



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, June 06, 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 Rule & Legislation Committee convened at 10:55 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 special closed session was scheduled for June 18, 2013 from 2:30 pm - 5:30 pm.

2 Approval Of The Draft Minutes From The Committee Meeting Of May 23, 2013

A motion was made by Vice Mayor Reid, seconded by Member Kalb, 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 Member Schaaf, seconded by Member Kalb, 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

[rlc060613](#)

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The Roll Call was modified to note Vice Mayor Reid absent at 11:50 a.m.

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

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

Votes: Absent; 1 - Vice Mayor Reid

Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

S-4.1 Subject: ENA For Coliseum Transit Village Phase I

From: Office Of Neighborhood Investment

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing An Exclusive Negotiating Agreement With The Oakland Economic Development Corporation For Development Of Phase I Of The Transit Village At The Coliseum Bart Station, And Authorizing A Predevelopment Loan For The Project In An Amount Not To Exceed \$400,000; And

[12-0582](#)

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2) A Resolution Authorizing The City Of Oakland To Continue To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Coliseum BART Station Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Transit Oriented Development Grant Program; And

[12-0582-1](#)

3) An Oakland Redevelopment Successor Agency Resolution Transferring The Grant Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Coliseum Bart Station Transit Village Project To The City Of Oakland

[12-0582-2](#)

Scheduled to *Community & Economic Development Committee on 6/25/2013

S-4.2 Subject: ENA To Develop 12th Street Remainder Parcel

From: Office Of Neighborhood Investment

Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With UrbanCore-Integral, LLC For Development Of The 12th Street Remainder Parcel Located At 12th Street And 2nd Avenue

[12-0592](#)

Scheduled to *Community & Economic Development Committee on 6/25/2013

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S-4.3 2) A Resolution Of Intention Of The City Of Oakland To Establish City Of Oakland Community Facilities District No. 2013-1 (Wildfire Prevention District) In The Current Wildfire Prevention Assessment District Area, Schedule A Public Hearing, Levy A Special Tax To Finance Certain Public Services And Approving A Proposed Boundary Map For Community Facilities District No. 2013-1 Pursuant To The Mello-Roos Community Facilities Act Of 1982; And
[12-0593](#)

Scheduled to *Rules & Legislation Committee on 6/27/2013

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S-4.4 3) A Resolution Authorizing The City Administrator 1) To Amend The Contract With Francisco & Associates, Inc., In An Amount Not-To-Exceed Twenty-Four Thousand Nine Hundred Dollars (\$24,900), For Work Related To The Establishment Of Community Facilities District (CFD) No. 2013-1 (Wildfire Prevention District), The Rate And Method To Levy A Special Tax, And The Establishment Of Proposed Boundaries And Map Of The CFD, For A Total Contract Amount Not To Exceed Three-Hundred Eighty-Two Thousand Four Hundred Dollars (\$382,400) And Waiving The Advertising And Competitive Request For Proposal / Qualification Requirements 2) To Appropriate Two Hundred Thirteen Thousand One Hundred Dollars (\$213,100) For The Costs Of Establishment Of The Community Facilities District In FY 2013-15
[12-0594](#)

Scheduled to *Rules & Legislation Committee on 6/27/2013

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S-4.5 Subject: Contract Award To Thomas Frazier, Compliance Director
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Thomas Frazier, The Compliance Director Appointed By The United States Federal District Court In Delphine Allen, Et Al. V. City Of Oakland, For The Period Of March 11, 2013 To March 10, 2014 In The Amount Of \$722,600.00 (Seven Hundred Twenty-Two Thousand Six Hundred Dollars) To Assist The City In Achieving Full Compliance With The Negotiated Settlement Agreement In The Case Of Delphine Allen, Et Al. V. City Of Oakland, Et Al., United States District Court Case No. C00-4599 TEH
[12-0597](#)

Scheduled to Meeting of the Oakland City Council on 6/18/2013

As a Non-Consent item.

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S-4.6 Subject: Settlement Agreement - Sharon Tatmon
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Sharon Tatmon v. City Of Oakland, et al., Alameda County Superior Court, Case No. RG11574069, City Attorney's File No. 28284, In The Amount Of Fifteen Thousand Dollars And No Cents (\$15,000.00) (Public Works Agency - Trip And Fall)
[12-0598](#)

Scheduled to Meeting of the Oakland City Council on 6/18/2013

As a consent item.

