



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, June 20, 2013

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call To Order

Present: Vice Mayor Reid, Council President Kernighan, Chairperson Schaaf and Councilmember Kalb

The Oakland City Council Rules and Legislation Committee convened at 11:02 a.m. with Council President Kernighan presiding as Chairperson.

1 Determinations Of Closed Session

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

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

2 Approval Of The Draft Minutes From The Committee Meeting Of May 30, 2013 And June 6, 2013

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

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

3 Determination Of Schedule Of Outstanding Committee Items

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

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

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

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

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

S-4.1 Subject: 2010 PSGP Funding For Phase 2 Of The Domain Awareness Center
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept, Appropriate, And Administer Up To Two Million Dollars (\$2,000,000) Of American Recovery And Reinvestment Act (ARRA) Supplemental Port Security Grant Funds For (PSGP) Fiscal Years 2009 And 2010 Supplemental For Phase 2 Of The Joint Port Of Oakland/City Domain Awareness Center (DAC) Project; And 2) Enter Into A Memorandum Of Understanding And Grant Administration Agreement With The Port Of Oakland To Distribute And Expend Said Funds For Phase 2 Of The System Enhancements And Integration Of The DAC Project; And 3) Approve The City Of Oakland's Preliminary Spending Plan For Fiscal Years 2009 And 2010 PSGP Grant Funds And To Administer And Expend The Supplemental PSGP Funds In Accordance With The Preliminary Spending Plan And The Proposed Grant Administration Agreement; And 4) Amend The City's 2013 Contract With Science Applications International Corporation (SAIC) By Increasing The Amount To Be Paid Up To Two Million Dollars For Completion Of Phase 2 Of The DAC Project Work, Bringing The Total Contract Amount Authorized To Four Million Nine Hundred Thousand Dollars (\$4,900,000); And Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) And The Advertising And Bidding Requirements, For The Proposed Contract Amendment With Science Applications International Corporation (SAIC)
[12-0630](#)

Scheduled to *Public Safety Committee on 7/9/2013

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S-4.2 Subject: FY 2012 Federal Statewide Homeland Security Program Grant Funds
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Accept, Appropriate, And Administer Federal Fiscal Year 2012 Statewide Homeland Security (SHSP) Grant Allocation Of One Hundred Ten Thousand Dollars (\$110,000) From The Alameda County (ALCO) Sheriff's Department; And 2) Expend Fiscal Year 2012 SHSP Funds Including Funding The Oakland Fire Department Metropolitan Medical Response System (MMRS) Planning Staff, Equipment And Training Program And Entering Into Service And Purchasing Agreements To Expend Such Grant Funds Without Further Council Review Or Action, Including The Purchase In Excess Of The City Administrator's Purchasing Authority Provided That The City's Advertising, Bidding, And Request For Proposals/Qualification Requirements And Purchasing Programs And Policies Are Followed
[12-0632](#)

Scheduled to *Public Safety Committee on 7/9/2013

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S-4.3 Subject: FY 2013-2015 Adopted Policy Budget
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The FY 2013-2015 Biennial Budget And Appropriating Certain Funds To Provide For The Expenditures Proposed By Said Budget
[12-0622](#)

Scheduled to * Special Meeting of the Oakland City Council on 6/27/2013

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S-4.4 Subject: Appropriations Limit For FY 2013-2015
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Establishing An Appropriations Limit For Fiscal Year 2013-2014 Pursuant To Article XIII B Of The California Constitution
[12-0623](#)

Scheduled to * Special Meeting of the Oakland City Council on 6/27/2013

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S-4.5 Subject: ENA With Strada Investment Group
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With Strada Investment Group For Development Of The City Center T-5/6 Site Bounded By 11th Street, Clay Street, And 12th Street
[12-0626](#)

Scheduled to *Community & Economic Development Committee on 7/9/2013

Added to the July 2, 2013 Closed Session Agenda.

