



# City of Oakland

## Meeting Minutes

### \*Rules & Legislation Committee

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

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

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

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Thursday, October 22, 2015

10:45 AM

Hearing Room 1, 1st Floor

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**\*\* PLEASE NOTE CHANGE IN LOCATION \*\***

*The Oakland City Council Rules & Legislation Committee convened at 10:58 a.m.,  
with Council President Gibson McElhaney presiding as Chairperson.*

#### Roll Call / Call To Order

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

#### 1 Determinations Of Closed Session

[15-0179](#)

**Attachments:** [View Report](#)

*A Special closed Session has been scheduled for October 29, 2015 and  
November 3, 2015 at 3:00 p.m.*

**A motion was made by Reid, seconded by Kalb, 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 October 8, 2015

[15-0180](#)

**Attachments:** [View Report](#)

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

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

#### 3 Determination Of Schedule Of Outstanding Committee Items

[15-0181](#)

**Attachments:** [View Report](#)

**A motion was made by Guillén, 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** Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)  
[15-0182](#)

**Attachments:** [View Report](#)

*There was one speaker 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: Cancel Education Partnership Committee Meeting  
From: Councilmember Noel Gallo  
Recommendation: Request To Cancel The Education Partnership Committee Meeting On October 27, 2015  
[15-0188](#)

**4.2** Subject: Presentation From Assemblymember Rob Bonta  
From: Council President Gibson McElhaney  
Recommendation: Receive An Informational Report Presented By Assemblymember Rob Bonta (District 15 - San Leandro, Alameda, And Half Of Oakland) On His Legislative Successes In The 2015 Legislative Season And Proposed Policies For 2016  
[15-0238](#)

**This Informational Report was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015**

**4.3** Subject: Settlement Agreement - Claim Of Michelle Sosa  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Michelle Sosa, In The Amount Of Sixteen Thousand Three Hundred Thirty-One Dollars And 70/100 Cents (\$16,331.70) (Oakland Public Works-Sewer Main)  
[15-0262](#)

**Attachments:** [View Report](#)

[85860 CMS](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015**

**4.4** Subject: Settlement Agreement - Palacios And Carmona 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 Palacios And Carmona V. City Of Oakland, Alameda County Superior Court Case No. RG14741812, City Attorney's File No. 29307, In The Amount Of Fifty Thousand Dollars And No Cents (\$50,000.00) (Public Works Department - Motor Vehicle Accident)  
[15-0263](#)

**Attachments:** [View Report](#)  
[85861 CMS](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015**

**4.5** Subject: Settlement Agreement - Claim Of Pacific Gas & Electric Company  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Pacific Gas & Electric Company, In The Amount Of Eight Thousand Three Hundred Ten Dollars And 72/100 Cents (\$8,310.72) As The Result Of Damages Sustained From A Construction Event On October 18, 2014 (Oakland Public Works-Property Damage)  
[15-0264](#)

**Attachments:** [View Report](#)  
[View Supplemental Report](#)  
[85862 CMS](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015**

**4.6** Subject: Settlement Agreement - Chase Dickens 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 Chase Dickens V. City Of Oakland, Alameda County Superior Court Case No. RG14744830, City Attorney's File No. 30211, In The Amount Of Forty Thousand Dollars And No Cents (\$40,000.00) (Office Of Public Works- Dangerous Condition)  
[15-0265](#)

**Attachments:** [View Report](#)  
[85863 CMS](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015**

**4.7** Subject: Settlement Agreement - Janett Linn 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 Janet Linn V. City Of Oakland, Alameda County Superior Court Case No. RG14719094 City Attorney's File No. 29726, In The Amount Of Sixty-Five Thousand Dollars And No Cents (\$65,000.00) (Oakland Public Works-Dangerous Condition)  
[15-0266](#)

**Attachments:** [View Report](#)  
[85864 CMS](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015**

**4.8** Subject: Salary Ordinance Amendment To Add Crime Analyst  
From: Human Resources Management Department  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Of Crime Analyst  
[15-0249](#)

