



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>

Thursday, May 08, 2014

10:45 AM

City Council Chambers - 3rd Floor

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 April 3, 2014 And April 24, 2014

There are no minutes to approve, as the April 24, 2014 Rules and Legislation Committee Meeting was cancelled.
- 3 Determination Of Schedule Of Outstanding Committee Items
[\(Rules050814Item3\)](#)
- 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas
(SUPPLEMENTAL)
[\(RulesItem4050815\)](#)

- S-4.1 Subject: Linden Park Improvement Project
From: Department Of Public Works
Recommendation: Adopt A Resolution Awarding And Authorizing The City Administrator, Or Designee To Execute A Construction Contract To Beliveau Engineering Contractors, Inc., The Lowest Responsive And Responsible Bidder In Accordance With Project Plans And Specifications For Linden Park Improvement Project (B00560) And With Contractor's Bid In The Amount Of Two Hundred Seventy Three Thousand And Six Hundred Dollars (\$273,600.00); On The May 27, 2014 Public Works Committee Agenda
[\(13-0553\)](#)
- S-4.2 Subject: Senior Companion Program/Foster Grandparent Program (SCP/FGP) 2014-2015
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant Funds For Fiscal Year 2014-2015 From The Corporation For National And Community Services (CNCS) In An Estimated Amount Of \$316,610 For The Senior Companion Program (SCP) And Foster Grandparent Program (FGP) From July 1, 2014 Through June 30, 2015; On the May 27, 2014 Life Enrichment Committee Agenda
[\(13-0568\)](#)
- S-4.3 Subject: Opposing Transportation Of Hazardous Fuels
From: Councilmembers Kalb, Gibson-McElhaney And Kaplan
Recommendation: Adopt A Resolution To Oppose Transportation Of Hazardous Fossil Fuel Materials Like Crude Oil, Coal, And Petroleum Coke Along California Waterways, Through Densely Populated Areas, And Through The City Of Oakland; On The May 27, 2014 Public Works Committee Agenda
[\(13-0576\)](#)
- S-4.4 Subject: Lake Merritt Sail Boat House Shoreline Improvements
From: Department Of Public Works
Recommendation: Adopt The Following Pieces Of Legislation:
1) Resolution Authorizing The City Administrator, Or His Designee To Award And Execute A Construction Contract To Gordon N. Ball, Inc., The Lowest Responsive And Responsible Bidder In Accordance With Project Plans And Specifications For The Lake Merritt Sail Boat House Shoreline Improvement (Project No. C393710) And With Contractor's Bid In The Amount Of Five Million Five Hundred Fifteen Thousand Dollars (\$5,515,000); And
[\(13-0554\)](#)
2) Resolution Authorizing The City Administrator, Or His Designee To Apply For, Accept And Appropriate Grant Funds In An Amount Up To Five Hundred Thousand Dollars (\$500,000) From The State Of California Department Of Parks And Recreation, Division Of Boating And Waterways For The Lake Merritt Sail Boat House Shoreline Improvement Project; On The May 27, 2014 Public Works Committee Agenda
[\(13-0554-1\)](#)
- S-4.5 Subject: Men of Valor Contract Extension

From: Department Of Workforce And economic Development
Recommendation: Adopt The Following Pieces Of Legislation:
A City Resolution Amending Resolution No. 83370 C.M.S. Authorizing A Services Agreement With Men Of Valor Academy To Provide Graffiti Abatement In The Coliseum And Central City East Redevelopment Project Areas In The Amount Of \$165,050 To (1) Add The Oakland Redevelopment Successor Agency (ORSA) As Party, (2) Expand The Scope To Include Maintenance Of City And ORSA Properties, (3) Extend The Contract Period By Three Years, And (4) Increase The Amount Of The Contract By \$240,000 To A New Total Of \$405,050; And
[\(13-0557\)](#)

An Oakland Redevelopment Successor Agency (ORSA) Resolution Authorizing The ORSA To Be Added As A Party To The Professional Services Agreement Between The City Of Oakland And Men Of Valor Academy, And Allocating ORSA Funds For The Portion Of The Contract Dealing With The Maintenance Of ORSA Properties ; On The May 27, 2014 Community And Economic Development Agenda
[\(13-0557-1\)](#)

S-4.6 Subject: Plaza Tenants Accounts Receivable
From: Department Of Workforce And Economic Development
Recommendation: Adopt A Resolution Authorizing the City Administrator to Make Adjustments to the City's Accounts Receivables By Writing Off Rent Due from Two Former Frank Ogawa Plaza Tenants: Sankofa in the Approximate Amount of \$30,200 and Rising Loafer in the Approximate Amount of \$13,700); On The May 27, 2014 Community And Economic Development Committee Agenda
[\(13-0558\)](#)

