



City of Oakland

Office of the City Clerk
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Oakland, California 94612
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Clerk

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, October 29, 2015

10:45 AM

City Council Chamber, 3rd Floor

*The Oakland City Council Rules & Legislation Committee convened at 10:53 a.m.,
with Councilmember Gibson McElhaney presiding as Chairperson.*

Roll Call / Call To Order

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

1 Determinations Of Closed Session

[15-0214](#)

Attachments: [View Report](#)

A Special Closed Session has been scheduled for November 3, 2015 at 3:00 p.m.

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 McElhaney

2 Approval Of The Draft Minutes From The Committee Meeting Of October 15, 2015

[15-0215](#)

Attachments: [View Report](#)

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

3 Determination Of Schedule Of Outstanding Committee Items

[15-0216](#)

Attachments: [View Report](#)

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 McElhaney

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[15-0217](#)

Attachments: [View Report](#)

There were 2 speakers on this item.

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 McElhaney

- 4.1 Subject: ABAG Appointments
From: Council President Lynette Gibson McElhaney
Recommendation: Resolution Appointing Councilmember Abel Guillen And Councilmember Annie Campbell Washington To The Executive Board And Designating Council President Lynette Gibson McElhaney And Councilmember Dan Kalb As Alternates To The Executive Board Of The Association Of Bay Area Governments (“ABAG”) For Terms Commencing November 17, 2015 And Ending June 30, 2016; And Appointing Council President Lynette Gibson McElhaney As General Assembly Delegate And Councilmember Dan Kalb As The Alternate General Assembly Delegate For A Term Commencing November 17, 2015 And Ending June 30, 2016; On The November 17, 2015 City Council Agenda
15-0310

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/17/2015

- 4.2 Subject: Extension Of The SARAnet Contract
From: Office Of The City Administrator
Recommendation: Adopt A Resolution 1) Waiving The Request For Proposals/Qualifications (RFP/Q), Advertising, And Competitive Bidding Process; And 2) Extending The Saranet Contract With Resource Development Associates (RDA) From June 30, 2015 Until December 31, 2016 And Increasing The Contract Amount By \$35,000 For Upgrades And Maintenance Of The Saranet Database For A Total Contract Amount Of \$95,000 Over Three Years; And 3) Authorizing Three Discretionary One-Year Extensions For Up To One Hundred Fifteen Thousand Dollars (\$115,000) Per Year Without Returning To Council As Funding Becomes Available For A Total Contract Amount Not To Exceed Four Hundred Forty Thousand Dollars (\$440,000)
[15-0298](#)

A title change was provided on the dais.

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/17/2015 as a Non-Consent Item

- 4.3** Subject: Legal Support Grant to Assist Unaccompanied Minors
From: Office Of The City Administrator
Recommendation: Adopt A Resolution To Amend Resolution No. 85218 To Increase The Grant Award To Centro Legal De La Raza By Up To \$300,000 For A Total Grant Amount Not to Exceed \$877,231, Through June 30, 2017, To Provide Legal Services To Central American Unaccompanied Children In Oakland That Have Fled To The United States To Escape Violent And Other Oppressive Conditions In Their Countries
15-0299

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 11/10/2015

- 4.4** Subject: Presentation From Alternatives In Action
From: Councilmember Annie Campbell washington
Recommendation: Receive A Presentation From Alternatives In Action - "Innovating Financial Access With Youth: Increasing Financial Literacy And Access To Break The Cycle Of Poverty"; On The November 10, 2015 Life Enrichment Committee Agenda
15-0300

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 11/10/2015

- 4.5** Subject: Encroachment Permit For A Certified Farmers Market
From: Councilmember Annie Campbell Washington
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Encroachment Permit To Fairfax Community Business Association For A Certified Farmers Market On Fairfax Avenue Between Bancroft Avenue And Foothill Boulevard Each Saturday Between The Hours Of 8:00 A.M. And 4:00 P.M
15-0301

This City Resolution was Scheduled.to the *Public Works Committee to be heard 11/10/2015

