



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

***Special Concurrent Meeting of the Redevelopment Agency and Finance and Management Committee Hearing Room 1, 1 Frank H. Ogawa Plaza**

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

Tuesday, December 11, 2007

1:00 PM

Hearing Room One - 1st Floor

Roll Call / Call to Order

Councilmember Present: 4 - Chair Quan, Member De La Fuente, Member Nadel and Member Brunner

The Oakland City Council Finance and Management Committee convened at 4:10 p.m., with Councilmember Quan presiding as Chairperson.

- 1 Approval of the Draft Minutes from the Committee Meeting held on November 27, 2007
- A motion was made by Member De La Fuente, seconded by Member Nadel, to *Approve the Minutes. The motion carried by the following vote:**

Votes: Councilmember Aye: Chair Quan, Member De La Fuente, Member Nadel and Member Brunner

- 2 Determination of Schedule of Outstanding Committee Items

A motion was made by Member De La Fuente, seconded by Member Nadel, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Quan, Member De La Fuente, Member Nadel and Member Brunner

*The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa*

ITEMS SCHEDULED BY COMMITTEE

Subject: Equal Access Ordinance Implementation

From: Office of Personnel

Recommendation: Action On A Follow-Up Report On The Status Of The Implementation Of The Equal Access Ordinance And Recommendations For Improving Language Access To City Of Oakland Services

[07-0292](#)

Scheduled to *Finance & Management Committee on 1/22/2008

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3 Subject: City's Payroll And Compensation Practices Audit
 From: Office Of The City Auditor
 Recommendation: Receive The Performance Audit Of The City's Payroll And Compensation Practices
 [07-0784](#)

A motion was made by Member Nadel, seconded by Member Brunner, that this matter be *Received and Filed. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Quan, Member De La Fuente, Member Nadel and Member Brunner

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa
- Michael Ferraro
- R. Kaplan
- [View Report.pdf](#)

4 Subject: Improvements To Payroll Control And Processes
 From: Finance and Management Agency
 Recommendation: Action On A Report On Payroll Controls And Improvements And A
 Response To An Audit Of The City's Payroll And Compensation Practices Conducted By The
 Office Of The City Auditor
 [07-0785](#)

**A motion was made by Member Nadel, seconded by Member Brunner.
The motion carried by the following vote:**

Votes: Councilmember Aye: Chair Quan, Member De La Fuente, Member Nadel and
Member Brunner

This item is continued to the next Midcycle Budget Meeting.

The Committee directed staff to come back to the Mid-cycle Budget Meeting with the following: 1) whether a Payroll Manual has been created in addition to the OTL software application manual; 2) a status report on a written set of formal procedures for activation and deactivation of seasonal, part-time, and other intermittent employees; 3) an employee bonus program proposal; 4) centralization of Payroll proposal; 5) the Executive Package policies; 6) the payroll advance policies and 7) should the City Auditor and the City Attorney receive management leave and vacation; The Committee recommended that the following information be discussed during closed session: 1) the third week of management leave; 2) should the policy of management leave be "use it or lose it"; 3) sworn employees eligibility to buyback leave; and 4) the buyback of other leave including floating holidays. The Committee Chair Jean Quan requested that the following information be further researched and return to the Committee with follow-up if necessary : 1) summary of any employee bonuses awarded either in excess of \$1,500 dollars allowed under the Employee Recognition Program or outside of "in-lieu of merit increase" for management employees. Information on why some departments granted more bonuses than others; 2) Summary of the 42 outstanding balances from salary advances, how many have been collected, are in payment plans, were sent to collections, are beyond the statute of limitations for collections, etc.; 3) how many salary advances were because an employee was on vacation vs. an emergency; 4) are some of the employees getting advances on a routine basis; 5) detailed summary of management leave and vacation leave brought back in excess of the MOU provisions; and 6) the process to enforce no approval of side letter agreements.

The following individual(s) spoke under adn did not indicate a position on this item:

- Sanjiv Handa
- Michael Ferraro
- Carolyn Webb

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- 5 Subject: First Quarter Revenue and Expenditure Report
 From: Budget Office
 Recommendation: Receive A Report On Fiscal Year 2007-2008 First Quarter Revenue And
 Expenditure Results For The General Purpose Fund (1010)
 [07-0797](#)

