



City of Oakland

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Oakland, California 94612
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Meeting Minutes - DRAFT

*Rules & Legislation Committee

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

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

Thursday, May 26, 2016

10:45 AM

City Council Chamber, 3rd Floor

Roll Call / Call To Order

The Oakland City Council Rules and Legislation Committee convened at 11:03 a.m., with Council President Gibson McElhaney presiding as Chairperson.

Excused 1 - Laurence E. Reid

Present 3 - Abel J. Guillén, Dan Kalb, and Lynette Gibson McElhaney

1 Determinations Of Closed Session

15-1011

Attachments: [View Report](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

2 Approval Of The Draft Minutes From The Committee Meeting Of April 14, 2016 And May 12, 2016

15-1003

Attachments: [4-14-16 Minutes](#)

[5-12-16 Minutes](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

3 Determination Of Schedule Of Outstanding Committee Items

15-1009

Attachments: [View Report](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
15-1012

Attachments: [View Report](#)

This Informational Report was Received and Filed.

4.1 Subject: FY 2016-17 Midcycle Budget Amendments
From: Budget Department
Recommendation: Adopt The Following Pieces Of Legislation

1) Adopt A Resolution Amending The City Of Oakland's Fiscal Year (FY) 2015-17 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 85672 C.M.S. On June 30, 2015, To Make Adjustments: (1) Increasing The Fiscal Year 2016-17 Revenue Projection In The General Purpose Fund (GPF); (2) Appropriating Additional Fiscal Year 2016-17 GPF Expenditures; And (3) Increasing Fiscal Year 2016-17 Revenues And Appropriations In Other Non-GPF Funds; And
15-1066

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

2) Resolution Authorizing The Use Of One-Time Revenues And Excess Real Estate Transfer Tax Revenues For Purposes Other Than Those Denoted In The City's Consolidated Fiscal Policy Adopting A Finding Of Necessity, And Describing Prospective Steps To Be Taken To Return To The Prescribed Uses Of Said Revenues; On The June 7 and June 21, 2016 City Council Agendas
15-1067

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

4.2 Subject: Measures M, N, Q, & Z FY 2016-17 Cost-of-Living Tax Adjustment
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2016-17 Increase In Accordance With The Consumer Price Index, Fixing The Rate Of Property Tax, And Levying A Tax On Real And Personal Property In The City Of Oakland For Fiscal Year (Fy) 2016-2017 For Voter Approved Measure M (The Emergency Medical Services Retention Act), Measure N (The 1997 Paramedic Services Act), Measure Q (The Library Services And Retention Act), And Measure Z (The Public Safety And Services Act Of 2014)
15-1068

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

- 4.3** Subject: Elder Abuse Awareness Month
From: Vice Mayor Annie Campbell Washington
Recommendation: Adopt A Resolution Declaring June 15, 2016 As Elder Abuse Awareness Day And June 2016 As Elder Abuse Awareness Month
15-1077

Attachments: [View Report](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

- 4.4** Subject: Annual National Association Latino Elected Officials (NALEO) Conference Participation
From: Councilmember Abel Guillen
Recommendation: Adopt A Resolution Authorizing Councilmember Abel Guillen To Travel To Washington DC To Attend The 33rd Annual National Association Latino Elected Officials (NALEO) Conference From June 22-25, 2016
15-1083

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

- 4.5** Subject: Circleup Education For Diversity and Inclusion Training - Contract Extension
From: Human Resources Management Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Extend The Contract With Circleup Education For Diversity And Inclusion Training And Facilitation Services From July 1, 2016 To June 30, 2017, At A Cost Of \$51,000 For A Total Contract Amount Not To Exceed \$150,000, And Waiving The Competitive Request For Proposals/Qualification Process For The Additional Services; on the June 14, 2016 Finance and Management Committee
15-1069

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

- 4.6** Subject: City's Single Audit For Fiscal Year 2014-15
From: Finance Department - Office of the Controller
Recommendation: Receive An Informational Report On The City's Single Audit For Fiscal Year (FY) 2014-15 As Issued By Macias Gini & O'Connell LLP ("MGO"), The City's External Auditor; On The June 14, 2016 Finance and Management Committee agenda
15-1070

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

- 4.7 Subject: 1611 Telegraph Avenue - Major Encroachment Permit
From: Department of Public Works
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To CREFII-RCI Telegraph, LLC, To Allow Portions Of The Building At 1611 Telegraph Avenue To Encroach Into The Public Right-Of-Way Along 16th Street And Along Telegraph Avenue; on the June 14, 2016 Public Works Committee Agenda
15-1071

This City Resolution was Scheduled.to the *Public Works Committee to be heard 6/14/2016

- 4.8 Subject: PFRS Investment Portfolio As Of March 31, 2016
From: Finance Department - Treasury Bureau
Recommendation: Receive an Informational Report On The Oakland Police And Fire Retirement System's Investment Portfolio As Of March 31, 2016; On The June 14, 2016 Finance And Management Committee Agenda
15-1072

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

- 4.9 Subject: Semi - Annual Vacancy Report:
From: Human Resources Management Department
Semi-Annual Vacancy Report: An Information Report on Budgeted Vacant Positions for the period of September 15, 2016 through April 25, 2016; On The June 14, 2016 Finance And Management Committee Agenda
15-1073

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

- 4.10 Subject: Classification Exemption - Police Communications Manager
From: Human Resources Management Department
Recommendation: Adopt A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Police Communications Manager From The Operation Of Civil Service; On The June 14, 2016 Finance And Management Committee Agenda
15-1074

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

4.11 Subject: Addition And Civil Service Exemption Of New Classification
From: Human Resources Management Department
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 Special Counsel - Labor Employment; And 15-1075

