



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>

Thursday, October 27, 2011

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

The Oakland City Council Rules and Legislation Committee convened at 10:59 a.m., with Council President Reid presiding as Chairperson.

COMMITTEE MEMBERSHIP:

Present: Vice Mayor Brooks, Member Schaaf, Member Reid and President Pro Tempore De La Fuente

1 Determinations of Closed Session

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

2 Approval of the Draft Minutes from the Committee meeting of October 13, 2011

A motion was made by President Pro Tempore De La Fuente, seconded by Member Schaaf, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

3 Determination of Schedule of Outstanding Committee Items

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

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro Tempore De La Fuente

[rules102711](#)

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4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of November 1, 2011 (SUPPLEMENTAL)

***Approve as Submitted**

S-4.1 Subject: WIA Providers Performance Report And Funds Allocation
From: Community And Economic Development Agency
Recommendation: Receive A Report On The Performance Of Workforce Investment Service Providers For Program Year 2010-2011, And Adopt The Following Legislation:

1. A Resolution Adopting The Fiscal Year 2011-2012 Workforce Investment Budget, And Accepting And Appropriating Workforce Investment Act (WIA) Title I Funds For Adult, Dislocated Worker, And Youth Programs In The Amount Of \$4,908,908 And Special Grant Funds In The Amount Of \$1,517,462.00, For A Total Of \$6,426,370; And
[11-0083](#)

**Scheduled to *Community & Economic Development Committee on
11/8/2011**
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S-4.2 Subject: Professional Services Agreement - Kennedy And Associates
From: Community And Economic Development Agency
Recommendation: A Request To Withdraw An Item From The November 8, 2011 Community And Economic Development Committee Agenda And Reschedule To The November 29, 2011 Special Community And Economic Development Committee Agenda

Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Waiver Of The Advertising And Request For Proposal/Qualifications Process And A Request To Authorize The Agency Administrator To Negotiate And Execute An Amendment To The Professional Services Agreement With Kennedy And Associates To Increase The Contract By An Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000) For A Total Contract Amount Of Four Hundred Fifty Thousand Dollars (\$450,000) For Additional Civil Engineering Services For The Former Oakland Army Base Project; And

2) A City Resolution Authorizing A Waiver Of The Advertising And Request For Proposal/Qualifications Process And A Request To Authorize The City Administrator To Negotiate And Execute An Amendment To The Professional Services Agreement With Kennedy And Associates To Increase The Contract By An Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000) For A Total Contract Amount Of Four Hundred Fifty Thousand Dollars (\$450,000) For Additional Civil Engineering Services For The Former Oakland Army Base Project

REASON: To allow additional time to review the scope of the proposed contract amendment and see if there is opportunity for wider local participation.
[11-0085](#)

***Withdrawn and Rescheduled to *Community & Economic Development
Committee on 11/29/2011**

S-4.3 Subject: Pulte Homes Contract Increase - Rainbow Teen Center
From: Community And Economic Development Agency
Recommendation: A Request To Withdraw An Item Previously Scheduled To The November 8, 2011 Public Works Committee Agenda With No New Date

Adopt A Resolution Amending Resolution No. 83165 C.M.S. To Authorize An Increase In The Contract With Pulte Homes For The Construction Of The Rainbow Teen Center By \$30,699 From \$121,000 To \$151,699 To Pay For Prevailing Wage Costs

REASON: Staff need additional time to provide clarifications of payment strategy which have been requested by the Office of the City Administrator.

[11-0090](#)

Continued to *Rules & Legislation Committee on 11/3/2011

S-4.4 Subject: Change Order Limit Increase - 12th St Reconstruction Project
From: Public Works Agency
Recommendation: A Request To Withdraw An Item Previously Scheduled To The November 8, 2011 Public Works Committee Agenda With No New Date

Adopt A Resolution Authorizing The City Administrator To Increase The Change Order Limit For The Contract With McGuire & Hester For The 12th Street Reconstruction Project (Project No. C241610) From Ten Percent To Fifteen Percent Of The Original Contract Amount For A Total Contract Amount Not-To-Exceed Thirty Six Million Eight Hundred Forty-One Thousand Eight Hundred Eighty Dollars And Eighty Six Cents (\$36,841,880.86)

Reason: Staff requires additional time to reflect project's recent development/changes in the report.

[11-0097](#)

S-4.5 Subject: Moratorium On Second Hand Dealers
From: President Pro Tempore De La Fuente
Recommendation: Adopt An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Establishing A Temporary Moratorium On The Establishment Or Expansion Of Businesses Engaged In And/ Or Conducting Buying, Selling, And/Or Exchanging Old Gold, Old Silver, Platinum Or Articles Of Platinum, Silverware, Secondhand Jewelry Or Other Precious Metals Or Stones (Second Hand Jewelry Dealers), To Take Effect Immediately Upon Adoption

[11-0124](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 11/15/2011**

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S-4.6 Subject: Restorative Justice Day And Week
 From: Councilmember Nadel
 Recommendation: Adopt A Resolution Declaring The Week Of November 14, 2011
 Restorative Justice Week And November 15, 2011 Restorative Justice Day In The City Of
 Oakland And Recognizing The Work Of Restorative Justice Leaders And Practitioners
 Throughout The City Of Oakland
 [11-0125](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 11/15/2011**
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[rules102711item4](#)
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5 A review of the Council Committees' actions from October 25, 2011 and determination of
 scheduling to the ORA/City Council meeting of November 1, 2011 or future dates
 (MATRIX)

**A motion was made by President Pro Tempore De La Fuente, seconded by
Member Schaaf, to *Approve as Submitted. The motion carried by the
following vote:**

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro
Tempore De La Fuente

[rules102711item5](#)
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6 A review of the Agendas for the Council Committees for the meetings of November 8,
 2011 and the cancellation of the Rules and Legislation Committee Meeting of November
 10, 2011

**A motion was made by President Pro Tempore De La Fuente, seconded by
Member Schaaf, to *Approve as Submitted. The motion carried by the
following vote:**

Votes: Aye; 4 - Member Schaaf, Vice Mayor Brooks, Member Reid and President Pro
Tempore De La Fuente

[rules102711item6](#)
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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 and Legislation Committee adjourned the meeting at
_____ p.m.*

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* 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.

City Clerk and Clerk of the Council