



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, March 20, 2014

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 March 6, 2014
- 3 Determination Of Schedule Of Outstanding Committee Items
([Rules032014Item3](#))
- 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas
(SUPPLEMENTAL)
- S-4.1 Subject: ARFF PROS Training
From: Oakland Fire Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator, Or His Designee To Enter Into An Agreement With Aircraft Rescue Fire Fighter (ARFF) PROS

To Provide 40 Hours Of State Certified Aircraft Rescue Firefighter Training (Fire Control 5) Annually From May 2014 Through May 2016, With Two-One Year Options To Extend In An Amount Not To Exceed \$13,000 Each Year, For A Total Contract Amount Of \$52,000 Over A Four Year Period, Without Return To Council, And 2) Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process, The Local Advertising And Bidding Requirements, And The Local And Small Business Enterprise Program (L/SLB) Provisions For The Proposed Agreement With ARFF PROS; On The April 8, 2014 Public Safety Committee Agenda
[\(13-0427\)](#)

S-4.2 Subject: All Star Fire Equipment Purchase Agreement
From: Oakland Fire Department
Recommendation: Adopt A Resolution Resolution: 1) Authorizing The City Administrator To Enter Into A Purchase Agreement With All Star Fire Equipment For The Purchase Of Firefighter Protective Clothing (Also Known As Turnouts) For The Period May 31, 2014 Through June 1, 2017 In An Amount Not To Exceed Six Hundred Thousand Dollars (\$600,000), With An Optional Two Year Extension For A Total Amount Not To Exceed One Million Dollars (\$1,000,000) Over The Possible Five Year Term, And 2) Waiving The Competitive Bidding Requirements; On The April 8, 2014 Public Safety Committee Agenda
[\(13-0430\)](#)

S-4.3 Subject: Report From OPD On Public Safety And City Crime Trends
From: Oakland Police Department
Recommendation: Receive The Quarterly Informational Report From OPD On Public Safety, City Crime Trends And The Department's Crime Reduction Activities Including The Ceasefire Violence Reduction Strategy; On The April 8, 2014 Public Safety Committee Agenda
[\(13-0428\)](#)

S-4.4 Subject: Compliance Director Professional Services Contract Amendments
From: Oakland Police Department
Recommendation: Adopt Resolution Authorizing A Contract With Warshaw & Associates Inc. For Compliance Director Professional Services From February 12, 2014 Through January 20, 2015, In The Amount Of One Hundred Sixty Five Thousand Dollars (\$165,000) And Waiving Competitive Advertising, Bidding And Request For Proposals/Qualifications Purchasing Processes; On The April 1, 2014 City Council Agenda

JUSTIFICATION: On February 12, 2014, Judge Henderson Terminated The Contract With Compliance Director (Tom Frazier) And Transferred Authority To Robert S. Warshaw (Warshaw & Associates, Inc). The Court Ordered The City to Negotiate Amendment's To The Monitor's Contract.
[\(13-0440\)](#)

S-4.5 Subject: Fiscal Year 2013-2014 Cultural Services Grants Amendments
From: Department Of Economic Workforce Development
Recommendation: Adopt A Resolution Amending Resolution No. 84707 C.M.S., Which Authorized Fiscal Year 2013-2014 Cultural Services Grants, To Approve Grants to

Fiscal Agents For Two Grantees And Reallocate Funds From Two Grantees To The Three Next-Ranked Applicants; On The April 8, 2014 Life Enrichment Committee Agenda
(13-0434)

S-4.6 Subject: Brooklyn Basin Non-Affiliate Transfer
 From: Department Of Planning And Building
 Recommendation: Adopt A Resolution Consenting To The Transfer And Assignment Of The Development Agreement For The Oak To Ninth (Brooklyn Basin) Project From Oakland Harbor Partners, LLC, to Zarsion-OHP I, LLC, Pursuant To The Development Agreement and Planning Code Section 17.138.080; On The April 8, 2014 Community And Economic Development Committee Agenda And As A Public Hearing On April 22, 2014
(13-0435)