S-4.7 Subject: Rotunda Garage Status Report
From: Department Of Workforce And Economic Development
Recommendation: Receive An Oakland Redevelopment Successor Agency (ORSA) Status Report On Efforts To Develop Parcels Associated With The Rotunda Garage; On The May 27, 2014 Community and Economic Development Committee Agenda
[\(13-0559\)](#)

S-4.8 Subject: Art And Soul Festival Status Report
From: Economic And Workforce Development
Recommendation: Receive An Informational Report Pertaining To Plans For The 2014 Art + Soul Festival Scheduled For August 2-3, 2014 In Downtown Oakland; On The May 27, 2014 Life Enrichment Committee Agenda
[\(13-0569\)](#)

S-4.9 Subject: Oakland Unite Grant Renewal FY 2014-2015
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Exercise The Option To Renew Oakland Unite Grant Agreements Between The City Of Oakland And Various Public And Non-Profit Agencies To Provide Violence Prevention Programs For An Estimated Amount Of \$6,289,823 For Fiscal Year 2014-2015; On The May 27, 2014 Public Safety Committee Agenda
[\(13-0563\)](#)

S-4.10 Subject: Head Start/Early Head Start (HS/EHS) Grant Renewal 2014-2015
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland To: 1) Apply For, Accept, And Appropriate Head Start Basic, Head Start Training And Technical Assistance, Early Head Start Basic, Early Head Start Training And Technical Assistance Grants For Program Year 2014-2015 From U.S. Department Of Health And Human Services, Administration For Children And Families (DHHS/ACF), In An Estimated Amount Of \$18,587,933, And To Authorize Grant Agreements To Fund Comprehensive Child Development Services In Accord With Said Grants With: Unity Council In An Estimated Amount Of \$4,836,570; Brighter Beginnings In An Estimated Amount Of \$564,510; St. Vincent's Day Home In An Estimated Amount Of \$139,840; And Children's Hospital Oakland In An Estimated Amount Of \$45,000; And 2) Authorizing The City Administrator To Accept And Appropriate Additional Federal Grant Funding If It Becomes Available And To So Amend The Existing Grant Agreements With Unity Council, Brighter Beginnings, St. Vincent's, And Children's Hospital Oakland, Without Returning To Council; And 3) Appropriate Additional General Purpose Fund In An Amount Of \$752,634 To Support Full Implementation Of Head Start/Early Head Start For The Program Year 2014-2015; And, 4) To Review And Approve Oakland Head Start/Early Head Start Governance Procedures Developed In Accordance With Head Start Legislation And Updated Annually; On the May 27, 2014 Life Enrichment Committee Agenda
[\(13-0564\)](#)

S-4.11 Subject: Multipurpose Senior Services Program (MSSP) FY 2014-2015
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept And Appropriate State Of California Standard Agreement Funds In The Amount Of \$1,405,480 And Enter Into Agreement Number MS-1415-01 With The State Of California, Department Of Aging For The Multipurpose Senior Services Program (MSSP) For Fiscal Year 2014-2015, And 2) Exercise The Option To Renew Professional Service Agreements With Various Vendors To Provide In-Home Services To Frail Seniors For The Period July 1, 2014 Through June 30, 2015; On the May 27, 2014 Life Enrichment Committee Agenda
[\(13-0565\)](#)

S-4.12 Subject: Information and Assistance Program (I&A)
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept And Appropriate A Grant In An Estimated Amount Of \$42,019 Per Year Or \$84,038 For Two Years From Alameda County Social Services Agency, Area Agency On Aging For Continued Operation Of The Information And Assistance (I&A) Program For Oakland Seniors For The Period Of July 1, 2013 Through June 30, 2015; And 2) Accept, Appropriate, And Expend An Additional Award Of \$2,902 Of The Fiscal Year 2012-2013 I&A Grant (Fund 2160, Project G420410) Not Approved During The FY 2012-2013 Midcycle Budget; On the May 27, 2014 Life Enrichment Committee Agenda
[\(13-0566\)](#)

S-4.13 Subject: Senior AIDES Program FY 2014-2015

From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For and Accept Grant Funds In An Estimated Amount Of \$993,856 From Senior Services America, Inc., For The Oakland Senior Aides Program From July 1, 2014 Through June 30, 2015; On the May 27, 2014 Life Enrichment Committee Agenda [\(13-0567\)](#)

S-4.14 Subject: Oakland Paratransit for the Elderly & Disabled Program (OPED) 2014-2015

