



City of Oakland

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Oakland City Hall
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Oakland, California 94612
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Clerk

Meeting Minutes

*Rules & Legislation Committee

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

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

Thursday, October 8, 2015

10:45 AM

City Council Chamber, 3rd Floor

*The Oakland City Council Rules & Legislation Committee convened at 10:55 a.m.,
with Council President Gibson McElhanev presiding as Chairperson.*

Roll Call / Call To Order

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

1 Determinations Of Closed Session

[15-0143](#)

Attachments: [View Report.pdf](#)

A Special Closed Session has been scheduled for October 20, 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 McElhanev

2 Approval Of The Draft Minutes From The Committee Of September 24, 2015

[15-0144](#)

Attachments: [View Report.pdf](#)

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 McElhanev

3 Determination Of Schedule Of Outstanding Committee Items

[15-0145](#)

Attachments: [View Report.pdf](#)

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

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhanev

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[15-0146](#)

Attachments: [View Report.pdf](#)

There were 2 speakers 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: Approving MOU Between City & IFPTE
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional And Technical Engineers, Local 21, Representing Employees In Representation Units T A1, TF1, TM2, TW1, UH1, UM1, UM2, TM1, And U41, Covering The Period From Of July 1, 2015 Through June 30, 2017; And

[15-0186](#)

Attachments: [View Report](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015

Subject: Amending Salary Schedule Pursuant To Local 21 MOU
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Cost Of Living Adjustments To The Salaries Of Certain Miscellaneous Employees Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional And Technical Engineers Local 21; The Cost Of Living Adjustments Shall Be As Follows: Increase Of 4% Effective July 1, 2015; And Increase Of 4% Effective January 14, 2017

[15-0195](#)

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This Ordinance was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015

- 4.2 Subject: Writers Week
From: Councilmembers Campbell Washington, Gibson McElhaney And Guillén
Recommendation: Adopt A Resolution Declaring The Week Of October 18 - 24, 2015 As Writers Week In Recognition Of The California Writers Club

[15-0187](#)

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This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015 as a Ceremonial Item

- 4.3 Subject: Honoring And Recognizing KTOP
From: President Pro Tempore Reid And Council President Gibson McElhaney
Recommendation: Adopt A Resolution Recognizing And Honoring KTOP For Years Of Dedicated Service, And For Being The Recipients Of Numerous Awards For Outstanding Broadcasts And Professionalism For The City Of Oakland

[15-0192](#)

Attachments: [View Report](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015 as a Ceremonial Item

- 4.4 Subject: National League of Cities' 2015 Annual Business Meeting Appointments
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Appointing Councilmember Abel Guillén As The City Of Oakland's Voting Delegate And Council President Lynette Gibson McElhaney As The City Of Oakland's Alternate Voting Delegate To The National League Of Cities' 2015 Annual Business Meeting, Taking Place In Nashville On November 7, 2015

[15-0197](#)

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This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015 as a Consent Item

- 4.5** Subject: Travel Authorization To National League Of Cities Conference
From: Councilmember Abel Guillén
Recommendation: Adopt A Resolution Authorizing Councilmember Abel Guillén To Travel To Nashville, Tennessee To Attend The 2015 National League Of Cities Annual Conference And Expo From November 4-7, 2015
[15-0194](#)

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This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015 as a Consent Item

- 4.6** Subject: Settlement Agreement - In Re Municipal Derivatives Antitrust Litigation
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Approving Partial Settlement Of In Re Municipal Derivatives Antitrust Litigation, United States District Court Southern District Of New York, MDL No. 1950, Authorizing Acceptance Of Payment From JP Morgan Of \$200,000, In Exchange For Dismissal Of The Lawsuit By The City
[15-0199](#)

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This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015 as a Consent Item

- 4.7** Subject: Settlement Agreement - Ulla Steingruber 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 Ulla Steingruber V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG14-746584, City Attorney's File No. 30155 In The Amount Of Nine Thousand, Five Hundred Dollars (\$9,500.00) (Oakland Police Department- Motor Vehicle Accident)
[15-0200](#)

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This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015 as a Consent Item

4.8 Subject: Settlement Agreement - Joshua Daniels 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 Joshua Daniels V. City Of Oakland, Et Al., United States District Court, Northern District Of California Case No. 3:14-CV-03088, City Attorney's File No. 29913, In The Amount Of Two Hundred Five Thousand Dollars And No Cents (\$205,000.00) (Oakland Public Works-Personal Injury)
[15-0201](#)