- 4.6** Subject: Community Presentation By Neighbors For Racial Justice
From: Councilmember Annie Campbell Washington
Recommendation: Receive A Community Presentation By Neighbors For Racial Justice On Racial Profiling In Neighborhoods And On List Servs
15-0302

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 11/10/2015

- 4.7** Subject: OPD 2015 DNA Backlog Reduction Program And Resolution
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To: 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed \$474,282 From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2015 Forensic Casework Deoxyribonucleic Acid (DNA) Backlog Reduction Grant Program In The Oakland Police Department; And 2) Waive The Advertising And Competitive Bidding Requirements For The Purchases Of DNA Data Interpretation Software Training From Niche Vision For Thirty Thousand Dollars (\$30,000), DNA Typing Supplies From Three Companies (Applied Biosystems (A.K.A. Thermofisher) For Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00), Promega For Eighteen Thousand Dollars (\$18,000.00) And QIAGEN For Twenty-Three Thousand One Hundred Thirty-Three Dollars (\$23,133.00)), And For A DNA Extraction Robot From Qiagen For Fifty-Five Thousand Five Hundred Thirty-One Dollars (\$55,531.00); On The November 10, 2015 Public Safety Committee Agenda
[15-0297](#)

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 11/10/2015

- 4.8** Subject: Service Agreement With CALICO
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To 1) Waive The Advertising/Bidding And Request For Proposal/Qualifications Requirements, And 2) Award A Professional Services Agreement Contract To The Child Abuse Listening, Interviewing, And Coordination Center (CALICO) To Provide Forensic Interviews, Multidisciplinary Child Abuse Investigations, Family Support Services, Community Outreach And Training To The Oakland Police Department For Two Years Plus Two Discretionary One-Year Extensions For Thirty Thousand Dollars (\$30,000) Per Year And A Total Contract Amount Not To Exceed One Hundred Twenty Thousand Dollars (\$120,000); On The November 17, 2015 City Council Agenda
[15-0296](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/17/2015 as a Consent Item

- 4.9** Subject: SAFER Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Grant Agreement With The Federal Emergency Management Agency (FEMA) To Accept Staffing For Adequate Fire Emergency Response (SAFER) Grant Funds In The Amount Of Four Million Two Hundred And Sixty Eight Thousand One Hundred And Twelve Dollars (\$4,268,112.00); And Accept, Appropriate, And Administer SAFER Grant Funds; And Expend Funds To Hire Up To Sixteen Firefighters And/Or Firefighter Paramedics For The Grant Performance Period Of February 21, 2016 Through February 20, 2018, In Accordance With The City's Hiring Policies; On The November 17, 2015 City Council Agenda
[15-0295](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/17/2015 as a Consent item

- 4.10** Subject: Creation Of A Privacy Advisory Commission
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Establishing The Oakland Privacy Advisory Commission, Providing For The Appointment Of Members Thereof, And Defining The Duties Of Said Commission; On The December 1, 2015 Public Safety Committee Agenda
[15-0294](#)

This Ordinance was Scheduled.to the *Public Safety Committee to be heard 12/15/2015

- 4.11** Subject: Youth Violence Prevention Enhancement Project (YVPEP) Grant
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept And Appropriate A Youth Violence Prevention Enhancement Project (YVPEP) Grant For \$281,880 From October 2015 To September 2016 And A Community-Based Violence Prevention (CBVP) Grant For \$70,000 From October 2015 To December 2016, Both From The U.S. Department Of Justice, Office Of Juvenile Justice And Delinquency Prevention (OJJDP); 2) Allocate Funds In The Amount Of \$226,880 To Augment Existing Violence Prevention Services And Staff Positions In The Human Services Department; And 3) Enter Into Professional Service Agreements With Prevention Institute For \$75,000 To Provide Violence Prevention Planning Support, And With Safe Passages For \$50,000 To Provide Tools And Training For The Oakland Police Department Response To Incidents Involving Young Children Exposed To Violence; And Waiving The Request For Proposal/Qualifications Process For The Professional Service Agreements; On The November 10, 2015 Public Safety Committee Agenda
[15-0293](#)