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S-4.7 Subject: Permanent Access To Housing (PATH) Strategy
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Authorize The Department Of Human Services, Community Housing Services Division To Release A Request For Proposals To Award And Allocate Up To \$37,000 For Homeless Prevention And/Or Rapid Rehousing Services From July 1, 2013 Through December 31, 2013 Without Returning To Council, (2) Approval To Reallocate Awards Originally Made To East Bay Community Law Center And St. Mary's Center Under The City's 2012/14 Permanent Access To Housing (Path) Strategy Should The Conditions Set Under Said Grant Agreements Not Be Met By The Designated Dates, (3)) To Authorize Allocations And Continued Services For The Second Year Of 2012/14 Path Grant Agreements Previously Authorized By Oakland City Council Resolution No. 83995 Passed On July 17, 2012, And To (4) Authorize An Allocation Of Up To \$52,750 To East Oakland Community Project As A Mandatory Match To The City's HUD Funded 2013/14 Matilda Cleveland Transitional Housing Program (MCTHP) From Available General Purpose Funds.
[12-0585](#)

Scheduled to *Life Enrichment Committee on 6/25/2013

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S-4.8 Subject: On-Call Architectural Services Agreements
From: Public Works Agency
Recommendation: Adopt The following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into A Series Of Professional Services Agreements In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) Each With 1) Anne Phillips Architecture, 2) Architecture Dimensions, 3) Arcsine Architecture, 4) Devi Dutta Architecture, 5) Gyroscope, Inc. 6) Hibser Yamauchi Architects, Inc., 7) Oakley And Oakley, 8) Studio Perez, And 9) Vargas Greenan Architecture For Tier 1 On-Call Architectural Services For A Period Of Three Years; And
[12-0556](#)

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2) A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into A Series Of Professional Services Agreements In An Amount Not-To-Exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00) Each With 1) Byrens Kim Design Works, 2) Dougherty & Dougherty Architects, 3) Group 4 Architects, Research And Planning, Inc., 4) MVE Institutional, Inc., 5) Muller Caulfield Architects, 6) Murakami/Nelson Architectural Corporation, 7) Noll & Tam Architects, 8) RPR Architects, 9) Shah Kawasaki Architects For Tier II On-Call Architectural Services Over A Period Of Three Years
[12-0556-1](#)

Scheduled to Meeting of the Oakland City Council on 6/18/2013

As a non-consent item.

S-4.9 Subject: On-Call Construction Services Agreements
 From: Public Works Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For On-Call Licensed Construction Work In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000.00) Each To The Prequalified Firms Of 1) CAS Financial & Construction Services Inc., 2) Four Dimensions Landscape Co., 3) Magdave Associates, Inc., 4) Peters Construction, 5) Summerhill Electric, Inc., And 6) Wesley Construction; And
[12-0584](#)

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2) A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For On-Call Licensed Construction Work In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) Each To The Prequalified Firms Of 1) AEKO Consulting, 2) AJW Paving & Grading, 3) Andes Construction, 4) Bay Construction, 5) Beliveau Engineering Contractors, 6) B-Side Construction, 7) Dc Construction, 8) Downrite Corporation, 9) Infiniti Engineering, 10) McGuire & Hester, 11) Mosto Construction, 12) Phase 3 Communications, Inc., 13) Ray's Electric, 14) Rockridge Builders, 15) Rosas Brothers Construction, 16) Wickman Development And Construction, And 17) Yes Construction Group
[12-0584-1](#)

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

S-4.10 Subject: Honoring Emiliano Zapata Street Academy
 From: Councilmember Noel Gallo
 Recommendation: Adopt Resolution Honoring The Oakland Emiliano Zapata Street Academy On The Occasion Of Their 40th Anniversary
[12-0591](#)

Scheduled to Meeting of the Oakland City Council on 6/18/2013

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S-4.11 Subject: Agreement With CALICO For Child Abuse Investigations And Training
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee
To: 1) Enter Into An Agreement With The Child Abuse Listening, Interviewing, And
Coordination Center (Calico) In An Amount Not To Exceed Ninety Five Thousand Dollars
(\$95,000) For The Period Of July 20,2010 To June 30,2015 To Provide Forensic Interviews,
Multidisciplinary Child Abuse Investigations, Family Support Services, Community Outreach,
And Training To The Oakland Police Department (OPD); And 2) Waiving The Competitive
Request For Proposals/Qualifications (RFP/Q) Process, The Advertising And Bidding
Requirements, And Local And Small Business Enterprise Programs (L/SLB) Provisions For
The Proposed Agreement With Calico
[12-0588](#)

Scheduled to *Public Safety Committee on 6/25/2013
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S-4.12 Subject: Contract With PMAM For False Alarm Reduction Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee
To: 1) Award A Contract To PMAM Corporation For Administration Of The Alarm Reduction
Program Not To Exceed \$5.00 Per Permit From July 1,2013 Through June 30, 2016 And For A
Total Cost Not To Exceed Four Hundred And Fifty Thousand Dollars (\$450,000); 2) Authorize
The City Administrator To Appropriate False Alarm Fund (2411) Balance Of Two Hundred
And Twenty Thousand Dollars (\$220,000) Per Fiscal Year For A 3 Year Term From July
1,2013 Through June 30,2016 For The Administration Of The False Alarm Reduction Program
[12-0596](#)