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This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015 as a Consent Item

4.9 Subject: Settlement Agreement - Nina Wiley 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 Nina Wiley V. City Of Oakland, Alameda County Superior Court Case No. RG13669229 City Attorney's File No. 29283, In The Amount Of Two Hundred Sixty-Five Thousand Dollars And No Cents (\$265,000.00) (Oakland Public Works-Dangerous Condition)
[15-0202](#)

Attachments: [View Report](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015 as a Consent Item

4.10 Subject: Purchase Of Remington Shotguns And Accessories
From: Finance Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To LC Action Police Supply, The Lowest Responsible, Responsive Bidder, A Corporation, To Provide Remington Shotguns And Accessories, In An Amount Not To Exceed One Hundred Twenty-Seven Thousand One Hundred Ninety-Five Dollars And Twenty Cents (\$127,195.20) Per Request For Quotation (RFQ) No. 5608, Specification No. 15-680-52 And The General Conditions Therefor On File In The Purchasing Section According To Its Bid Filed With The City On June 29, 2015
[15-0184](#)

Attachments: [View Report](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 10/27/2015

- 4.11 Subject: Quarterly Budget Implementation Tracking Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On Budget Implementation Tracking Which Provides Updates As Of September 30, 2015
[15-0189](#)

Attachments: [View Report.pdf](#)

This Informational Report was Scheduled.to the *Finance & Management Committee to be heard 10/27/2015

- 4.12 Subject: Semi-Annual Vacancy Report
From: Human Resources Management Department
Recommendation: Receive An Information Report On Budgeted Vacant Positions And Hiring For The Period Of March 17, 2015 Through September 14, 2015.
[15-0190](#)

Attachments: [View Report](#)

This Informational Report was Scheduled.to the *Finance & Management Committee to be heard 10/27/2015

- 4.13 Subject: Amending The FY 2015-16 Master Fee Schedule
From: Finance Department
Recommendation: Adopt An Ordinance Amending Ordinance 13320 C.M.S. (The FY 2015-16 Master Fee Schedule, "MFS"), To Establish, Modify And Delete Fees And Penalties, And Issue Fee Refunds Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland
[15-0191](#)

Attachments: [View Report](#)

This Ordinance was Scheduled.to the *Finance & Management Committee to be heard 10/27/2015

- 4.14 Subject: Report On EIFDs, IRFDs, CRIAs & Other Adopted Financing Opportunities
From: Councilmember Dan Kalb
Recommendation: Receive A Report From The City Administrator On Enhanced Infrastructure Financing Districts (EIFD), Infrastructure And Revitalization Financing Districts (IRFD), Community Revitalization And Investment Authorities (CRIA), And Other Recently Adopted Mechanisms That Offer Financing Opportunities To Oakland, Including But Not Limited To Facilitating Affordable Housing, With The Report Including Staff Analyses Of SB 628 (2014), AB 229 (2014), AB 313 (2015) And AB 2 (2015); On The December 1, 2015 Finance & Management Committee Agenda
[15-0196](#)

This Informational Report was Scheduled.to the *Finance & Management Committee to be heard 12/1/2015

- 4.15** Subject: Tax & Fee Assessments On STRRs & TNCs
From: Councilmember Dan Kalb And Vice Mayor Kaplan
Recommendation: Receive A Status Report And Recommendations From The City Administrator On Tax And Fee Assessments On Short Term Residential Rentals (STRRs) And Transportation Network Companies (TNCs) Operating In The City Of Oakland; On The December 1, 2015 Finance & Management Committee Agenda [15-0198](#)

This Report and Recommendation was Scheduled.to the *Finance & Management Committee to be heard 12/15/2015

- 4.16** Subject: Solar Power And Electric Car Charging For Oakland
From: Vice Mayor Kaplan
Recommendation: Receive A Status Report, Update, And Recommendations From The City Administrator On Solar Power For City Of Oakland Facilities, And Electric Car Charging Stations At City Of Oakland Locations [15-0193](#)

This Report and Recommendation was Scheduled.to the *Public Works Committee to be heard 12/15/2015

- 4.17** 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](#)

