



# 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>**

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**Thursday, December 19, 2013**

**10:45 AM**

**City Council Chambers - 3rd Floor**

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### Roll Call / Call To Order

Excused: Vice Mayor Reid

Present: Council President Kernighan, Member Schaaf and Member Kalb

*The Oakland City Council Rules & Legislation Committee convened at 11:05 A.M., with Council President Kernighan presiding as Chairperson.*

1 Determinations Of Closed Session

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

**Votes:** Excused; 1 - Vice Mayor Reid

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

*There will be a special Closed Session on January 7, 2014 at 3:30 P.M.*

2 Approval Of The Draft Minutes From The Committee Meeting Of December 5, 2013

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

**Votes:** Excused; 1 - Vice Mayor Reid

Aye; 3 - 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:** Excused; 1 - Vice Mayor Reid

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

[rules121913item3](#)

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

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

**Votes:** Excused; 1 - Vice Mayor Reid

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

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)

[13-0261](#)

**Scheduled to \*Public Safety Committee on 1/14/2014**

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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)

[13-0262](#)

**Scheduled to \*Community & Economic Development Committee on  
1/14/2014**

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[84815 CMS.pdf](#)

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

[13-0265](#)

**Scheduled to \*Finance & Management Committee on 1/14/2014**

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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)  
[13-0257](#)

**Scheduled to Meeting of the Oakland City Council on 1/7/2014**

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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,  
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)  
[13-0258](#)

**Scheduled to Meeting of the Oakland City Council on 1/7/2014**

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S-4.6      Subject:      Prohibit And Discourage Investments In Fossil Fuel Companies  
From:          Councilmember Dan Kalb  
Recommendation:      Adopt A Resolution Of The Oakland City Council (1) Declaring A City  
Policy Prohibiting The Investment Of City Funds Or Holding Any Investment Or Ownership  
Stake In Any Companies That Extract, Produce, Refine, Burn Or Distribute Fossil Fuels, And  
(2) Directing The City Administrator Or His/Her Designee To Examine The City's Holdings  
And Future Investments To Assure That The City Complies With This 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 All Publicly-Traded Fossil Fuel  
Companies, And (4) Urging Other Local Jurisdictions That Intersect With Oakland To Divest  
From All Publicly-Traded Fossil Fuel Companies, All 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  
[13-0266](#)

**Scheduled to \*Finance & Management Committee on 2/11/2014**

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[85053 C.M.S.pdf](#)

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 2013-14 And A Contract Amount Of \$2,477,278.82 Contract Year 2014-15 And With Council Approval, Options To Extend The Agreement For Three Additional Two-Year Terms For A Total Contract Amount Of \$2,477,278.82 For Contract Year 2015-16, \$2,511,538.40 For Contract Year 2016-17, \$2,546,483.16 For Contract Year 2017-18, \$2,582,126.83 For Contract Year 2018-19, \$2,618,483.36 For Contract Year 2019-20, \$2,655,567.03 For Contract Year 2020-21  
[13-0263](#)

**Scheduled to \*Finance & Management Committee on 1/14/2014**

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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  
[13-0264](#)

**Scheduled to \*Finance & Management Committee on 1/14/2014**

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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  
[13-0230-1](#)

**Scheduled to Meeting of the Oakland City Council on 1/7/2014**

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S-4.10      Subject:      Parking Meter Management System  
From:          Public Works Agency  
Recommendation:      Adopt A Resolution (A) Waiving Advertising And Competitive Bidding And (B) Authorizing The City Administrator Or Her Designee To Execute A Five-Year Service Contract With IPS Group, Inc. In An Amount Not To Exceed Five Million Seven Hundred And Ninety-Three Thousand Nine Hundred And Eighty Dollars (\$5,793,980.00), Inclusive Of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) For Meter Equipment, Installation And Training, As Well As Three Million Two Hundred And Ninety-Three Thousand Nine Hundred And Eighty Dollars (\$3,293,980.00) For Wireless Data, Licensing Fees And Merchant Fees For The Purchase Of Parking Meters And Related Equipment Associated With The Public Works Agency's Parking Meter Management System Initiative; And Authorizing 1) Adjustments To The Public Works Agency's Adopted Fiscal Year 2013-2015 Operating Budget In The Amount Of One Million Nine Hundred And Eighty Thousand One Hundred And Twenty-Five Dollars (\$1,980,125.00) For Fiscal Year 2014-2015 For Debt Service; Wireless Data; Licensing Fees; Merchant Fees; Replacement Meters And Parts; Personnel Overtime And Other Operational And Maintenance Expenses Associated With Parking Meters; And 2) Adjustments To The Adopted Fiscal Year 2013-2015 Operating Budget By Increasing Budgeted Parking Meter Revenue In The Amount Of One Million Seven Hundred And Ninety-Four Thousand One Hundred And Sixty Dollars (\$1,794,160.00) And Increasing Budgeted Parking Citation Revenue In The Amount Of Two Hundred Nine Thousand Dollars (\$209,000.00) In Fiscal Year 2014-2015; And 3) The City Administrator Or Her Designee To Execute A Master Lease Purchase Agreement And All Related Documents With A Financial Institution To Be Identified And Selected Through The Competitive Bidding Process For Said Parking Meter Management System Initiative Financing In The Amount Of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) For A Term Not To Exceed Five (5) Years And An Interest Rate Not To Exceed Two And One-Half Percent (2.5%) For The Purchase Of Four Thousand Three Hundred (4,300) Single-Space Parking Meters And Related Equipment; And 4) The City Administrator Or Her Designee To Increase The Financial Terms Of The Proposed Contract With IPS Group, Inc. For The Possible Future Purchase(s) Of Additional Parking Meters And Related Equipment To Ensure Infrastructure And Equipment Integrity In An Amount Not To Exceed The Appropriated Budget For Said Activities, Without Return To Council