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S-4.6 Subject: Temescal/Telegraph And Laurel BIDs
From: Department Of Economic And Workforce Development
Recommendation: Adopt A Resolution Approving The Annual Reports Of The Temescal/Telegraph Avenue Property Business Improvement District Of 2005 And The Laurel Property Business Improvement District Of 2005 Advisory Boards; Confirming The Continuing Annual Assessment For Each Applicable District For Fiscal Year 2013/14; And Authorizing Payment Of The City's Cumulative Fiscal Year 2013/14 Fair Share Assessment In An Amount Of Approximately \$2,328.93 For City-Owned Property In The Temescal/Telegraph Avenue District (The Temescal Library, APN 014 1219 003 00)
[12-0627](#)

Scheduled to *Community & Economic Development Committee on 7/9/2013

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S-4.7 Subject: Coliseum Authority Wireless Agreements
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Approving And Authorizing The Execution Of A License Agreement Between Sprint Spectrum L.P. And The Oakland Alameda County Coliseum Authority And Certain Related Matters, And Authorizing The City Administrator To Consent To A Wireless Sublease Agreement Between AT&T, Verizon Wireless, Sprint Spectrum L.P. And The Oakland Alameda County Coliseum Authority
[12-0628](#)

Scheduled to Meeting of the Oakland City Council on 7/2/2013

As a Non-Consent item

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S-4.8 Subject: Settlement Agreement - Mabry
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Brendy Mabry v. City Of Oakland, Alameda County Superior Court Case No. RG12616548, City Attorney's File No. 28551, In The Amount Of Twenty-Eight Thousand, Five Hundred Dollars And No Cents (\$28,500.00) (Public Works Agency - Trip And Fall)
[12-0616](#)

Scheduled to Meeting of the Oakland City Council on 7/2/2013

As a Consent item

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S-4.9 Subject: Settlement Agreement - Hamilton
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Hamilton v. City Of Oakland, Et Al., Alameda County Superior Court, Case No. RG12610883, City Attorney's File No. 28254-A, In The Amount Of Ten Thousand Dollars (\$10,000.00) (Oakland Police Department - Motor Vehicle Injury)
[12-0617](#)

Scheduled to Meeting of the Oakland City Council on 7/2/2013

As a Consent item

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S-4.10 Subject: Art And Soul Festival Report
From: Councilmember Desley Brooks
Recommendation: Receive An Informational Report And Possible Action On The Art And Soul Festival; For The Last 4 Years Provide: Attendance; Revenues Generated; Expenditures; Corporate Participation/Satisfaction; Artist Outreach/ Participation/Satisfaction; Grants; 2013 Festival Plan
[12-0621](#)

Scheduled to *Life Enrichment Committee on 9/10/2013

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S-4.11 Subject: Travel Authorization - Brooks
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Travel To Milwaukee, Wisconsin To Attend The 2013 National League Of Cities National Black Caucus Of Local Elected Officials (NBC-LEO) Annual Summer Conference From July 31, 2013 To August 3, 2013
[12-0624](#)

Scheduled to Meeting of the Oakland City Council on 7/2/2013

As a Consent item

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S-4.12 Subject: On-Call Sanitary Sewers Emergency Projects FY 2013-2014
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes Construction, Inc., The Responsive And Responsible Bidder, For The On-Call Sanitary Sewers Emergency Projects FY 2013-14 (Project No. C45S610), In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Five Hundred Seventy Thousand Two Hundred Twenty Dollars (\$570,220.00)
[12-0618](#)

Scheduled to *Public Works Committee on 7/9/2013

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S-4.13 Subject: Sanitary Sewer Rehabilitation Easement Of York And Erie
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To J. Howard Engineering, Inc., The Lowest Responsive And Responsible Bidder, For The Rehabilitation Of Sanitary Sewers And Storm Drain In The Easement Between York Street And Erie Street And Sanitary Sewers In The Easement By Wellington Street And In The Easement By Brighton Avenue (Project No. C329131), In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Three Hundred Thirty-Eight Thousand One Hundred Seventy-Five Dollars (\$338,175.00)
[12-0619](#)