From: Department Of Human Services
Recommendation: Adopt A A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Measure B Direct Local Program Distribution Funds In The Amount Of \$942,497 And Measure B Gap Grant Funds Up To \$92,500 From The Alameda County Transportation Commission For Fiscal Year 2014-2015 To Provide Paratransit Services; And Authorizing The City Administrator To Negotiate And Execute Reimbursement Agreements In Amounts Of: 1) \$380,000 To Reliable Express Care, Inc., 2) \$200,000 To Friendly Transportation, Inc. DBA Friendly Transportation, Friendly Cab Company, Metro Yellow Cab Company And Yellow Cab Company, 3) \$200,000 To Veterans Transportation, Inc. DBA Veterans Transportation And Veterans Cab Company And 4) \$28,000 To Wheelcare Express, Inc.; And Authorizing The City Administrator To Execute Any Necessary Amendments To The Agreements Without Returning To City Council; On The May 27, 2014 Life Enrichment Committee Agenda [\(13-0575\)](#)

S-4.15 Subject: Renewal and Extension of Technical Assistance Contract for Ceasefire

From: Oakland Police Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator Or His Designee To Extend The Professional Services Agreement With California Partnership For Safe Communities (CPSC) For The Period Of April 14, 2014 Through June 30, 2015, In An Amount Not To Exceed One Hundred Fifty Thousand Dollars (\$150,000), Bringing The Total Amount To Three Hundred Ninety-Six Thousand And Ninety-Five Dollars (\$396,095) For Technical Assistance To Ensure The Appropriate Implementation Of The Ceasefire Strategy, Institutionalize The Departmental Infrastructure To Sustain The Strategy, Provide Hands-On Assistance To Community Members, OPD And Human Services Personnel, Assist With Evaluation, And To Ensure Full Implementation Including, But Not Limited To, The Development And Implementation Of The Procedural Justice Training; 2) Waiving The Competitive Request For Proposals/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Local Business Enterprise Programs (L/SLB) Provisions For The Proposed Extension Of The Professional Services Agreement With CPSC; And 3) With The Option To Renew And Extend For Up To Two (2) Additional Years As New And Additional Funding Sources Become Available; On The May 27, 2014 Public Safety Committee Agenda [\(13-0560\)](#)

S-4.16 Subject: Professional Services Contract with Michael Palmertree, MFT

From: Oakland Police Department
Recommendation: Adopt A Resolution to Waive the Advertising and the RFP/RFQ

Requirements, Pursuant to Chapter 2.04, Article I, Section 2.04.051.B of the Oakland Municipal Code (OMC), as Well as the Local and Small Local Business Enterprise Provisions for the Purchase of Professional Services that are Needed for the Early Identification and Intervention Program Under the Terms of the Negotiated Settlement Agreement in the Delphine Allen, et al. vs. City Of Oakland, et al. Case, and Authorizing the City Administrator to Execute a Contract with Michael Palmertree, MFT, for the Period of July 1, 2014 to June 30, 2017, Followed by an Option to Extend for an Additional Two (2) Years (to June 30, 2019) in an Amount of Seventy-Five Thousand Dollars (\$75,000) per Year, with a Total Contract Amount of Three Hundred Seventy-Five Thousand Dollars (\$375,000); On The May 27, 2014 Public Safety Committee Agenda

[\(13-0561\)](#)

S-4.17 Subject: Teen Mental Health Library Grant & BRL Agreement
From: Oakland Public Library Department
Recommendation: Adopt A Resolution 1) Authorizing the City Administrator to apply for, accept and appropriate a Library Services and Technology Act (LSTA) grant from the California State Library in the amount of \$90,000; 2) Authorizing the City Administrator to enter into a one-year Professional Services Agreement with Beats Rhymes and Life, Inc. for an amount not to exceed Ninety-thousand dollars (\$90,000) beginning July 1, 2014 and 3) Waiving the Advertising and Request For Proposal/Qualifications (RFP/Q) Process for the proposed Agreement With Beats Rhymes and Life, Inc.); On The May 27, 2014 Life Enrichment Committee Agenda

[\(13-0555\)](#)

S-4.18 Subject: License Agreement between New Cingular Wireless PCS and the Oakland Alameda County Coliseum Authority
From: Coliseum Authority
Recommendation: Adopt A Resolution Approving and Authorizing the Execution of a First Amendment to A License Agreement between New Cingular Wireless PCS and the Oakland Alameda County Coliseum Authority and certain related matters; On The May 20, 2014 City Council Agenda

Justification: Actions where the Council is asked to approve actions of the Joint Powers Authority normally bypass Committee

[\(13-0548\)](#)

S-4.19 Subject: Budget Process Improvement Recommendations
From: Office of the City Administrator
Recommendation: Receive an Informational Report from the Goldman School of Public Policy at UC Berkeley on Recommended Improvements to the Biennial Budget Process; On The May 27, 2014 Finance and Management Committee Agenda