**Attachments:** [View Report](#)  
[13344](#)

**This Ordinance was Scheduled.to the \*Finance & Management Committee to be heard 11/10/2015**

**4.9** Subject: Cash Management Report  
From: Finance Department  
Recommendation: Receive The Cash Management Report For The Quarter Ended September 30, 2015  
[15-0247](#)

**Attachments:** [View Report](#)

**This Informational Report was Scheduled.to the \*Finance & Management Committee to be heard 11/10/2015**

- 4.10** Subject: Salary Ordinance Amendment To Add Director Of Race & Equity  
From: Human Resources Management Department  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Of Director Of Race And Equity  
[15-0246](#)

**Attachments:** [View Report](#)  
[13347](#)

**This Ordinance was Scheduled.to the \*Finance & Management Committee to be heard 11/10/2015**

- 4.11** Subject: Loaned Equity Director For Department Of Race And Equity  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Memorandum Of Understanding With The City Of Portland, Oregon, For The Loan Of An Equity Director To The City Of Oakland For Up To Three Months During The Fiscal Year 2015-16 In An Amount Not-To-Exceed Sixty-Seven Thousand Dollars (\$67,000)  
[15-0248](#)

**Attachments:** [View Report](#)  
[85904 CMS](#)

**This City Resolution was Scheduled.to the \*Finance & Management Committee to be heard 11/10/2015**

- 4.12** Subject: LAMMPS Streetscape Project  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Enter Into A Professional Services Contract With BKF Engineers For Providing Engineering Services For Laurel Access To Mills, Maxwell Park & Seminary (LAMMPS) Streetscape (Project No. C478810) For An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00)  
[15-0250](#)

**Attachments:** [View Report](#)  
[85886 CMS](#)

**This City Resolution was Scheduled.to the \*Public Works Committee to be heard 11/10/2015**

**4.13** Subject: Contract For Car Sharing Program Development  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Awarding A Professional Services Agreement With The Transportation Sustainability Research Center (TSRC) In An Amount Not-To-Exceed \$80,000.00, And Waiving The Competitive Bid Requirement For The Proposal/Qualification (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Business Enterprise Program (S/LBE) Provisions Associated With Typical Vendor Recruitment In Order To Contract With TSRC To Implement The City Of Oakland Car Share Program  
[15-0251](#)

**Attachments:** [View report](#)  
[85887 CMS](#)

**This City Resolution was Scheduled.to the \*Public Works Committee to be heard 11/10/2015**

**4.14** Subject: Amend Resolutions Authorizing Parking Garage Contracts  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Amending Resolutions 84993 C.M.S. And 85105 C.M.S. Authorizing The City's Contracts With City Of Oakland Parking Partners And Montclair Village Association, Respectively, By Removing Any Monthly Cap And Not-To-Exceed Limits On Contractor Compensation.  
[15-0252](#)

**Attachments:** [View Report](#)  
[85888 CMS](#)

**This City Resolution was Scheduled.to the \*Public Works Committee to be heard 11/10/2015**

**4.15** 3) A Resolution Authorizing The City Administrator To Accept And Appropriate Three Hundred Eighty-Three Thousand, Nine-Hundred And Six Dollars (\$383,906.00) In Transportation Funds From The State Of California Section 130 Grade Crossing Improvement Program For The Railroad Crossing At 105th Avenue  
[15-0253](#)

**Attachments:** [View Report](#)  
[85891 CMS](#)

**This City Resolution was Scheduled.to the \*Public Works Committee to be heard 11/10/2015**

**4.16** Subject: CalRecycle Funding  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Submit Grant Applications To The California Department Of Resources Recycling And Recovery City/County Payment Program And To Appropriate City/County Payment Program Funds For Recycling Programs In Fiscal Years 2015/2016 And 2016/2017  
[15-0254](#)

Attachments: [View Report](#)  
[85892 CMS](#)

**This City Resolution was Scheduled.to the \*Public Works Committee to be heard 11/10/2015**

**4.17** Subject: Amendments To Relocation Assistance Requirements  
From: Vice Mayor Kaplan  
Recommendation: Adopt A Resolution To Amend And Expand Upon Oakland's Relocation Assistance Requirements For Displaced Tenants, To Provide Assistance Commensurate With Contemporary Relocation Costs, And To Make Requirements More Consistent  
[15-0240](#)

