



City of Oakland

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

Meeting Minutes - FINAL

*Rules & Legislation Committee

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

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

Thursday, June 23, 2016

10:45 AM

City Council Chamber, 3rd Floor

Roll Call / Call To Order

The Oakland City Council Rules And Legislation Committee convened at 10:54 a.m, with Council President Gibson McElhaney presiding as Chairperson.

COMMITTEE MEMBERSHIP:

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

1 Determinations Of Closed Session

[15-1114](#)

There will be a Special Closed Session July 5, 2016 from 3-5 p.m

A motion was made 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 June 9, 2016

[15-1115](#)

This Informational Report was Received and Filed.

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

3 Determination Of Schedule Of Outstanding Committee Items

[15-1116](#)

A motion was made 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)

[15-1117](#)

There were 2 speakers 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: Alameda County Waste Management Authority Appointments
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Reappointing Dan Kalb As A Member Of The Alameda County Waste Management Authority (ACWMA) And Appointing Councilmember Guillén As An Alternate Member Of The ACWMA
[15-1235](#)

This City Resolution was Scheduled.to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/5/2016

- 4.2** Subject: Association of Bay Area Governments Appointments
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Reappointing Council President Lynette Gibson McElhaney, Councilmember Abel Guillén And Vice Mayor Annie Campbell Washington To The Executive Board And Reappointing Councilmember Dan Kalb As An Alternate To The Executive Board Of The Association Of Bay Area Governments ("ABAG") For Terms Commencing July 5, 2016 And Ending June 30, 2017; And Reappointing Council President Lynette Gibson McElhaney As General Assembly Delegate And Councilmember Dan Kalb As General Assembly Alternate For A Term Commencing July 5, 2016 And Ending June 30, 2017
[15-1234](#)

This City Resolution was Scheduled.to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/5/2016

- 4.3** Subject: Mayor's Reappointments to the Board of Port Commissioners
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Andreas Ferreira Cluver And Arabella Martinez To The Board Of Port Commissioners
[15-1238](#)

This City Resolution was Scheduled.to the *Rules & Legislation Committee to be heard 7/7/2016

- 4.4** Subject: Employer Engagement and Training and Technical Assistance Consultant Contracts for Oakland Unite Violence Prevention and Intervention Provider Network 2016-2017
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With: (1) Urban Strategies Council, In An Amount Not To Exceed \$100,000, To Provide Employer And Training Partner Engagement Services To Support The Hiring Of Oakland Unite Participants From July 1, 2016 To June 30, 2017 With A One-Year Option To Renew For A Total Amount Not To Exceed \$200,000; (2) Pathways Consultants, In An Amount Not To Exceed \$30,000, To Provide Employer Engagement Services To Support The Hiring Of Oakland Unite Participants From July 1, 2016 To June 30, 2017 With A One-Year Option To Renew For A Total Amount Not To Exceed \$50,000; And (3) Bright Research Group, In An Amount Not To Exceed \$250,000, To Plan And Deliver Training And Technical Assistance To Oakland Unite Grantees, From July 1, 2016 To June 30, 2017 With A One-Year Option To Renew For A Total Amount Not To Exceed \$500,000
[15-1237](#)

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 7/12/2016

- 4.5** Subject: Abode Services Grant Agreement 2016-2017
From: Department Of Human Services
Recommendation: Adopt Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With Abode Services In An Amount Not To Exceed \$116,000 For Housing Case Management Services From August 1, 2016 To June 30, 2017 With A One Year Option To Renew
[15-1236](#)

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 7/12/2016

- 4.6** Subject: Vegetation Management Plan Consulting Contract
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Enter Into A Professional Services Agreement With Horizon Water And Environment, LLC, For Three Years In An Amount Not To Exceed Six Hundred And Fifty Thousand Dollars (\$650,000.00) For Services Relating To The Development Of A Vegetation Management Plan And Accompanying California Environmental Quality Act (CEQA) Documentation For The Oakland High Fire-Severity Zone/Wild Land Urban Interface ("WUI") Areas, With The Option To Increase The Contract Amount For Additional Services, Without Return To Council, Based On Availability Of Project Funds
[15-1240](#)

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 7/12/2016

- 4.7 Subject: Resolution Honoring and Recognizing Crystal Roza
From: Councilmember Gallo
Recommendation: Adopt A Resolution Honoring and Recognizing Crystal Roza Upon Her Retirement From The City Of Oakland After 18 Years of Dedicated Service
[15-1239](#)

