



City of Oakland Meeting Agenda

*Rules & Legislation Committee

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

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

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

Thursday, April 25, 2013

10:45 AM

City Council Chambers - 3rd Floor

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

Roll Call / Call to Order

COMMITTEE MEMBERSHIP:

Dan Kalb, District 1; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Chairperson: Council President Patricia Kernighan, District 2

- 1 Determinations Of Closed Session
 - 2 Approval Of The Draft Minutes From The Committee Meeting Of April 11, 2013
 - 3 Determination Of Schedule Of Outstanding Committee Items
([rules042513item3](#))
 - 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10 Day Agendas (SUPPLEMENTAL)
- S-4.1 Subject: Port Security Grant Program Funds
From: Oakland Fire Department
Recommendation: Adopt A Resolution Amending Resolution No. 82930 C.M.S. Which Authorized The City Administrator Or Her Designee Among Other Things, To Enter Into

An Agreement To Accept, Appropriate And Administer Fiscal Year (FY) 2008 Port Security Grant Program (PSGP) Grant Funds, To 1) Accept, Appropriate And Administer Supplemental Fiscal Year 2008 PSGP Grant Funds In An Amount Not To Exceed Nine Hundred Forty-Four Thousand Nine Hundred And Forty-Two Dollars (\$944,942), To Include Acceptance Of Supplemental Grant Funds In The Amount Of Two Hundred Eighty Thousand Dollars (\$280,000) For A Cumulative FY 2008 PSGP Grant Award Allocation In An Amount Not To Exceed One Million Two Hundred Twenty-Four Thousand Nine Hundred And Forty-Two Dollars (\$1,224,942) And Appropriate Said Funds To The Oakland Fire Department's Emergency Management Services Division (EMDS); On The May 14, 2013 Public Safety Committee Agenda [\(12-0462\)](#)

S-4.2 Subject: Fiscal Year 2013-2014 Wildfire Prevention Assessment District - Intention
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The Fiscal Year 2013-2014 Preliminary Annual Report For The City Of Oakland Wildfire Prevention Assessment District; On The May 14, 2013 Finance & Management Committee Agenda And As A Public Hearing On June 4, 2013 [\(12-0448\)](#)

S-4.3 Subject: Lease Financing Of The LED Streetlight Project
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing Lease Financing Of The LED Streetlight Project Authorized By Resolution No. 84186 C.M.S. With A Financial Institution Selected By Competitive Process, In An Amount Not To Exceed \$16,500,000 Through: (1) Execution And Delivery Of City Of Oakland 2013 Certificates Of Participation (LED Streetlight Acquisition), Comprised Of Series A (Federally Taxable Qualified Energy Conservation Bonds - Direct Payment) And Series B (Tax Exempt); Or (2) Execution Of Lease/Purchase Agreements And Related Agreements And Documents; And (3) Authorizing The City Administrator To Enter Such Lease Financing Arrangements In Substantially The Form Of The Agreements And Documents On File With The City Clerk Relating To The Selected Lease Financing Arrangement, Which Documents May Include One Of More Of The Following: A Trust Agreement, A Lease, Sublease, A Lease/Purchase Agreement, A Paying Agent Agreement And Ancillary Security Documents; (4) Confirming The Selection Of Special Counsel And Financial Advisor; (5) Authorizing Payment Of Related Costs; (6) Declaring Intention To Reimburse Expenditures; (7) Authorizing Modification To Agreements And Documents; And (8) Ratifying Prior Actions And Authorizing The City Administrator To Take Necessary Actions In Connection Therewith; On The May 7, 2013 City Council Agenda

REASON: The LED Project Was Approved Per Resolution No. 84186 C.M.S. That Passed On January 22, 2013. This Item Needs To Go Directly To Council In Order To Procure The Financing In A Timely Fashion For The Project To Begin. [\(12-0449\)](#)

S-4.4 Subject: Fiscal Year 2013-2014 Landscaping And Lighting Assessment District - Intention