***Education Partnership Committee meeting has been Scheduled for 10/27/2015**

- 4.18** Subject: Appropriate Justice Assistance Grant (JAG) Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate The Fiscal Year 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Funds In The Amount Of Five Hundred Fifty-Six Thousand, Seven Hundred Eighty-Nine Dollars (\$556,789) For October 1, 2014 Through September 30, 2018 [15-0185](#)

Attachments: [View Report](#)

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 10/27/2015

Items Submitted On The Dais

Subject: State Of The City Address
From: Office Of The Mayor
Recommendation: Receive An Informational Report From Mayor Schaaf Providing Digest Of Upcoming State Of The City Address
[15-0203](#)

Attachments: [View Report](#)

This was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015

Subject: Opposing Reductions To Section 8 Fair Market Rate Vouchers
From: Council President Gibson McElhane And Councilmember Brooks
Recommendation: Adopt A Resolution Opposing The Reductions Proposed By The U.S. Department Of Housing And Urban Development's "Fair Market Rate" Formula Which Would Decrease The Section 8 Voucher Value And Cause Harm And Displacement To Low-Income Oakland Tenants
[15-0206](#)

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This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015

Subject: Report On OPD Response To Complaints Of Cultural Institutions
From: Council President Gibson McElhaney
Recommendation: Receive An Informational Report On Oakland Police Department Protocols For Responding To Noise Or Nuisance Complaints Related To Arts And Cultural Institutions
[15-0207](#)

This Informational Report was Scheduled.to the *Life Enrichment Committee to be heard 12/1/2015

Subject: Anti-Graffiti Grant For Two Mural Projects On Carrington Way
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$5,000 From Councilmember Noel Gallo's Graffiti Abatement Mural And Green Wall Funds To The Spanish Speaking Unity Council, As Fiscal Sponsor, For Two Mural Projects On Carrington Way In In The Fruitvale Neighborhood
[15-0205](#)

Attachments: [View Report](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015 as a Consent item

Subject: Domestic Violence Awareness Month
From: Councilmember Dan Kalb And Council President Gibson McElhaney
Recommendation: Adopt A Resolution Proclaiming October 2015 Domestic Violence Awareness Month In The City Of Oakland
[15-0204](#)

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

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 10/20/2015 as a Ceremonial item

Subject: Report On OPD Administrative Leave
From: Council President Gibson McElhaney
Recommendation: Receive An Informational Report From The City Attorney To Provide Legal Analysis To The City Council In CLosed Session On Any Legal Impairment To Ending The Practice Of Administrative Leave For Officers Involved in Shootings Of Unarmed Victims
[15-0208](#)

This Report was Scheduled to Closed Session on December 8, 2015

Subject: Info Report On Chase Bank
From: Council President Gibson McElhaney And Councilmember Kalb
Recommendation: Receive An Informational Report On Community & Economic Investments Made by Chase Bank In Oakland Since They Received The City Of Oakland's Banking Contract In 2014 And Data Analysis On Foreclosures Between 2007 and 2015
[15-0209](#)

This Informational Report was Scheduled.to the *Finance & Management Committee to be heard 1/12/2016

5 A Review Of The Draft Agendas For The City Council Meeting Of October 20, 2015 And The Rules And Legislation Committee Of October 22, 2015
[15-0147](#)

Attachments: [View Report.pdf](#)

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

- 6 Subject: Extending Contracts To Townsend Public Affiars
From: Office Of The Mayor
Recommendation: Adopt A Resolution Extending Contracts With Townsend Public Affiars To Continue Services As The City Of Oakland's State Lobbyist From September 30, 2015 To September 30, 2017 And Increasing The Contract Amount By \$252,000 For A Total Of \$556,500 And To Continue Services As The City Of Oakland's Federal Lobbyist From September 30, 2015 To September 30, 2017 And Increasing The Contract Amount By \$144,000 For A Total Of \$312,000, And Waiving Advertising And The RFP Process For Each Contract
[15-0138](#)

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The Committee approved recommendations as amended to revise the Resolution to reflect the correct amount of the State Lobbyist contract of \$252,00 and Federal Lobbyist contract of \$144,000.

There was one speaker on this item.

A motion was made by Reid, seconded by Guillén, that this matter be Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 10/20/2015. The motion carried by the following vote:

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

Open Forum (Total Time Available: 15 Minutes)

There were 2 Open Forum speakers.

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.

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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.