



# 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, December 19, 2013**

**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 Meeting Of December 5, 2013
  - 3 Determination Of Schedule Of Outstanding Committee Items  
([rules121913item3](#))
  - 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
- S-4.1 Subject: Measure Y Oversight Committee Third Quarterly Report  
From: Office Of The City Administrator  
Recommendation: Receive The Third Quarterly Report From The Measure Y Oversight Committee (2013); On The January 14, 2014 Public Safety Committee Agenda

[\(13-0261\)](#)

S-4.2        Subject:     Acceptance Of Settlement Payment From OMSS  
From:        Office Of Neighborhood Investment  
Recommendation:    Adopt A Resolution Authorizing Acceptance Of Payment From Oakland Maritime Support Services (OMSS) In The Amount Of \$50,000 Toward The Settlement Of Northern California River Watch, Teamsters Local 70 v. Oakland Maritime Support Services, Oakland Redevelopment Agency, Et Al. (U.S. District Court, Northern District Of California, Case No. 4:40-CV-3912 CW) (Office Of The City Administrator); On The January 14, 2014 Community & Economic Development Committee Agenda

[\(13-0262\)](#)

S-4.3        Subject:     Sewer Revenue Refunding Bonds, 2014 Series A  
From:        Office Of The City Administrator  
Recommendation:    Adopt A Resolution Approving The Issuance And Sale Of Not To Exceed \$70,000,000 Aggregate Principal Amount Of City Of Oakland Sewer Revenue Refunding Bonds, 2014 Series A To Refund Sewer Revenue Bonds, 2004 Series A And To Finance Capital Improvements; Approving The Form Of And Authorizing The Execution And Delivery Of A Second Supplemental Indenture, Escrow Agreement, Continuing Disclosure Agreement And Bond Purchase Agreement; Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing The Execution And Delivery Of An Official Statement; And Authorizing Necessary Actions Related Thereto; On The January 14, 2014 Finance & Management Committee Agenda

[\(13-0265\)](#)

S-4.4        Subject:     Settlement Agreement - Robert Ovetz 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 Ovetz v. City Of Oakland, Et Al., Northern District Of California Case No. C12-6180, City Attorney's File No. 29115, In The Amount Of Forty-Eight Thousand Five Hundred Dollars (\$48,500.00) (Oakland Police Department - Excess Force/Civil Rights); On The January 7, 2014 City Council Agenda

[\(13-0257\)](#)

S-4.5        Subject:     Settlement Agreement - Sabeghi v. OPD Officer Frank Uu  
From:        Office Of The City Attorney  
Recommendation:    Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Kayvan Sabeghi v. Oakland Police Officer Frank Uu, Et Al., United States District Court Case No. C12-06057 JCS In The Amount Of \$645,000.00 As A Result Of A Confrontation With Police At 17th And Broadway (Oakland Police Department - Excess Force/Civil Rights); On The January 7, 2014 City Council Agenda

[\(13-0258\)](#)

S-4.6        Subject:     Prohibit And Discourage Investments In Fossil Fuel Companies  
From:        Councilmember Dan Kalb  
Recommendation:    Adopt A Resolution (1) Setting Forth A Policy For The City Of Oakland Prohibiting The Investment Of City Funds Or Holding Any Investment Or

Ownership Stake In Companies That Extract, Produce, Refine Or Distribute Fossil Fuels, And (2) Directing The City Administrator To Examine The City's Holdings And Future Investments To Assure That The City Complies With This City Policy, And (3) Urging The Governing Boards Of The Oakland Municipal Employees' Retirement System (OMERS), The Oakland Police And Fire Retirement System (PFRS) And The California Public Employees' Retirement System (CalPERS) To Divest From Fossil Fuel Companies, And 4) Urging Other Local Jurisdictions That Intersect With Oakland To Divest From Fossil Fuel Companies, In An Effort To Support The Goals Of The Oakland Energy And Climate Action Plan And Diminish The Use Of Fossil Fuels That Significantly Contribute To Climate Change; On The February 11, 2014 Finance And Management Committee Agenda

[\(13-0266\)](#)

S-4.7 Subject: Contract With JT2 Integrated Resources  
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 2013-2014, And A Contract Amount Of \$2,477,278.82 For Contract Year 2014-2015, With An Option To Extend The Agreement For Three Additional Two-Year Terms For A Total Contract Amount Of \$2,477,278.82 For Contract Year 2015-2016, \$2,511,538.40 For Contract Year 2016-2017, \$2,546,483.16 For Contract Year 2017-2018, \$2,582,126.83 For Contract Year 2018-2019, \$2,618,483.36 For Contract Year 2019-2020, \$2,655,567.03 For Contract Year 2020-2021; On The January 14, 2014 Finance & Management Committee Agenda

[\(13-0263\)](#)

S-4.8 Subject: Semi-Annual Vacancy Report  
From: Department Of Human Resources Management  
Recommendation: Receive The Semi-Annual Informational Report On Budgeted Vacant Positions And Hiring For The Period April 8, 2013 Through November 26, 2013; On The January 14, 2014 Finance & Management Committee Agenda

[\(13-0264\)](#)

S-4.9 Subject: Latham Square Plaza Redesign  
From: Public Works Agency  
Recommendation: Adopt A Resolution Approving A Permanently Expanded And Redesigned Latham Square Plaza; That The 1500 Block Of Telegraph Avenue Be Redesigned To Reduce The Travel Lanes From Three To Two, With One Travel Lane Northbound And One Travel Lane Southbound; On The January 7, 2014 City Council Agenda

Justification: Complete Expenditure Of Prop 1C Grant For This Project (Construction) Must Occur By December 31, 2014. To Meet This Deadline, Design Must Be Completed By March 2014 (2 Months), Advertisement, Bid And Award Must Be Completed By June 2014 (Less Than 4 Months) And Then Construction (6 Months). There Is No Float In The Schedule.