Scheduled to *Public Works Committee on 7/9/2013

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S-4.14 Subject: Mandela Parkway Landscape Maintenance Contract
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Award And Execute A Landscape Maintenance Contract To Bay Construction, The Lowest Responsive And Responsible Bidder, For The-Mandela Parkway, For A Term Of Two (2) Years In An Amount Not To Exceed Two Hundred Twenty Four Thousand Nine Hundred Dollars (\$224,900.00) Or \$112,450.00 Annually, In Accord With Contractor's Bid, With Two (2) One-Year Extensions Of The Contract At The City's Discretion Based Upon Funding, Need And Satisfactory Performance, For A Grand Total Contract Amount For A Two Year Term And Two (2) One Year Extensions Of Four Hundred Forty Nine Thousand Eight Hundred Dollars (\$449,800.00)
[12-0625](#)

Scheduled to *Public Works Committee on 7/9/2013

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S-4.15 Subject: Meatless Mondays
From: Councilmembers Libby Schaaf and Desley Brooks
Recommendation: Adopt A Resolution Declaring Mondays To Be "Meatless Mondays" In The City Of Oakland
[12-0615](#)

Scheduled to Meeting of the Oakland City Council on 7/2/2013

As a Ceremonial item

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[Rules062013Item4](#)

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Items Submitted On The Dais

#2 Subject: Recognizing New General Purpose Fund Revenue
 From: Office Of The City Administrator
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending The City Of Oakland's FY 2011-13 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 83444 C.M.S. On June 30, 2011 And Amended By Resolution 83943 C.M.S. On June 28, 2012, To Recognize New Revenue Based On The FY 2012-13 Third Quarter Revenue And Expenditure Report, Resulting In A General Purpose Fund Revenue Increase From \$409,346,763 To \$431,290,617; And
[12-0583](#)

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2) A Resolution Authorizing The City Administrator Or Her Designee To Appropriate Four Million Four Hundred Thousand Dollars (\$4,400,000) For The Overtime The Oakland Police Department Is Projected To Spend Over The FY 2012-13 Police Department General Purpose Fund Budget, From Undesignated General Purpose Fund Balance; And
[12-0583-1](#)

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3) A Resolution Authorizing The City Administrator Or Her Designee To Appropriate Seven Million Dollars To A Reserve For Pending Litigation And Settlements From Undesignated General Purpose Fund Balance; And
[12-0583-2](#)

[84470 CMS.pdf](#)

4) A Resolution Authorizing The City Administrator Or Her Designee To Appropriate Four Million Eight Hundred Fourteen Thousand Six Hundred Ten Dollars (\$4,814,610) From Undesignated General Purpose Fund Balance To Compliance Director Compensation And Staff Costs, Remedial Action Plan Costs, And Strategic Policy Partners Recommendation Costs; And
[12-0583-3](#)

***Withdrawn and Rescheduled to Meeting of the Oakland City Council on
6/27/2013**

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#3 Subject: Resolution Opposing State Legislation Weakening The California Public Records Act
 From: Councilmembers Kalb And Schaaf
 Recommendation: Adopt A Resolution Opposing State Legislation That Weakens California Public Records Act Disclosure Provisions Applicable To Local Agencies
[12-0635](#)

Scheduled to Meeting of the Oakland City Council on 6/27/2013

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#4 Subject: Amendment To The Fiscal Year 2012-13 Master Fee Schedule
From: Office Of The City Administrator
Recommendation: Conduct a Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance Number 13133 C.M.S. (The Fiscal Year 2012-2013 Master Fee Schedule, Or "MFS"), To Establish, Modify And Delete Fees And Penalties Assessed By The Office Of The City Administrator, The City Attorney's Office, The Finance And Management Agency, The Oakland Police Department, The Oakland Fire Department, The Oakland Public Library, The Office Of Parks And Recreation, The Department Of Human Services, The Public Works Agency, The Department Of Housing & Community Development And The Department Of Planning & Building
[12-0560](#)

***Rescheduled to Meeting of the Oakland City Council on 6/27/2013**

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- [13171 CMS.pdf](#)