**This City Resolution was Scheduled.to the \*Community & Economic Development Committee to be heard 12/15/2015**

**4.18** Subject: Increasing The Rent Program Service Fee  
From: Housing & Community Development Department  
Recommendation: Receive A Report and Possible Action On A Proposed Ordinance Amending The Master Fee Ordinance (O.M.C. 13320) To Increase The Rent Program Service Fee From \$30 Dollars Per Unit To \$110 Per Unit [TITLE CHANGE]  
[15-0261](#)

Attachments: [View Report](#)

**This Ordinance was Scheduled.to the \*Community & Economic Development Committee to be heard 11/10/2015**

**4.19** Subject: Sale Of Parcel At 1148 71st Avenue  
From: Economic & Workforce Development Department  
Recommendation: Adopt An Ordinance Authorizing City Administrator Or Designee To Negotiate And Execute A Purchase And Sales Agreement Between The City Of Oakland And Belter Palma And Juana Trujillo (Collectively, "Purchasers") For The Sale Of City-Owned Property Located At 1148 71st Avenue (APN 041-4135-028) For Twenty-Five Thousand Dollars (\$25,000)  
[15-0255](#)

**Attachments:** [View Report](#)  
[13345](#)

**This Ordinance was Scheduled.to the \*Community & Economic Development Committee to be heard 11/10/2015**

**4.20** Subject: Loan Restructuring For Hismen Hin-Nu And Marcus Garvey Commons  
From: Housing & Community Development Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending Resolution Nos. 89-108, 90-92,2011-0017, 83921, And 84586 C.M.S. To Modify The Terms Of Existing Loans To The Marcus Garvey Commons Affordable Housing Project At 721 A Wood Street To (1) Allow The New Owner To Assume And Assign The Loans In Order To Consolidate The Loans With Loans For The Hismen Hin-Nu Terrace Project, (2) Extend The Maturity Date To 55 Years, And (3) Change The Interest Rate From 3% To The Applicable Federal Rate;  
And  
[15-0256](#)

**Attachments:** [View Report](#)  
[85895 CMS](#)

**This City Resolution was Scheduled.to the \*Community & Economic Development Committee to be heard 11/10/2015**

2) A Resolution Amending Resolution Nos. 84038 And 85471 C.M.S. To Modify The Terms Of A \$1,517,000 Loan To East 14th Street Housing Associates For The Hismen Hin-Nu Terrace Affordable Housing Project To (1) Allow The New Owner To Assume And Assign The Loan In Order To Consolidate The Loan With Loans For The Marcus Garvey Commons Project, (2) Extend The Maturity Date To 55 Years, And (3) Change The Interest Rate From 3% To The Applicable Federal Rate  
[15-0257](#)

**Attachments:** [85896 CMS](#)

**This City Resolution was Scheduled.to the \*Community & Economic Development Committee to be heard 11/10/2015**



**4.21** Subject: Fruitvale Transit Village Phase II  
From: Economic & Workforce Development Department  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13313 C.M.S. To Add The East Bay Asian Local Development Corporation ("EBALDC") As An Additional Party To The Lease Disposition And Development Agreement (Phase IIA), A Sixty-Six (66) Year Ground Lease And Related Documents (Collectively "LDDA") As Amended By And Among The City Of Oakland, A Municipal Corporation, The Spanish Speaking Unity Council Of Alameda County, Inc., L&M Development Partners, Inc. And EBALDC For The Development Of Mixed Income Housing Located On APN 033-2177-021 At 37th Avenue And East 12th Street  
[15-0258](#)