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 11/10/2015

- 4.12** Subject: City Employee Demographic Study Status Report
From: Human Resources Management Department
Recommendation: Receive A Status Report From The Human Resources Management Department (HRM) On The Demographics Of City Staff, Including But Not Limited To Race, Ethnicity, Gender, Age, Residency By City, And Anticipated Retirement By Department
[15-0292](#)

This Informational Report was Scheduled.to the *Finance & Management Committee to be heard 11/10/2015

- 4.13** Subject: Local Minimum Wage Law Six-Month Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report (Six-Month Update) Following The Implementation Of The Voter Approved Local Minimum Wage Ordinance ("Measure FF")
[15-0291](#)

This Informational Report was Scheduled.to the *Finance & Management Committee to be heard 11/10/2015

- 4.14** Subject: Golden State Warriors Gym Improvement At Rainbow Recreation Center
From: Oakland Parks And Recreation Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Accept A Gift Of In-Kind Services From The Golden State Warriors And The Good Tidings Foundation For The Rainbow Recreation Center Basketball Gym Renovation Project Valued At Fifty-Two Thousand Dollars (\$52,000); 2) Authorizing The City Administrator To Execute A Construction Contract With MCWIL Sport Surfaces, Inc., Doherty Restoration, Inc., And Straightline Enterprise, Inc. Dba First Service For One Dollar (\$1.00) Each To Perform The Services And Authorize The Work On City Property; And 3) Waive Advertising And Bidding Requirements For The Project; And 4) Naming The Basketball Courts Inside The Rainbow Recreation Center After Former Golden State Warrior, Jason Richardson; On The November 10, 2015 Life Enrichment Committee Agenda
[15-0290](#)

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 11/10/2015

4.16 Subject: Settlement Agreement - IFPTE Local 21 V. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Approving Settlement Of International Federation Of Professional & Technical Engineers, Local 21 V. City Of Oakland, Et Al. (Alameda Superior Court Case No. RG15775714), By Agreeing To Keep The Main Floor And Galleries To The City Council Chambers Open At Their Legal Capacity For City Council Meetings, Paying Plaintiff \$37,000 For Attorney's Fees And Costs, And Reserving City Authority To Regulate City Council Meetings And Access To City Council Chambers Pursuant To Law, In Exchange For Plaintiff's Dismissal Of The Suit; On The November 17, 2015 City Council Agenda As A Consent Item
[15-0289](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/17/2015

4.17 Subject: Honoring And Recognizing Caroline L. LaRon for 26 Years of Dedicated Service
From: President ProTem Reid
Recommendation: Adopt A Resolution Recognizing and Honoring Caroline L. LaRon for 26 Years of Dedicated Service to the Residents of The City of Oakland Upon Her Retirement; On The November 17, 2015 City Council Agenda
[15-0288](#)

This Ordinance was Scheduled.to the Meeting of the Oakland City Council to be heard 11/17/2015

4.18 Subject: Mural At 2400 Mountain Blvd
From: Councilmember Annie Campbell Washington
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2000 From Councilmember Campbell Washington's Graffiti Abatement Mural And Green Wall Funds To The Montclair Village Association For The Mural At 2400 Mountain Blvd; on The November 17, 2015 City Council Agenda
15-0304

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 11/17/2015 as a Consent Item

4.19 Subject: Unaudited FY 2014-15 Fourth Quarter Revenue and Expenditure Report
From: Finance Department
Recommendation: Receive An Informational Report On The Unaudited FY 2014-15 Fourth Quarter Revenue And Expenditure Results And Year-End Summaries For Four Selected Funds: General Purpose Fund (GPF, 1010), Landscape And Lighting Assessment District Fund (2310), Equipment Fund (4100) And Facilities Fund (4400); And Overtime Analysis For The General Purpose Fund (1010) And All Funds
15-0305