#5 Subject: Amending Ordinance Number 13133 C.M.S
From: The Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Ordinance Number 13133 C.M.S. (The FY 2012-13 Master Fee Schedule, Or "MFS"), To Establish And Modify Fees And Penalties Assessed By The Office Of The City Clerk, The Administrative Services Department, The Oakland Police Department, And The Office Of Parks And Recreation
[12-0636](#)

Scheduled to Meeting of the Oakland City Council on 7/2/2013

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#6 Subject: Integrated Public Safety System (IPSS) Replacement Agreement
From: Department Of Information Technology
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator Or Her Designee To Negotiate And Execute A Professional Services Agreement With PSCI, Inc. To Develop A Comprehensive Request For Proposal (RFP) For The Integrated Public Safety System (IPSS) Replacement For An Amount Not To Exceed \$150,000.00; And 2) In Case Of Negotiations Failure With PSCI, Inc., The City Administrator, Or Her Designee, Is Authorized To Negotiate A Contract With Another Vendor On The Evaluations Ranking List, Without Returning To Council
[12-0606](#)

Scheduled to *Public Safety Committee on 7/9/2013

- [View Report.pdf](#)

#7 Subject: Honoring Superintendent Tony Smith
 From: Council Member Gibson McElhaney
 Recommendation: Adopt A Resolution Honoring Superintendent Tony Smith On His Service
 To The Oakland Unified School District
 [12-0638](#)

Scheduled to Meeting of the Oakland City Council on 7/2/2013

As a Ceremonial item

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#8 Subject: Purchase of Materials for Defremery Park
 From: Office of Parks and Recreation
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Waive The
 Advertising And Bidding Requirements For Award Of A Contract In The Amount Of Ten
 Thousand Dollars (\$10,000) To Good Tidings Foundation For The Purchase Of Equipment For
 Improvements At Defremery Park Basketball Courts
 [12-0639](#)

Scheduled to *Public Works Committee on 6/25/2013

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[View Supplemental Report.pdf](#)
[84488 CMS.pdf](#)

#9 Subject: Honoring Community Groups And Staff For Love Our Lake Day
 From: Council President Patricia Kernighan
 Recommendation: Adopt A Resolution Honoring The Organizers, Producers And Attending
 Staff On Love Our Lake Day, June 9, 2013
 [12-0633](#)

Scheduled to Meeting of the Oakland City Council on 7/16/2013

As a Ceremonial item

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#10 Subject: Honoring The Completion Of Lake Merritt Boulevard Improvement Project
 From: Council President Patricia Kernighan
 Recommendation: Adopt A Resolution Honoring McGuire & Hester, Rajappan & Meyer,
 Sasaki Associates, Golden Associates, And The Public Works Agency Staff On The
 Completion Of The Lake Merritt Boulevard/12th Street Reconstruction Project
 [12-0634](#)

Scheduled to Meeting of the Oakland City Council on 7/16/2013

As a Ceremonial item

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#11 Subject: City Council Retreat
 From: Council President Patricia Kernighan
 Recommendation: Request To Postpone The Following:

A Facilitated Retreat On Thursday, July 25 And Friday, July 26, 2013 For City Council Members
[12-0640](#)

**Scheduled to Meeting of the Oakland City Council on 7/25/2013
 And On Saturday, July 26, 2013**

5 A Review Of The Draft Agenda For The Meeting Of The Oakland City Council On July 2, 2013 And Cancellation Of The Rules & Legislation Committee For The July 4, 2013 Holiday

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

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

[Rules062013Item5](#)
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6 Subject: Support For SB 52: Disclosure Of Top Three Funders Of Political Ads
 From: Council President Patricia Kernighan And Councilmember Libby Schaaf
 Recommendation: Adopt A Resolution In Support Of SB 52, The California Disclose Act Of 2013 [Leno And Hill]
[12-0587](#)

A motion was made by Member Schaaf, seconded by Council President Kernighan, that this matter be *Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on July 2, 2013. The motion carried by the following vote:

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

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[84481 CMS.pdf](#)

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 and Legislation Committee adjourned the meeting at 12:08 p.m.

NOTE: 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.

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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.

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

City Clerk and Clerk of the Council