[\(13-0549\)](#)

S-4.20 Subject: California Employer's Retiree Benefit Trust (CERBT)
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee: 1) To Allocate All Recognized Obligation Payment Schedule (ROPS)

Payments Received By The City To Address Pension Obligations To California Public Employees Retirement System (CalPERS) To CalPERS; And 2)To Allocate All ROPS Payments Received By The City To Address Other Post Employment Benefits (OPEB) Unfunded Obligations To The City's CalPERS California Employers' Retiree Benefit Trust (CERBT) Fund, And Authorizing The City Administrator Or His Designee To Execute The Required Delegation Of Authority To Request Disbursement Form; And 3) To allocate \$534,500 set aside funds for payment of long-term unfunded liabilities to City's CERBT Fund.; On The May 27, 2014 Finance and Management Committee Agenda
[\(13-0550\)](#)

S-4.21 Subject: Rental of Convenience Copiers
From: Office of the Controller, Purchasing Section
Recommendation: Adopt A Resolution Awarding A Contract To Toshiba Business Solutions, A Corporation, In An Annual Amount Not To Exceed Three Hundred Fifty-Seven Thousand, Nine Hundred Sixty-Four Dollars (\$357,964), To Provide Rental Of Convenience Copiers For A Three-Year Term, July 1, 2014 To June 30, 2017 For A Total Not-To-Exceed Contract Amount Of One Million Seventy-Three Thousand, Eight Hundred Ninety Five Dollars (\$1,073,895), In Accordance With Specification No. 13-985-26/Request For Quotation (RFQ) No. 4898,The General Conditions Therefore On File In Purchasing And Contractor's Bid Filed With The City On December 16, 2013; On The May 27, 2014 Finance And Management Committee Agenda
[\(13-0551\)](#)

S-4.22 Subject: Reallocate Redevelopment Bond Funds
From: Office of Economic And workforce Development
Recommendation: Adopt An Oakland Redevelopment Successor Agency Resolution Rescinding Redevelopment Agency Resolution No. 2011-0028 C.M.S. And Transferring \$10,000,000 From The Low And Moderate Income Housing Fund For The Lion Creek Crossing V Project To The City For The Coliseum Transit Village Phase I Housing Development At The Coliseum Bart Station And Additional Coliseum Redevelopment Projects As Identified In The Bond Spending Plan; On The May 27, 2014 Community And Economic Development Committee Agenda
[\(13-0552\)](#)

S-4.23 Subject: Settlement Agreement- Claim Of Edward Rinne
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Edward Rinne, City Attorney's Claim No. C29970, In The Amount Of Fourteen Thousand Five Hundred Twenty Dollars And No Cents (\$14,520.00) (Public Works Agency-Sewer Overflow); On The May 20, 2014 City Council Agenda
[\(13-0572\)](#)

S-4.24 Subject: Settlement Agreement- John Wendt V. City Of Oakland, Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of John Wendt V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG13666136, City Attorney's File No. 28906,

For A Sum Not To Exceed Sixty-Nine Thousand Seven Hundred Fifty Dollars And No Cents (\$69,750.00) (Oakland Police Department (Vehicle Abatement Unit) --Civil Rights); On The May 20, 2014 City Council Agenda
[\(13-0573\)](#)

S-4.25 Subject: Resolution Honoring OPD Dispatchers
From: Council President Kernighan
Recommendation: Adopt A Resolution Honoring the Dispatch Unit of the Oakland Police Department; On The June 3, 2014 City Council Agenda As A Ceremonial Item
[\(13-0574\)](#)

S-4.26 Subject: Downtown Development Feasibility Study
From: Planning and Building Department
Recommendation: An Informational Report Regarding The November 25, 2013 "Downtown Oakland Development Feasibility Study; On The May 27, 2014 Community and Economic Development Committee Agenda
[\(13-0556\)](#)

5 A Review Of The Draft Agendas For The City Council Meeting Of May 20, 2014 And The Rules And Legislation Committee Of May 22, 2014

6 Subject: Support For Measure AA: Extending Tax For Health Care Services
From: Council President Kernighan And Councilmember Gibson McElhaney
Recommendation: Adopt A Resolution In Support Of The Alameda County Measure AA, The Essential Healthcare Services Measure, On The June 3, 2014 Ballot, Which Will Extend The Half Cent Sales Tax Increase That Was Passed By Voters In 2004 For The Purposes Of Providing Emergency And Preventative Health Care Services For All Alameda County Residents
[\(13-0501\)](#)

Pursuant to Rule 28(b) of Resolution 82580 C.M.S., this item was added to this agenda.

Open Forum (Total Time Available: 15 Minutes)

Adjournment

NOTE: Americans With Disabilities Act
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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**