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 11/10/2015

4.20 Subject: Quarterly Report On Crime Trends And Crime Reduction Activities
From: Oakland Police Department
Recommendation: Receive The Quarterly Informational Report From The Oakland Police Department (OPD) On Crime Trends And Crime Reduction Activities, Including The Ceasefire Violence Reduction Strategy, In The City Of Oakland; On The November 10, 2015 Public Safety Committee Agenda
[15-0226](#)

Attachments: [View Report](#)

This Informational Report was Scheduled.to the *Public Safety Committee to be heard 11/10/2015

4.21 Subject: 30 Day Recruitment Report
From: Councilmember Desley Brooks
Recommendation: Receive A Monthly Informational Report From The Oakland Police Department On Recruiting And Police Department Staffing Levels Over The Last 30 Days; On The December 1, 2015 Public Safety Committee Agenda
[15-0095](#)

Attachments: [View Report](#)

This Informational Report was Scheduled.to the *Public Safety Committee to be heard 11/10/2015

4.22 Subject: OPD Response To Youth Advisory Commission Recommendations
From: Oakland Police Department
Recommendation: Receive An Informational Report Of The Oakland Police Department's (OPD) List Of: 1) Accomplished Or Implemented Youth Advisory Commission (YAC) Recommendations; And 2) Five Recommendations Which OPD And The Youth Advisory Commission Will Collaborate To Implement; On The November 10, 2015 Public Safety Committee Agenda
[15-0096](#)

Attachments: [View Report.pdf](#)

This Informational Report was Scheduled.to the *Public Safety Committee to be heard 11/10/2015

4.23 Subject: OFD Mandatory Overtime
From: Councilmember Abel Guillén
Recommendation: Receive An Informational Report On Mandatory Overtime For The Oakland Fire Department And Plans For Reducing Mandatory Overtime; On The November 10, 2015 Public Safety Committee Agenda
[14-1243](#)

Attachments: [View Report.pdf](#)

This Informational Report was Scheduled.to the *Public Safety Committee to be heard 11/10/2015

4.25 Subject: Citywide Impact Fee Nexus Study Report
From: President Pro Tempore Reid
Recommendation: Receive An Informational Report On The Citywide Impact Fee Nexus Study, Economic Feasibility Analysis And Draft Impact Fee Proposal, Including Notifying The Public That Any Adopted Impact Fees May Apply To Applications That Are Already Submitted As Per The California Subdivision Map Act, Government Code Section 66474.2(b)
[15-0311](#)

A title change was submitted on the dais.

This Informational Report was Scheduled.to the *Community & Economic Development Committee to be heard 12/15/2015

Items submitted on the Dais

Subject: National Native American Heritage Month
From: Councilmember Gallo
Recommendation: Resolution Recognizing The Month Of November 2015 As “National Native American Heritage Month” Celebrating The Heritages And Cultures Of Native Americans And The Contributions Of Native Americans To The United States; On The November 17, 2015 City Council Agenda
[15-0306](#)

Attachments: [View Report.pdf](#)

This Informational Report was Scheduled.to the Meeting of the Oakland City Council to be heard 11/17/2015

Subject: Increasing The Rent Program Service Fee
From: Housing & Community Development Department
Recommendation: Receive A Report And Recommendations On A Proposed Ordinance Amending The Master Fee Ordinance (O.M.C. 13320) To Increase The Rent Program Service Fee From \$30 Dollars Per Unit To \$110 Dollars Per Unit [TITLE CHANGE]
[15-0261](#)

This Ordinance was Scheduled.to the *Finance & Management Committee and the Community & Economic Development Committee to be heard 11/10/2015 and as a Public Hearing TBD

