommendation: Adopt An Ordinance Amending The Master Fee Ordinance (O.M.C. 12744) To Increase The Rent Program Service Fee From \$30 Dollars Per Unit To \$100 Per Unit

[15-0261](#)

This Ordinance was Scheduled.to the *Community & Economic Development Committee to be heard 11/10/2015

4.19 Subject: Sale Of Parcel At 1148 71st Avenue
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing City Administrator To Sell City-Owned Property Located At 1148 71st Avenue (APN 041-4135-028) To Belter Palma And Juana Trujillo (“Purchaser”) For Twenty-Five Thousand Dollars (\$25,000)
[15-0255](#)

This Ordinance was Scheduled.to the *Community & Economic Development Committee to be heard 11/10/2015

4.20 Subject: Loan Restructuring For Hismen Hin-Nu And Marcus Garvey Commons
From: Housing & Community Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending Resolution Nos. 89-108, 90-92, 2011-0017, 83921, And 84586 C.M.S. To Modify The Terms Of Existing Loans To The Marcus Garvey Commons Affordable Housing Project At 721 A Wood Street To (1) Allow The New Owner To Assume And Assign The Loans In Order To Consolidate The Loans With Loans For The Hismen Hin-Nu Terrace Project, (2) Extend The Maturity Date To 55 Years, And (3) Change The Interest Rate From 3% To The Applicable Federal Rate;
And
[15-0256](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 11/10/2015

2) A Resolution Amending Resolution Nos. 84038 And 85471 C.M.S. To Modify The Terms Of A \$1,517,000 Loan To East 14th Street Housing Associates For The Hismen Hin-Nu Terrace Affordable Housing Project To (1) Allow The New Owner To Assume And Assign The Loan In Order To Consolidate The Loan With Loans For The Marcus Garvey Commons Project, (2) Extend The Maturity Date To 55 Years, And (3) Change The Interest Rate From 3% To The Applicable Federal Rate
[15-0257](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 11/10/2015

4.21 Subject: Fruitvale Transit Village Phase II
From: Economic & Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Ordinance No. 13313 C.M.S. To Add The East Bay Asian Local Development Corporation (“EBALDC”) As An Additional Party To The Lease Disposition And Development Agreement (Phase IIA), A Sixty-Six (66) Year Ground Lease And Related Documents (Collectively “LDDA”) As Amended By And Among The City Of Oakland, A Municipal Corporation, The Spanish Speaking Unity Council Of Alameda County, Inc., L & M Development Partners, Inc. And EBALDC For The Development Of Mixed Income Housing Located On APN 033-2177-021 At 37th Avenue And East 12th Street; And
[15-0258](#)

This Ordinance was Scheduled.to the *Community & Economic Development Committee to be heard 11/10/2015

2) A Resolution Authorizing The City Administrator Or Designee To Negotiate And Execute A Development Loan Agreement In The Amount Of \$7,050,000 With The Spanish Speaking Unity Council Of Alameda County, Inc. For The Fruitvale Transit Village Phase IIA Project By: (A) Amending The Central City East Redevelopment Project Area Excess Bond Spending Plan By Re-Appropriating And Re-Allocating \$2,550,000 Million From Central City East Bond Funds-Major Projects; (B) Amending The Coliseum Redevelopment Project Area Excess Bond Spending Plan By Re-Appropriating And Re-Allocating Coliseum Redevelopment Project Area Excess Bond Proceeds-Coliseum City Master Developer ENA In The Amount Of \$500,000 Previously Listed And Committed In The Approved Bond Spending Plan To Other Bond-Eligible Projects And/Or Programs For A Total Of \$3,050,000 Bond Funds; And (C) Allocating \$4 Million Of Proposition 1c Funds From The State Of California’s Housing And Community Development Department As A Loan To The Fruitvale Transit Village Phase IIA Project
[15-0259](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 11/10/2015

4.22 Subject: Measure B/Measure BB Paratransit Services FY 2015-2016
From: Human Services Department
Recommendation: Adopt A Resolution Amending Resolution No. 85630 C.M.S., Which Authorized The City Administrator To Accept And Appropriate Fiscal Year (FY) 2015-2016 Measure B And Measure BB Funds From The Alameda County Transportation Commission To Provide Paratransit Services And Enter Into Reimbursement Agreements With Transportation Providers, To Authorize An Agreement For \$220,000 With St. Mini Cab Corporation Instead Of Veterans Transportation, Inc., For The Period Of July 1, 2015 Through June 30, 2016
[15-0260](#)

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 11/10/2015

- 4.23** Subject: Report From McClymonds Students On South Africa Immersion Trip
From: Council President Gibson McElhaney
Recommendation: Receive An Informational Report From McClymonds High School Students Who Traveled To South Africa On A Cultural Immersion Trip And Participated In Community Building Activities With Students From Naledi High School In Soweto, South Africa
[15-0237](#)

This Informational Report was Scheduled.to the *Life Enrichment Committee to be heard 11/10/2015

Items Submitted On The Dais

- Subject: AC Transit Service Expansion Plan
From: Vice Mayor Kaplan
Recommendation: Receive An Informational Presentation From AC Transit Regarding Their Service Expansion Plan And The Proposed Changes To Routes And Schedules In Oakland
[15-0269](#)

Attachments: [View Report](#)

This was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015

From The October 27, 2015 Public Safety Committe Agenda

- Subject: \$1M Gun Tracing Allocation In FY 2015-2016 Budget
From: Oakland Police Department
Recommendation: Receive An Informational Report Regarding The Oakland Police Department (OPD) Spending Plan For Gun Tracing Efforts Funded In The FY 2015-2016 Adopted Policy Budget
[15-0228](#)

Attachments: [View Report](#)

This was * Withdrawn and Rescheduled.to the *Public Safety Committee to be heard 11/10/2015

- 5** A Review Of The Draft Agendas For The City Council Meeting Of November 3, 2015 And The Rules And Legislation Committee Of November 5, 2015
[15-0183](#)

Attachments: [View Report](#)

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

Open Forum (Total Time Available: 15 Minutes)

There was one speaker on this item.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:28 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.