From: Office Of The City Administrator
Recommendation: Conduct A public Hearing And Upon Conclusion Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The Fiscal Year 2013-2014 Preliminary Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District; On The May 14, 2013 Finance And Management Committee Agenda and As A Public Hearing On June 4, 2013
[\(12-0450\)](#)

S-4.5 Subject: Single Audit Report For The Year Ended June 30, 2012
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Presenting The Single Audit Report For The Year Ended June 30, 2012; On The May 14, 2013 Finance And Management Committee Agenda
[\(12-0451\)](#)

S-4.6 Subject: 2013-2014 Tax And Revenue Anticipation Notes
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The Sale Of 2013-2014 Tax And Revenue Anticipation Notes In An Amount Not To Exceed One Hundred Million Dollars (\$100,000,000); Authorizing The Execution And Delivery Of Related Documents And Approving Certain Related Matters; On The May 14, 2013 Finance And Management Committee Agenda
[\(12-0453\)](#)

S-4.7 Subject: Extension Of Emergency Ordinance For Crematoria
From: Department Of Planning & Zoning
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Emergency Ordinance Pursuant To Charter Section 213, Extending By One Hundred And Eighty (180) Days Emergency Ordinance 13115 C.M.S. Requiring A Major Conditional Use Permit To Establish Or Expand A Crematorium Within The City Of Oakland, To Take Effect Immediately Upon Introduction And Adoption (Extends The One-Year Emergency Ordinance Adopted May 15, 2012); On The May 7, 2013 City Council Agenda And As A Public Hearing On May 7, 2013
[\(12-0463\)](#)

S-4.8 Subject: Contributions For Mayor's Summer Jobs Program
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grants And Contributions To The City For The Mayor's Summer Jobs Program, And Contract With And Disburse Such Funds To Current Youth Service Providers For Summer Employment Services For Youth Or Program Support Services, Without Returning To Council; On The May 14, 2013 Community & Economic Development Committee Agenda
[\(12-0464\)](#)

S-4.9 Subject: Broadway Transit Study
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Fehr & Peers To Complete The Broadway Transit Urban Circulator Study In An Amount Not To Exceed \$329,200, Using \$299,200

In CalTrans Urban Transit Grant Funds Previously Appropriated By The City Council To Complete This Study, And A Local Match Of \$30,000 In Prior Year Economic Development Allocations Of Community Development Block Grant Funds; On The May 14, 2013 Community & Economic Development Committee Agenda
[\(12-0465\)](#)

S-4.10 Subject: Kiva Zip Microlending
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With Kiva Microfunds, A California Non-Profit Public Benefit Corporation (“Kiva”) To Identify And Recommend Small Businesses In Oakland For Kiva Zip's Microlending Platform; On The May 14, 2013 Community & Economic Development Committee Agenda
[\(12-0466\)](#)

S-4.11 Subject: Settlement Agreement - Sui Bill Lee
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Sui Bill Lee, City Attorney's Claim No. C29454, In The Amount Of Six Thousand Eight Hundred Forty And 00/100 Dollars (\$6,840.00) (Public Works Agency - City Tree Roots); On The May 7, 2013 City Council Agenda
[\(12-0468\)](#)

S-4.12 Subject: Settlement Agreement - Jaymes Evans
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Jaymes Evans, et al. v. City Of Oakland, Alameda County Superior Court Case No. RG11-610704 In The Amount Of \$10,00.00 As A Result Of A Motor Vehicle Collision On High Street And Courtland Avenue (Oakland Police Department - Vehicle Accident); On The May 7, 2013 City Council Agenda
[\(12-0469\)](#)

S-4.13 Subject: Settlement Agreement - Jacqueline Dixon
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Jacqueline Dixon v. City Of Oakland, et al, Alameda County Superior Court Case No. RG11-559368, In The Amount Of Sixty-One Thousand Six-Hundred Sixty-Seven Dollars And No Cents (\$61,667.00) As A Result Of A Fall On A City Sidewalk At 2859 Mandela Parkway On June 10, 2009 (Public Works Agency - Trip And Fall); On The May 7, 2013 City Council Agenda
[\(12-0470\)](#)