A motion was made by Member Brunner, seconded by Member Nadel, that this matter be Continued to the *Finance & Management Committee, due back on January 8, 2008. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Quan, Member De La Fuente, Member Nadel and Member Brunner
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- 6 Subject: Closed Captioning Contract
 From: Office of the City Clerk
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Two
 (2) Year Professional Service Contract Between The City Of Oakland And Aberdeen
 Captioning To Provide Stenography Services For Real-Time Off-Site Closed Captioning Of All
 Regularly Scheduled And Special Concurrent Oakland Redevelopment Agency/Oakland City
 Council, And City Council Committee Meetings In A Total Amount Not To Exceed Seventy
 Thousand Dollars (\$70,000) Per Year For The Period From January 1, 2008 Through
 December 31, 2010 And Authorizing The Extension Of The Contract For Up To Two (2) Years
 For An Additional Amount Not To Exceed Seventy Thousand Dollars (\$70,000) Per Year
 [07-0825](#)

A motion was made by Member Brunner, seconded by Member Nadel, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council, due back on December 18, 2007 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Quan, Member De La Fuente, Member Nadel and Member Brunner
The following individual(s) spoke under and did not indicate a position on this item:
- Sanjiv Handa
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[80992 CMS.pdf](#)

7 Subject: Purchase Of Real Property - 710 73rd Avenue
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property
Located At 710 - 73rd Avenue In The Coliseum Redevelopment Project Area For
Redevelopment Purposes From James A. And Frances Lee Metz, For A Purchase Price Of
\$515,000, Plus Environmental Insurance And Customary Real Estate Closing Costs Not To
Exceed \$56,500
[07-0762](#)

A motion was made by Member De La Fuente, seconded by Member Brunner, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council, due back on December 18, 2007 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Quan, Member De La Fuente, Member Nadel and Member Brunner

The following individual(s) spoke under and did not indicate a position on this item:

- Sanjiv Handa

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[2007-0084 CMS.pdf](#)

8 Subject: Prompt Payment Policy
From: Councilmember Desley Brooks

Recommendation: Adopt An Ordinance Establishing A Prompt Payment Policy Requiring Payment Within 15 Business Days After Receipt Of An Invoice For Purchase Of Goods And/OR Services Applicable To 1) The City With Respect To Contracts Let Directly To Local Businesses, 2) To Non-Profit And For-Profit Entities Contracted To Manage Or Operate City Facilities Or Public Programs Or Concessions On City-Owned Property, And 3) To City Contractors With Respect To Their Subcontractors, And Imposing Interest Penalties For Violations, To Be Codified At Oakland Municipal Code Title 2, Chapter 2.06 (TITLE CHANGE)

[07-0800](#)

A motion was made by Member Brunner, seconded by Member De La Fuente, that this matter be *Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council, due back on December 18, 2007 as a Non-Consent item. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Quan, Member De La Fuente, Member Nadel and Member Brunner

DUE TO THE PRESENCE OF COUNCILMEMBER BROOKS, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND SECONDED TO ADJOURN THE MEETING OF THE FINANCE AND MANAGEMENT COMMITTEE, AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 3:52 P.M.

The Committee directed staff to amend the Ordinance with the following information: 1) change 3 day turnaround to 5 days so the Liaison has enough time to investigate disputes; 2) change 10% per month penalty to 10% per year; 3) change the 15 day payment cycle to 20 days; and 4) eliminate the sentence on page eight (8) of the ordinance “The City may not appeal Liaison determination for claims submitted by Local Prime Contractors; but the City may submit an appeal of the Liaison determination to the City Administrator within five days. Staff was also directed to return in 6 months with an implementation status report.

The following individual(s) spoke and did not indicate a position on this item:

- Councilmember Desley Brooks
- Sanjiv Handa
- Len Turner

*THE SPECIAL MEETING OF THE CITY COUNCIL ADJOURNED AT THIS
TIME AND RECONVENED AS THE FINANCE AND MANAGEMENT
COMMITTEE*

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- 9 Subject: Cash Management Quarterly Report
 From: Finance And Management Agency
 Recommendation: Cash Management Report For The Quarter Ended September 30, 2007
 07-0824

A motion was made by Member Brunner, seconded by Member De La Fuente, that this matter be *Rescheduled to the *Finance & Management Committee, to be heard at the January 8, 2008 meeting. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Quan, Member De La Fuente, Member Nadel and Member Brunner
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- 10 Subject: Civil Service Exemption - Various Positions
 From: Finance and Management Agency
 Recommendation: Adopt A Resolution Recommending To The Civil Service Board That The Classifications Of: Chief Of Police, Assistant; Police Services Manager I; Police Services Manager II; Budget Director, Assistant; Director Of Information Technology; Director Of Contracting & Purchasing; And Associate Director, Library Services Be Exempted From The Operation Of The Civil Service
 07-0815

A motion was made by Member Brunner, seconded by Member De La Fuente, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/City Council, due back on December 18, 2007 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Quan, Member De La Fuente, Member Nadel and Member Brunner
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Finance and Management Committee adjourned the meeting at 4:20 p.m.

* In the event of 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.

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