[\(13-0230\)](#)

- S-4.10      Subject:     Parking Meter Management System  
From:        Public Works Agency  
Recommendation:    Adopt A Resolution Making A Finding In Accordance With Title 2, Chapter 2, Article I, Section 2.04.050.I.5 Of The Oakland Municipal Code, Waiving Competitive Bidding Requirements Authorize The City Administrator To Execute A Five-Year Service Contract With IPS Group, Inc. In An Amount Not To Exceed Five Million, Seven Hundred Ninety-Three Thousand, Nine Hundred Eighty Dollars (\$5,793,980), (Inclusive Of \$2,500,000 For Meter Equipment/Installation/Training And \$3,293,980 For Wireless Data, Licensing Fees And Merchant Fees), For The Purchase And Utilization Of Single Space Parking Meters And Equipment; And 1) Authorizing Adjustments To The Adopted Fiscal Years 2013-2015 Public Works Agency's Operating Budget In The Amount Of One Million, Nine Hundred Eighty Thousand, One Hundred Twenty-Five Dollars (\$1,980,125) For Fiscal Year 2014-2015, For Debt Service, Wireless Data And Licensing Fees, Merchant Fees, Replacement Meters And Parts, Additional Personnel Overtime, And Other Operations And Maintenance Associated With Parking Meters; And 2) Authorizing Adjustments To The Adopted Fiscal Years 2013-2015 Operating Budget, Increasing Budgeted Parking Meter Revenue One Million, Seven Hundred Ninety-Four Thousand, One Hundred Sixty Dollars (\$1,794,160) In Fiscal Year 2014-2015, And Increasing Budgeted Parking Citation Revenue Two Hundred Nine Thousand Dollars (\$209,000) In Fiscal Year 2014-2015; And 3) Authorizing The City Administrator To Execute Master Lease Purchase Agreement And All Related Documents, With A Financial Institution To Be Determined By Competitive Bid, For Financing In The Amount Of Two Million, Five Hundred Thousand Dollars (\$2,500,000) For A Term Of Not More Than 5 Years And An Interest Rate Not To Exceed 2.5%, For The Purchase Of 4,300 Single Space Parking Meters And Equipment; And 4) Authorizing Staff To Increase The Contract With IPS Group Inc., To Purchase Additional Parking Equipment To Ensure Infrastructure And Equipment Integrity In An Amount Not To Exceed The Appropriated Budget For Said Activities; On The January 14, 2014 Finance & Management Committee Agenda  
[\(13-0256\)](#)
- S-4.11      Subject:     Sanitary Sewer Rehabilitation  
From:        Public Works Agency  
Recommendation:    Adopt A Resolution Awarding A Construction Contract To Andes Construction For The Rehabilitation Of Sanitary Sewers In The Area Bounded By 20th Street, San Pablo Avenue, Telegraph Avenue, Alice Street, And 12th Street (Project No. C227230) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Four Million Five Hundred Eighty Thousand Six Hundred Five Dollars (\$4,580,605.00); On The January 14, 2014 Public Works Committee Agenda  
[\(13-0259\)](#)
- S-4.12      Subject:     Creation Of The Bicyclist And Pedestrian Advisory Commission  
From:        Public Works Agency  
Recommendation:    Adopt An Ordinance Creating The Bicyclist And Pedestrian Advisory Commission And Specifying The Terms And Responsibilities Of Its Commissioners; On The January 14, 2014 Public Works Committee Agenda  
[\(13-0260\)](#)

S-4.13      Subject:     Honoring The East Bay Warriors  
From:       Councilmember Gibson McElhaney  
Recommendation: Request to Reschedule The Following Item From The January 7, 2014 City Council Agenda To The January 21, 2014 City Council Agenda As A Ceremonial Item:

Adopt A Resolution Honoring The East Bay Warriors Football And Cheerleading Teams For Their Participation In The Pop Warner Superbowl And National Cheerleading Championships In Florida In December 2013 And Recognizing The Organization's Efforts To Promote Athletics And Academics For Oakland's Youth  
[\(13-0251\)](#)

S-4.14      Subject:     Grant Funds For Travel Expenses For Oakland Youth  
From:       Councilmember Noel Gallo  
Recommendation: Adopt A Resolution Authorizing A Grant In The Amount Of \$600 From Councilmember Gallo's Priority Project Funds To Oakland Community Organizations (OCO) To Help With Travel Expenses For Oakland Youth To Travel To The Central Valley As Part Of OCO's Immigration Reform Efforts; On The January 7, 2014 City Council Agenda  
[\(13-0253\)](#)  
[\(rules121913item4\)](#)

5            A Review Of The Council Committees' Actions From December 17, 2013 And Determination Of Scheduling To The City Council Meeting Of January 7, 2014 (MATRIX)  
[\(rules121913item5\)](#)

6            A Review Of The Cancellation Agendas For The Special City Council Meeting Of December 31, 2013 And The Rules And Legislation Committee Of January 2, 2014  
[\(rules121913item6\)](#)

**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.

Office of the City Clerk - Agenda Management Unit  
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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**