S-4.14 Subject: Workers' Compensation Program Second Quarter Report
From: Department Of Human Resources Management
Recommendation: Receive The Second Quarter Informational Report Regarding The City's Workers' Compensation Program For Fiscal Year 2012-2013; On The May 14, 2013 Finance & Management Committee Agenda
[\(12-0467\)](#)

- S-4.15 Subject: National Public Works Week
From: Public Works Agency
Recommendation: Adopt A Resolution Celebrating The Week Of May 19-25, 2013 As National Public Works Week In The City Of Oakland; On The May 21, 2013 City Council Agenda As A Ceremonial Item
[\(12-0452\)](#)
- S-4.16 Subject: Appropriation of Federal Highway Safety Grant Funds
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing the City Administrator or Her Designee, the Director of Public Works, to Accept and Appropriate Two Million Dollars (\$2,000,000.00) in Highway Safety Improvement Program Cycle 5 (HSIP-5) Grant Funds, for Roadway Safety Improvements on West Macarthur Boulevard, 98th Avenue, and at Market Street/Adeline Street; On The May 14, 2013 Public Works Committee Agenda
[\(12-0454\)](#)
- S-4.17 Subject: Transportation Development Act Article 3 Funds Approval
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Three Hundred Forty-Seven Thousand Six Hundred Thirty-Nine Dollars (\$347,639.00) In Fiscal Year 2013-2014 State Transportation Development Act Article 3 Funds As Follows: (1) Bicyclist Safety Education Classes, Twenty-Five Thousand Dollars (\$25,000.00); (2) Stanford Avenue Crossing At Lowell Street, One Hundred Twelve Thousand Dollars (\$112,000.00); (3) Pedestrian Stairs And Paths Rehabilitation Projects, Two Hundred Ten Thousand Six Hundred Thirty-Nine Dollars (\$210,639.00); On The May 14, 2013 Public Works Committee Agenda
[\(12-0455\)](#)
- S-4.18 Subject: Safe Routes To School Cycle 10 Grant Funds
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, The Director Of Public Works, To Accept And Appropriate Two Hundred Sixteen Thousand Dollars (\$216,000) In Safe Routes To Schools Cycle 10 Grant Funds For Pedestrian Safety Improvements Near Parker Elementary School, World Academy, Achieve Academy, Urban Promise Academy, Alliance Academy, And Elmhurst Community Prep School; On The May 14, 2013 Public Works Committee Agenda
[\(12-0456\)](#)
- S-4.19 Subject: Support For Projects Submitted In The ACTC Coordinated Call For Projects
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Authorizing The City Administrator To: A) Apply For, Accept And Appropriate Twenty Five Million Five Hundred Eighty-One Thousand Dollars (\$25,581,000.00) In Metropolitan Transportation Commission ("MTC") Discretionary Funding; And B) Commit Matching Funds Not To Exceed Six Million Two Hundred And Three Thousand Dollars (\$6,203,000.00) For The Oakland Pavement Rehabilitation,

The Lakeside Green Street, The Lake Merritt Bart Bikeways, The 7th Street West Oakland Transit Village Phase II, The MLK Jr. Way & Peralta Phase I, The Coliseum Bart Corridor And Infrastructure Connections, And The Tyrone Carney Park/105th Avenue Reconfiguration Projects; And

[\(12-0457\)](#)

2) A Resolution Authorizing The City Administrator To A) Apply For, Accept And Appropriate Up To One Million Three Hundred Forty Nine Thousand Five Hundred Dollars (\$1,349,500.00) In Alameda County Transportation Commission ("ACTC") Measure B And Vehicle Registration Fee Grant Funding; B) Enter Into A Grant Funding Agreement With The ACTC; And C) Commit Matching Funds Not To Exceed Six Hundred Thirty-Eight Thousand Five Hundred Dollars (\$638,500.00) For The Park Boulevard Path Feasibility Study, The Fruitvale Alive Gap Closure Streetscape Study, The Lake Merritt Channel Bridge To Bay Trail Study, And The Broadway Shuttle Project Projects; On The May 14, 2013 Public Works Committee Agenda