S-4.7 Subject: Memorandum Of Agreement For 3706 San Pablo Avenue
 From: Department Of Planning And Building
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Agreement With The City Of Emeryville For The Development Of A Property At 3706 San Pablo Avenue Located Within Both Jurisdictions; On The April 8, 2014 Community And Economic Development Committee Agenda
(13-0436)

S-4.8 Subject: Public Safety Initiatives Throughout The City
 From: Office Of The City Administrator
 Recommendation: Receive An Informational Report From The Office Of The City Administrator Providing A Synthesis Of Focused Public Safety Investments, Initiatives And Strategies To Effectively Reduce Violent Crime In Oakland; On The April 8, 2014 Public Safety Committee Agenda
(13-0437)

S-4.9 Subject: Reaffirm Tax Credit Guarantees For Fox Theater Project
 From: Office Of Neighborhood Investment
 Recommendation: Adopt An Oakland Redevelopment Successor Agency Resolution Reaffirming Obligations Authorized By ORA Resolution No. 2006-0073 C.M.S. Assume, Reaffirm And Ratify Guarantees And Indemnities Required For Tax Credit Financing For The Fox Theater Project Including A Guarantee By Agency In Favor Of The Tax Credit Investment Entities Relating To The Historic Tax Credits And New Markets Tax Credits In Event The Tax Credits Are Not Awarded Or Are Recaptured By The Internal Revenue Service As A Result Of Non-Compliance With IRS Tax Credit Requirements By For Or Its Affiliated Entities; On The April 8, 2014 Community And Economic Development Committee Agenda
(13-0438)

S-4.10 Subject: Army Base Utility Program Closure
 From: Office Of Neighborhood Investment
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Negotiate And Execute An

Amendment To Utility Program Management Agreement, In An Amount Estimated At \$500,000 Annually, With The Port Of Oakland, For Limited Continued Operation Of The Existing Integrated Utility Systems At The Former Oakland Army Base; And
(13-0439)

2) A Resolution Authorizing The City Administrator To Negotiate And Execute An Amendment To Resource Management Services Agreement With The Port Of Oakland; On The April 8, 2014 Community And Economic Development Committee Agenda
(13-0439-1)

S-4.11 Subject: Extend Interim Controls On Crematoriums
From: Department Of Planning And Building
Recommendation: Adopt An Emergency Ordinance Pursuant To Charter Section 213, Extending By One Hundred And Eighty (180) Days Emergency Ordinance Number 13196 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 Hundred and Eighty (180) Day Emergency Ordinance Adopted October 15, 2013); On The April 1, 2014 City Council Agenda As A Public Hearing

SCHEDULING JUSTIFICATION: Standing Practice Has Been To Take Proposed Emergency Ordinances Directly To Council.
(13-0445)

S-4.12 Subject: Renewal Of Oakland/Berkeley Recycling Market Development Zone
From: Department Of Economic And Workforce Development
Recommendation: Adopt A Resolution Of The City Of Oakland Supporting Renewal Of The Oakland/Berkeley Recycling Market Development Zone; On The April 8, 2014 Community And Economic Development Committee Agenda
(13-0446)

S-4.13 Subject: Settlement Agreement - Dulcey Bower v. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Dulcey Bower v. City Of Oakland, Alameda County Superior Court Case No. RG12-634283, City Attorney's File No. 28770, In The Amount Of Three Million Two Hundred Fifty Thousand Dollars And No Cents (\$3,250,000.00) (Public Works Agency - Dangerous Condition/Bicycle Accident); On The April 1, 2014 City Council Agenda
(13-0442)

S-4.14 Subject: Settlement Agreement - Marilyn Johnson v. City Of Oakland, Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Marilyn Johnson v. City Of Oakland, Allen Henry And Selina Henry, Alameda County Superior Court Case No. RG11-604205, City Attorney's File No. 28468, In The Amount Of Thirty-Six Thousand Dollars And No Cents (\$36,000.00) (Public Works Agency - Trip And Fall); On The April 1, 2014 City Council Agenda
(13-0443)