This City Resolution was Scheduled.to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/19/2016

- 4.8 Subject: Amendment to the Salary Ordinance
From: Human Resource Management
Recommendation: Adopt An Ordinance Amending Ordinance No. 12187 C.M.S., "The Salary Ordinance," To Clarify The Authority Of The City Administrator In Setting The Compensation And Other Terms And Conditions Of Employment For Department Heads And Amending Ordinance No. 12903 C.M.S. And Repealing Ordinance No. 12918 C.M.S.
[15-1241](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 7/12/2016

- 4.9 Subject: Citywide Preventive Maintenance Resurfacing
From: Oakland Public Works
Recommendation: Adopt A Resolution Rejecting All Bids, Waiving Further Advertising And Bidding Requirements, And Authorizing The City Administrator Or Designee To Negotiate And Execute A Construction Contract With Gallagher & Burk, Inc., In Accordance With Plans And Specifications For The Construction Of Citywide Preventive Maintenance Resurfacing (Project No. C427720) In The Amount Of Three Million Nine Hundred Fifty Thousand Seven Hundred Twenty-Three Dollars And Seventy Cents (\$3,950, 723. 70); And
[15-1242](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 7/12/2016

- 2) Resolution Allocating Measure BB Local Streets And Roads And Bike Fund (2216) Funds In The Amount Of Eight Hundred Fifty-Three Thousand Dollars(\$853,000.00) For The Paving Of Martin Luther King, Jr. Way From 27th Street To West MacArthur Boulevard; And
[15-1243](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 7/12/2016

- 3) Resolution Authorizing The Removal Of Travel Lanes And The Installation Of Class II Bicycle Lanes On Clay Street From 7th Street To 17th Street
[15-1244](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 7/12/2016

4.10 Subject: Lakeside Green Streets Project
From: Oakland Public Works
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Award A Construction Contract To Mcguire And Hester, Inc., The Lowest Responsible, Responsive Bidder In Accordance With Project Plans And Specifications For The Lakeside Green Streets Project (Project No. C393910) And With Contractor's Base Bid In The Amount Of Nine Million Four Hundred Twentyeight Thousand, Six Hundred One Dollars (\$9,428,601.00) And Authorize The City Administrator To Increase The Same Construction Contract By The Amount Of Two Million Two Hundred Two Thousand Six Hundred Thirtytwo Dollars (\$2,202,632.00) For A Total Contract Amount Not-To-Exceed Eleven Million Six Hundred Thirty-One Thousand Two Hundred Thirty-Three Dollars (\$11,631,233.00) As Additional Funds Become Available; And
[15-1245](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 7/12/2016

2) A Resolution Waiving The Competitive Request For Proposal/Qualification Process And Authorizing An Amendment To Increase The As-Needed Landscape Architectural Services Agreement With Placeworks (Formerly Design Community And Environment) By An Amount Not-To-Exceed Two Hundred Fifty Thousand Dollars (\$250,000.00), Bringing The Total Contract Amount From Eight Hundred Fifty Thousand Dollars (\$850,000.00) To One Million One Hundred Thousand Dollars (\$1,100,000.00)
[15-1247](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 7/12/2016

4.11 Subject: Contract Amendment for Rainbow Recreation Center Expansion & Renovation Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution (1) Waiving The Competitive Request For Proposal/Qualifcation Process And (2) Authorizing The City Administrator, Or Designee, To Amend The Professional Services Agreement With Byrens Kim Designworks For The Rainbow Recreation Center Expansion And Renovation Project (No. C470910) In The Amount Not To Exceed An Additional Two Hundred Fifty Thousand Dollars (\$250,000.00) For A Total Contract Amount Of Seven Hundred Seventy Five Thousand Dollars (\$775,000,000)
[15-1246](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 7/12/2016

4.12 Subject: Upper Broadway Road Diet/Citywide RRFB Project
From: Oakland Public Works
Recommendation: Adopt A Resolution: 1) Authorizing The Removal Of Travel Lanes And The Installation Of Class Ii Bicycle Lanes On Broadway From Broadway Terrace To Keith Avenue; 2) Awarding A Construction Contract To Ray's Electric, The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For Upper Broadway Road Diet And Citywide Rectangular Rapid Flashing Beacon Project (Project No. C369550) And With Contractor's Bid In The Amount Of One Million Seven Hundred Sixty-One Thousand Eight Hundred Thirty-Six Dollars And Seventy Cents (\$1,761,836.70); And 3) Adopting California Environmental Quality Act Exemption Findings