[\(12-0457-1\)](#)

S-4.20 Subject: Honoring American Indian Public High School
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Acknowledging American Indian Public High School (AIPHS) For Its Academic Achievements And For Its Recognition As The Nation's Best High School In 2013; On The May 7, 2013 City Council Agenda As A Ceremonial Item

[\(12-0471\)](#)

S-4.21 Subject: Honoring Oakland Charter High School
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Acknowledging Oakland Charter High School (OCHS) For Its Academic Achievements And For Its Recognition As The Highest Performing High School In Oakland In 2011-2012; On The May 7, 2013 City Council Agenda As A Ceremonial Item

[\(12-0472\)](#)

S-4.22 Subject: Establishing Ad-Hoc Committee
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution To Establish An Ad-Hoc Committee Composed Of Three City Councilmembers To 1) Review Governance Policies, 2) Make Governance Policy Recommendations, And 3) Report Back Such Recommendations To The Full City Council Within Six (6) Months; On The May 16, 2013 Rules & Legislation Committee Agenda

[\(12-0474\)](#)

S-4.23 Subject: MOU With The CHP For Crime Suppression Assistance
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Memorandum Of Understanding With The California Highway Patrol (CHP) For Ninety (90) Days Of Crime Suppression Assistance Whereby Chp Will Deploy 10 Officers In Five, Double Unit Patrol Vehicles And Two Sergeants In A Supervisor Vehicle, Up To Four Days Per Week, At A Cost Not To Exceed Five Hundred Fourteen Thousand Dollars (\$514,000), With One Option To Renew For An

Additional 90 Days In An Amount Not To Exceed One Million Twenty-Eight Thousand Dollars (\$1,028,000), Subject To The Availability Of Funds As Appropriated By The Council; On The May 7, 2013 City Council Agenda
[\(12-0473\)](#)

S-4.24 Subject: Creation Of Library Advisory Commission Standing Committee
From: The Oakland Public Library
Recommendation: Adopt A Resolution Approving The Creation Of The Advocacy Committee As A Standing Committee Of The Library Advisory Commission; On The May 14, 2013 Life Enrichment Committee Agenda
[\(12-0459\)](#)

S-4.25 Subject: Annual Report Of The Library Advisory Commission
From: Oakland Public Library
Recommendation: Receive The Annual Report Of The Library Advisory Commission; On The May 14, 2013 Life Enrichment Committee Agenda
[\(12-0460\)](#)

S-4.26 Subject: Fiscal Year 2013-2015 Budget Workshops
From: Council President Patricia Kernighan
Recommendation: Schedule Special City Council Meetings On The Following Dates:

2) June 6, 2013 At 6:30 P.M.; And

Council President Patricia Kernighan Is Requesting This Item Be Withdrawn And Rescheduled To June 13, 2013 At 6:30 P.M. To Correspond With Budget Information Released By The City Administrator's Office.
[\(12-0433-1\)](#)

S-4.27 Subject: Municipal Clerk's Week
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Declaring May 5, 2013 Through May 11, 2013 Municipal Clerk's Week In The City Of Oakland; On The May 7, 2013 City Council Agenda As A Ceremonial Item
[\(12-0458\)](#)
[\(rules042513item4\)](#)

5 A Review Of The Council Committees' Actions From April 23, 2013 And Determination Of Scheduling To The City Council Meeting Of May 6, 2013 (MATRIX)
[\(rules042513item5\)](#)

6 A Review Of The Draft Agendas For The Meeting Of The Oakland City Council On May 6, 2013 And The Rules & Legislation Committee Meeting On May 8, 2013
[\(rules042513item6\)](#)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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.

Office of the City Clerk - Agenda Management Unit
Phone: (510) 238-3226
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(TTD)

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.

**LaTonda Simmons
City Clerk and
Clerk of the Council**