**Attachments:** [View Report](#)  
[13346](#)

**This Ordinance was Scheduled.to the \*Community & Economic Development Committee to be heard 11/10/2015**

2) A Resolution Authorizing The City Administrator Or Designee To Negotiate And Execute A Development Loan Agreement By And Between The City Of Oakland And The Spanish Speaking Unity Council Of Alameda County, Inc. ("Unity Council") To Provide A Loan To Unity Council In The Aggregate Amount Of \$7,050,000 For The Fruitvale Transit Village Phase IIA Project By: (A) Amending The Central City East Redevelopment Project Area Excess Bond Spending Plan By Re-Appropriating And ReAllocating Previously Committed Excess Bond Proceeds In The Amount Of \$2,550,000 From Central City East - Major Projects; (B) Amending The Coliseum Redevelopment Project Area Excess Bond Spending Plan By Re-Appropriating And Re-Allocating Previously Committed Excess Bond Proceeds In The Amount Of \$500,000 From Coliseum City EIR And Specific Plan For A Total Of \$3,050,000 Excess Bond Funds; And (C) Allocating \$4 Million Of Proposition 1C Funds From The State Of California's Housing And Community Development Department As A Loan To The Fruitvale Transit Village Phase IIA Project  
[15-0259](#)

**Attachments:** [85902 CMS](#)

**This City Resolution was Scheduled.to the \*Community & Economic Development Committee to be heard 11/10/2015**

**4.22** Subject: Measure B/Measure BB Paratransit Services FY 2015-2016  
From: Human Services Department  
Recommendation: Adopt A Resolution Amending Resolution No. 85630 C.M.S., Which Authorized The City Administrator To Accept And Appropriate Fiscal Year (FY) 2015-2016 Measure B And Measure BB Funds From The Alameda County Transportation Commission To Provide Paratransit Services And Enter Into Reimbursement Agreements With Transportation Providers, To Authorize An Agreement For \$220,000 With St. Mini Cab Corporation Instead Of Veterans Transportation, Inc., For The Period Of July 1, 2015 Through June 30, 2016  
[15-0260](#)

**Attachments:** [View Report](#)  
[85897 CMS](#)

**This City Resolution was Scheduled.to the \*Life Enrichment Committee to be heard 11/10/2015**

**4.23** Subject: Report From McClymonds Students On South Africa Immersion Trip  
From: Council President Gibson McElhaney  
Recommendation: Receive An Informational Report From McClymonds High School Students Who Traveled To South Africa On A Cultural Immersion Trip And Participated In Community Building Activities With Students From Naledi High School In Soweto, South Africa  
[15-0237](#)

**Attachments:** [View Report](#)  
[85906](#)

**This Informational Report was Scheduled.to the \*Life Enrichment Committee to be heard 11/10/2015**

**Items Submitted On The Dais**

Subject: AC Transit Service Expansion Plan  
From: Vice Mayor Kaplan  
Recommendation: Receive An Informational Presentation From AC Transit Regarding Their Service Expansion Plan And The Proposed Changes To Routes And Schedules In Oakland  
[15-0269](#)

**Attachments:** [View Report](#)

**This was Scheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015**

**From The October 27, 2015 Public Safety Committe Agenda**

Subject: \$1M Gun Tracing Allocation In FY 2015-2016 Budget  
From: Oakland Police Department  
Recommendation: Receive An Informational Report Regarding The Oakland Police Department (OPD) Spending Plan For Gun Tracing Efforts Funded In The FY 2015-2016 Adopted Policy Budget  
[15-0228](#)

**Attachments:** [View Report](#)  
[View Supplemental Report](#)

This was \* Withdrawn and Rescheduled.to the \*Public Safety Committee to be heard 11/10/2015

- 5 A Review Of The Draft Agendas For The City Council Meeting Of November 3, 2015 And The Rules And Legislation Committee Of November 5, 2015  
[15-0183](#)

**Attachments:** [View Report](#)

A motion was made by Guillén, seconded by Reid, that this matter be Received and Filed. The motion carried by the following vote:

**Aye:** 4 - Guillén, Kalb, Reid, and Gibson McElhaneay

**Open Forum (Total Time Available: 15 Minutes)**

*There was one speaker on this item.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:28 a.m.*

**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**

**Phone: (510) 238-6406**

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**Telecommunications Display Device: (510) 238-3254**

**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.**