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

2) Adopt A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Special Counsel - Labor Employment From The Operation Of Civil Service June 17, 2016 Finance And Management Committee Agenda 15-1076

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

4.12 Subject: Fiscal Year 2016-17 Investment Policy And Treasury Designation For ORSA
From: Finance Department - Treasury Bureau
Recommendation: Adopt A Resolution For The City Of And A Resolution Pursuant To Government Code Section 53607 Delegating Investment Authority Of The Oakland Redevelopment Successor Agency To The Agency Treasurer For Fiscal Year 2016-2017; On The June 14th Finance And Management Committee Agenda 15-1078

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

4.13 Subject: Contract Award for Highway Safety Improvement Program Cycle 5 (HSIP5)
From: Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Bay Construction, The Lowest, Responsible, Responsive Bidder, For Highway Safety Improvement Program Cycle 5 (HSIP5): 98th Avenue, Project No. C468220 In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Five Hundred Ninety Thousand Two Hundred Fifteen Dollars (\$590,215.00); On The June 14, 2016 Public Works Committee Agenda 15-1079

This City Resolution was Scheduled.to the *Public Works Committee to be heard 6/14/2016

- 4.14** Subject: Communities For A Better Environment - Settlement Agreement
From: Office Of The City Attorney
Recommendation: Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Award Of Attorneys' Fees In The Case Of Communities For A Better Environment V. City Of Oakland, Et Al, Alameda County Superior Court Case No. Rg13-706245, California Court Of Appeal Action No. A146619, In The Amount Of Forty Thousand Dollars And No Cents (\$40,000.00) (Planning Commission Interpretation Of Oakland Planning Code Re Crematoria)
15-1080

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

- 4.15** Subject: Bay Construction Contract Award - Pump Station Improvements
From: Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Bay Construction Co., The Lowest Responsive, Responsible Bidder, For Pump Station Improvements (Project No. C267630) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Two Million Twenty-Three Thousand Two Hundred Thirty-Two Dollars (\$2,023,232.00).; On The June 14, 2016 Public Works Committee Agenda
15-1081

This City Resolution was Scheduled.to the *Public Works Committee to be heard 6/14/2016

- 4.16** Subject: CivicCorps School Contract
From: Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Three-Year Agreement With CivicCorps Schools For An Amount Of Two Hundred Twenty-Five Thousand Dollars (\$225,000), To Assist With Used Oil Recycling Activities, Perform Bicycle Locker And Sign Cleaning, And Provide Interns To Assist The City's Recycling Hotline And Community Outreach, And Waiving Advertising And The Competitive Request For Proposal/Qualification Selection Requirements; On The June 14, 2016 Public Works Committee Agenda
15-1082

This City Resolution was Scheduled.to the *Public Works Committee to be heard 6/14/2016

- 4.17** Subject: OPD-BHCS Crisis Response MOU Amendment
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, or Designee, To Enter Into An Intergovernmental Memorandum of Understanding (MOU) Between The Alameda County Health Care Services Agency, Behavioral Health Care Services (BHCS) And The Oakland Police Department (OPD) To Continue To Implement The Mobile Evaluation Team (MET) Program; On The June 14, 2016
Public Safety Committee Agenda
15-1084

This City Resolution was Scheduled.to the *Public Safety Committee to be heard
6/14/2016

- 4.18** Subject: Alameda Safe Drug Collection and Disposal Agreements
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Enter Into A Kiosk Services Agreement and Take-Back Services Agreement With The Alameda MED-Project LLC And The Oakland Police Department (OPD) To Implement The Safe Drug Disposal Kiosk Collection Program; On The June 14, 2016
Public Safety Committee Agenda
15-1085

This City Resolution was Scheduled.to the *Public Safety Committee to be heard
6/14/2016

Items Submitted On The Dais:

- Subject: Resolution In Support Of AB 2818 - Property Taxation: Community Land Trust
From: Councilmember Kalb
Recommendation: Adopt A Resolution In Support Of Ab 2818 (Chiu) That, On And After January 1, 2017, Would Provide The Welfare Exemption For No More Than 5 Years To Properties That Are Owned And Operated By Nonprofit Corporations, Otherwise Qualifying For The Welfare Exemption, That Have As One Of Their Primary Purposes The Creating And Maintaining Of Permanently Affordable Single-Family Or Multifamily Residences To Which Specified Conditions Apply
15-1088

This City Resolution was Scheduled.to the *Rules & Legislation Committee to be heard 6/16/2016

Subject: Resolution In Support Of AB 2713 - Energy Systems
 From: Councilmember Dan Kalb
 Recommendation: Adopt A Resolution In Support Of Ab 2713 (Chiu) That Would Require Cities And Counties To Accept Electronic Submissions Of Permit Applications For Advanced Energy Storage Installations, And Creates A California Energy Storage Permitting Guidebook

15-1089

This City Resolution was Scheduled.to the *Rules & Legislation Committee to be heard 6/16/2016

Subject: Council To Direct Staff To Prepare A Report Regarding Ballot Measure
 From: City Administrator
 Recommendation: City Council Directs Staff To Prepare A Report By June 21 Analyzing The Circulating Ballot Measure Concerning Renter Protections Under The Provisions Of Elections Code Section 9212 And Specifically Including Consistency With The City's Charter And Other Ordinances

15-1090

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

- 5 A Review Of The Council Committees' Actions From May 24, 2016 And Determination Of Scheduling To The City Council Meeting Of June 7, 2016 (MATRIX)
15-1013

Attachments: [View Report](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

- 6 A Review Of The Draft Agendas For The City Council Meeting Of June 7, 2016 And The Rules And Legislation Committee Of June 9, 2016
15-1014

Attachments: [View Report](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

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 11:47 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.