Subject: Crossroads Traffic Collision Software
From: Oakland Police Department
Recommendation: Adopt A Resolution Amending Resolution No. 84081 C.M.S., Approved By The City Council On November 13, 2012, Authorizing The City Administrator To 1) Waive The Advertising/Bidding And The Request For Proposal/Qualifications Requirements, And 2) Award A Professional Services Contract To Crossroads Software, Inc. For The Online Sales Of Traffic Collision Reports And Technical And Records Management Support For The City's Traffic Collision Database For Three Years, Plus Two Discretionary One-Year Extensions, For A Fee Of Twenty Thousand Dollars (\$20,000) Per Year And A Total Contract Amount Not To Exceed One Hundred Thousand Dollars (\$100,000); On The November 10, 2015 Public Safety Agenda
[15-0307](#)

This Informational Report was Scheduled.to the *Public Safety Committee to be heard 11/10/2015

Subject: Housing, Residential Rent And Relocation Board Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Ubaldo Fernandez To The Housing, Residential Rent And Relocation Board
[15-0271](#)

Attachments: [View Report](#)

A title change was submitted on the dais for this item which was previously scheduled to the November 3, 2015 City Council agenda.

Subject: U.S.-China Climate Leaders Summit Travel Authorization
From: Councilmember Kalb
Recommendation: Resolution Authorizing Councilmember Dan Kalb's Travel To Los Angeles For Attendance At The U.S.-China Cities Climate Leaders Summit On September 16, 2015 And Reimbursement Of Approximately \$750.00 In Travel Costs From His Office Account; On The November 17, 2015 City council Agenda
[15-0308](#)

This Informational Report was Scheduled.to the Meeting of the Oakland City Council to be heard 11/17/2015

- 5** A Review Of The Council Committees' Actions From October 27, 2015 And Determination Of Scheduling To The City Council Meeting Of November 3, 2015 (MATRIX)
[15-0218](#)

Attachments: [View Report](#)

The November 5, 2015 Rules & Legislation Committee meeting has been cancelled due to a lack of quorum.

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

From The November 5, 2016 Rules & Legislation Committee Agenda:

Subject: 2016 Legislative Calendar
From: Office Of The City Clerk
Recommendation: Adopt The 2016 Legislative Calendar For The City Council And Council Committees Meeting, Report And Distribution Schedule
[15-0230](#)

Attachments: [View Report](#)

This Informational Report was * Withdrawn and Rescheduled.to the *Rules & Legislation Committee to be heard 11/19/2015

- 6** A Review Of The Draft Agendas For The Council Committee Meetings Of November 10, 2015 And The Rules And Legislation Committee Of November 12, 2015
[15-0219](#)

Attachments: [View Report](#)

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 McElhaney

7 Subject: Opposing The Trans-Pacific Partnership
From: Councilmembers Guillén, Campbell Washington, Kalb And Gibson McElhaney
Recommendation: Adopt A Resolution Opposing The Trans-Pacific Partnership (TPP) And The Extension Of TPP Trade Policies
[15-0233](#)

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

The Committee approved recommendations as amended to revise the following:

- 1) The title was revised: Resolution Opposing The Trans-Pacific Partnership (TPP) Trade And Urging United States Senators And Congressmembers To Oppose The Ratification Of The TPP Trade Treaty Agreement;*
- 2) Add: "WHEREAS, the Trans-Pacific Partnership (TPP) is a proposed trade agreement among twelve (12) Pacific Rim countries concerning a variety of matters of economic policy, about which agreement was reached on October 5, 2015 by all 12 nations, after seven years of negotiations, and is now pending ratification by Congress. According to the Economic Policy Institute, the TPP will lead to the outsourcing of service sector and manufacturing jobs, threaten wages, benefits and collective bargaining of U.S. employees, and allow the U.S. to become vulnerable to currency manipulation;" and*
- 3) Add: FURTHER RESOLVED: That the City Council directs the Council President to send a letter to the Honorable Barbara Lee, Member of Congress, (CA-13) on behalf of the City setting forth the concerns described above and position of the Council.*

There were 2 speakers on this item.

A motion was made by Guillén, seconded by Kalb, that this matter be Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 11/3/2015. The motion carried by the following vote:

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

Open Forum (Total Time Available: 15 Minutes)

There were 3 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 11:52 a.m.

Americans With Disabilities Act

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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.