Scheduled to *Public Safety Committee on 6/25/2013
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[rules060613item4](#)
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Items Submitted On The Dais

#1 Subject: Actuary Valuation Reports For PFRS And OMERS
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On The Oakland Police & Fire
Retirement System (PFRS) And The Oakland Municipal Employees' Retirement System
(OMERS) Actuary Valuation Reports As Of July 1, 2012
[12-0600](#)

Scheduled to *Finance & Management Committee on 6/25/2013
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#2 Subject: Marketing Of Champion Street Property For Sale
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Rejecting All Prior Bids And Authorizing The City Administrator To Market For Sale Surplus Property Located At 3455 And 3461 Champion Street, APN 028-0905-013-02 And APN 028-0905-009-00 (Old Fire House #14), For The Future Development Of A Restaurant By Issuing A Notice Of Development Opportunity
[12-0595](#)

Scheduled to *Finance & Management Committee on 6/25/2013

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#3 Subject: ORSA Property Management Plan
From: Office Of Neighborhood Investment
Recommendation: Adopt An Oakland Redevelopment Successor Agency (ORSA) Resolution Approving A Long-Range Property Management Plan Addressing The Disposition And Use Of Former Redevelopment Agency Properties
[12-0601](#)

Scheduled to *Community & Economic Development Committee on 6/25/2013

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#4 Subject: East Bay Economic Development Alliance Executive Committee Appointments
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Appointing Councilmember Lynette Gibson McElhaney To The Executive Committee Of The East Bay Economic Development Alliance For A Term Beginning July 1, 2013 And Ending June 30, 2014, And Appointing Council President Pro Tem Rebecca Kaplan As Alternate Member Of The Executive Committee Of The East Bay Economic Development Alliance For A Term Beginning July 1, 2013 And Ending June 30, 2014
[12-0599](#)

Scheduled to Meeting of the Oakland City Council on 6/18/2013

As a consent item.

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#5 Subject: Amending Council's General Purpose Fund Financial Policies
From: Vice Mayor Larry Reid
Recommendation: Adopt An Ordinance Amending Ordinance No. 13134 C.M.S., Which Amended Council's General Purpose Fund (GPF) Financial Policies To Revise Current Council Fiscal Policy Set Forth In Ordinance No. 13134 C.M.S. For Use Of One Time Revenues From Real Estate Transfer Tax; On The June 25, 2013 Finance & Management Committee Agenda
[12-0602](#)

No Action Taken

#6 Subject: Revising Council's Fiscal Policies For Use Of One Time Revenues
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Ordinance No. 13134 C.M.S. To Revise
Current Council Fiscal Policy Set Forth In Ordinance No. 13134 C.M.S For Use Of One Time
Revenues; On The June 25, 2013 Finance & Management Committee Agenda
[12-0603](#)

No Action Taken

#7 Subject: National Small Business Week
From: Councilmember Gallo
Recommendation: Adopt A Resolution In Recognition Of June 17-21 As National Small
Business Week
[12-0604](#)

Scheduled to Meeting of the Oakland City Council on 6/18/2013

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5 A Review Of The Draft Agendas For The Meeting Of The Oakland City Council On June
18, 2013 And For The Meeting Of The Rules & Legislation Committee On June 20, 2013

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

Votes: Absent; 1 - Vice Mayor Reid
Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan

[rules060613item5](#)
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6 Subject: Opposing AB 1273: Use Of San Francisco Piers As Arena For Warriors
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution In Opposition To AB 1273 (Ting) Authorizing The
Port Of San Francisco To Approve A Mixed-Use Development On Piers 30-32 That Includes A
Multipurpose Venue For Events And Public Assembly
[12-0571](#)

**A motion was made by Member Kalb, seconded by Member Schaaf, that
this matter be *Approve the Recommendation of Staff, and Forward to the
Meeting of the Oakland City Council, due back on June 18, 2013 as a
Consent item. The motion carried by the following vote:**

Votes: Absent; 1 - Vice Mayor Reid
Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan
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7 Subject: Status of State And Federal Legislative Advocacy
From: Council President Patricia Kernighan
Recommendation: Receive A Report On The Status Of State And Federal Legislative
Advocacy From The City's Lobbyist
[12-0572](#)

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

Votes: Absent; 1 - Vice Mayor Reid
Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan
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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 & Legislation Committee adjourned the meeting at 12:11 p.m.

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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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