[15-1248](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 7/12/2016

4.13 Subject: I-880 Integrated Corridor Management North Alameda Segment Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To Execute Three Wireline Crossing Agreements With The Union Pacific Railroad (Upr), For The Interstate 880 Integrated Corridor Management (I-880 ICM) North Alameda Segment Project

[15-1249](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 7/12/2016

ITEMS SUBMITTED ON THE DIAS

Subject: Councilmember Rebecca Kaplan
From: Honoring Dexter English
Recommendation: Adopt A Resolution Honoring Dexter English for 30 Years Of Exemplary Service To Oakland Public Works Department And Congratulating him On His Retirement

[15-1231](#)

This City Resolution was Scheduled.to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/19/2016

Subject: Alameda County's Plastic Bag Expansion Program
From: Councilmember Kalb
Recommendation: Receive An Informational Presentation And Feedback on Proposed Expansion Of Alameda County's Plastic Bag Ban By Stopwaste

[15-1232](#)

This Informational Report was Scheduled.to the *Public Works Committee to be heard 7/12/2016

Subject: Health And Safety Impacts Of Coal In Oakland
From: Councilmember Rebecca Kaplan
Recommendation: Adopt An Ordinance (1) Amending The Oakland Municipal Code To Prohibit The Storage And Handling Of Coal And Coke At Bulk Material Facilities Or Terminals Throughout The City Of Oakland And (2) Adopting • California Environmental Quality Act Exemption Findings
[15-0977](#)

This Ordinance was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/27/2016

2) A Resolution (A) Applying Ordinance No. C.M.S. [An Ordinance (1) Amending The Oakland Municipal Code To Prohibit The Storage And Handling Of Coal And Coke At Bulk Material Facilities Or Terminals Throughout The City Of Oakland And (2) Adopting California Environmental Quality Act (CEQA) Exemption Findings] To The Proposed Oakland Bulk And Oversized Terminal Located In The West Gateway Development Area Of The Former Oakland Army Base; And (B) Adopting CEQA Exemption Findings And Relying On The Previously Certified 2002 Army Base Redevelopment Plan EIR And 2012 Addendum [NEW TITLE]
[15-1250](#)

This City Resolution was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/27/2016

Subject: Response to the Grand Jury Report dated June 21, 2016
From: Councilmember Gallo
Recommendation: Request For Open Session Discussion Of The 2015-2016 Alameda County Grand Jury Final Reports Related To The City Of Oakland, Received By The Oakland City Council Members On June 10, 2016 And Publicly Distributed On June 21, 2016 By The Alameda County Grand Jury. The Due Date For Response Is No Later Than Wednesday, September 21, 2016 To The Alameda County Grand Jury.
[15-1233](#)

Councilmember Kalb made a motion, seconded by Pro Tempore Reid to adjourn as the Rules and Legislation Committee and reconvene as a Special Meeting of the Oakland City Council at 11:11 a.m.

This City Resolution was Rescheduled.to the *Community & Economic Development Committee to be heard 7/13/2016

In review of the legislative calendar the clerk requested clarification on the start time for the Special Council meeting proposed for June 27th. The start time was announced as 5:00 p.m.

- 5 A Review Of The Draft Agendas For The City Council Meeting Of July 5, 2016 And The Rules And Legislation Committee Of July 7, 2016
[15-1118](#)

This Report and Recommendation was Accepted as Amended to correct non-technical errors and other other adjustments based on actions taken on the previous item.

- 7.5 Subject: Creating A Rental Registry
From: Council President Gibson McElhaney
Recommendation: Receive An Informational Report Of Policy Recommendations, Fiscal Analysis, Staff Plan And A Recommendation Implementation Timeline And Possible Actions To Begin Implementation To Create A Rental Registry The Purpose Of Which Is To Improve The Effectiveness And Efficiency Of The City In Enforcing And Monitoring The Residential Rent Adjustment Program Through Greater Transparency In The Market
[15-0887](#)

This item listed as 7.5 on the consent calender was a duplication of an item current listed as item 13 on the non-consent portion of this agenda. Item 7.5 will be will be struck from the draft July 5th agenda and will remain to be renumbered on the non-consent portion of the agenda.

Documented in accordance with the actions on record.

Open Forum (Total Time Available: 15 Minutes)

There were 2 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 11:47 a.m.

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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.