[13-0256](#)

**Scheduled to \*Finance & Management Committee on 1/14/2014**

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S-4.11      Subject:    Sanitary Sewer Rehabilitation  
From:        Public Works Agency  
Recommendation:    Adopt A Resolution Authorizing The City Administrator To Award 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)  
[13-0259](#)

**Scheduled to \*Public Works Committee on 1/14/2014**

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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  
[13-0260](#)

**Scheduled to \*Public Works Committee on 1/14/2014**

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S-4.13      Subject:    Honoring The East Bay Warriors  
From:        Councilmember Lynette Gibson McElhaney  
Recommendation:    Adopt A Resolution Honoring And Commemorating The East Bay Warriors Football And Cheerleading Teams For Their Participation In The Pop Warner Super Bowl 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](#)

**\*Rescheduled to Meeting of the Oakland City Council on 1/21/2014**

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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 Cover Travel Expenses For A Youth Group To Travel To Central California As Part Of A National Campaign For Immigration Reform  
[13-0253](#)

**Scheduled to Meeting of the Oakland City Council on 1/7/2014**

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**Items Submitted On The Dais**

#1            Subject:    Accelerated Hiring Program For Oakland Police Department  
From:            Oakland Police Department  
Recommendation:  Adopt A Resolution Authorizing An Appropriation Of Undesignated Funds From The General Purpose Fund Balance In The Amount Of One Hundred Seventy Seven Thousand Dollars (\$177,000) To Fund An External Oakland Police Department (OPD) Academy To Be Held At The Alameda County Sheriff's Office Police Academy Starting March 3, 2014, And Authorizing The City Administrator To Enter Into An Agreement With The Alameda County Sheriff's Office To Conduct The Academy  
[13-0267](#)

**Scheduled to Meeting of the Oakland City Council on 1/7/2014**

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#2            Subject:    Salary Ordinance Amendment - Employee Relations Director  
From:            Department Of Human Resources Management  
Recommendation:  Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Of Employee Relations Director; And  
[13-0268](#)

**Scheduled to \*Finance & Management Committee on 1/14/2014**

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2) A Resolution Recommending To The Civil Service Board The Exemption Of The Following Classification From The Operation Of The Civil Service: Employee Relations Director  
[13-0268-1](#)

**Scheduled to \*Finance & Management Committee on 1/14/2014**

[84801 CMS.pdf](#)

#3            Subject:    Deferred Compensation Plan For Part-Time, Seasonal & Temp Employees  
From:        Department Of Human Resources Management  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Approving Amendments To The Deferred Compensation Plan For Full-Time And Permanent Part-Time Employees, Established By Resolution No. 68563, As Amended By Resolution 75111, Incorporated Herein, Updating The Deferred Compensation Plan To Comply With State And Federal Laws, Establishing Participant Loan And Other Procedures, To Reflect The Approved Composition Of The Deferred Compensation Committee, And Affirming The Authority Of The Deferred Compensation Committee Take Any And All Actions, And To Negotiate, Execute And Deliver, Any And All Agreements And Other Documents That The Committee May Deem Necessary Or Advisable To Administer The Plan; And  
[13-0270](#)

**Scheduled to \*Finance & Management Committee on 1/14/2014**

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2) An Ordinance Approving Amendments To The Deferred Compensation Plan For Part-Time Seasonal And Temporary Employees, Established By Resolution No. 68722, As Amended By Resolution 75111, Incorporated Herein, Updating The Deferred Compensation Plan To Comply With State And Federal Laws, Establishing Participant Loan And Other Procedures, To Reflect The Approved Composition Of The Deferred Compensation Committee, And Affirming The Authority Of The Deferred Compensation Committee Take Any And All Actions, And To Negotiate, Execute And Deliver, Any And All Agreements And Other Documents That The Committee May Deem Necessary Or Advisable To Administer The Plan  
[13-0270-1](#)

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#4            Subject:    Rotunda Garage Report  
From:        Office Of The City Administrator  
Recommendation: Receive An Informational Report On The Business Terms Of The Agreement Between The Oakland Redevelopment Agency And Rotunda Garage LP For The Sale And Lease Of Four Parcels Adjacent To The Rotunda Building In The Central District To Develop A 320-Space Public Parking Garage, Approximately 3,000 Square Feet Of Adjacent Retail, And A Temporary Surface Parking Lot  
[13-0269](#)

**Scheduled to \*Community & Economic Development Committee on 2/11/2014**

- [View Report.pdf](#)
- [View Supplemental Report.pdf](#)



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)

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

**Votes:** Excused; 1 - Vice Mayor Reid  
Aye; 3 - Member Kalb, Member Schaaf and Council President Kernighan  
*Item 5 under Public Works failed in Committee*  
*Item 8 under Finance And Management will be going to the consent calendar of the council agenda*

[rules121913item5](#)  
[View Report.pdf](#)

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

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

**Votes:** Excused; 1 - Vice Mayor Reid

[rules121913item6](#)  
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**Open Forum (Total Time Available: 15 Minutes)**

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:34 A.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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[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.

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*City Clerk and Clerk of the Council*