- S-4.15 Subject: Settlement Agreement - Brandon Chuman v. City of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Brandon Chuman v. City Of Oakland, Et Al., Contra Costa Superior Court Case No. MSC13-02186, City Attorney's File No. 29543, In The Amount Of Thirty Thousand Dollars (\$30,000.00) (Oakland Police Department - Police Dog Bite); On The April 1, 2014 City Council Agenda
(13-0444)
- S-4.16 Subject: Walk To Work Day In Oakland
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Proclaiming Thursday, April 3, 2014 As Walk To Work Day In The City Of Oakland; On The April 1, 2014 City Council Agenda As A Consent Item
(13-0447)
- S-4.17 Subject: Brain Health Registry Day
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Declaring April 8th Brain Health Registry Day In The City Of Oakland; On The April 1, 2014 City Council Agenda As A Consent Item
(13-0449)
- S-4.18 Subject: State Housing Funding Request
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To \$2 Million In Funds From The California Department Of Housing And Community Development Under The Local Housing Trust Fund Matching Grant Program, Housing And Emergency Shelter Trust Fund Act Of 2006 (Proposition 1C) Affordable Housing Innovation Fund, And Allocating Up To \$2 Million For The Affordable Rental And Ownership Housing Development Program; On The April 8, 2014 Community And Economic Development Agenda
(13-0450)
- S-4.19 Subject: Head Start/Early Head Start Legislative & Budget Update
From: Department Of Human Services
Recommendation: Receive An Informational Report Providing A Legislative And Budget Update Submitted By The Oakland Head Start/Early Head Start Program, Along With Projection Of A Need For Continued Financial Support From The Oakland City Council In Fiscal Year (FY) 2014-2015

SCHEDULING JUSTIFICATION: This Item Was Originally Scheduled To The March 11, 2014 Life Enrichment Committee Meeting Which Was Cancelled.
(13-0383)
- S-4.20 Subject: Behavioral Health Care Services (BHCS) For Homeless Services
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Memorandum Of Understanding Providing City Of Oakland Grant Funds In An Estimated Amount Not To Exceed \$200,000 Per Year To Alameda County Behavioral

Health Care Services (BHCS) Agency For The Period Of July 1, 2014 Through June 30, 2015, With A Two Year Renewal Option, If Funds Are Available, For Provision Of Homeless Services At Several Permanent Supportive Housing Sites

SCHEDULING JUSTIFICATION: This Item Was Originally Scheduled To The March 11, 2014 Life Enrichment Committee Meeting Which Was Cancelled.

[\(13-0384\)](#)

S-4.21 Subject: 2014 Summer Food Services Program
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator: 1) To Apply For, Accept, And Appropriate The Summer Food Service Program (SFSP) Grant From The California Department Of Education, Nutrition Services Division In An Estimated Amount Of \$623,708; And 2) To Negotiate And Execute A Professional Service Agreement Between The City And The San Lorenzo Unified School District In An Amount Not To Exceed \$265,894 To Provide Food Services For The 2014 Summer Food Service Program For Children; On The April 8, 2014 Life Enrichment Committee Agenda

[\(13-0432\)](#)

S-4.22 Subject: Oakland Paratransit For The Elderly & Disabled Program
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Reimbursement Agreement In The Amount Of \$180,000 With Wheelcare Express, Inc. To Provide Paratransit Services Through June 30, 2014; And Authorizing The City Administrator To Execute Amendments To The Agreement For Any Additional Amounts Received Under Measure B Or Reallocation Of Funds Without Returning To City Council; On The April 8, 2014 Life Enrichment Committee Agenda

[\(13-0433\)](#)

S-4.23 Subject: Professional Services Contract For Public Safety Radios
From: Department Of Information Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Negotiate And Enter Into A Professional Services Contract With Harris Public Safety Communications In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000) For A One Year Agreement, With An Option To Renew For An Additional Year Without Returning To Council, For A Total Not-To-Exceed Amount Of One Million (\$1,000,000) For Maintenance And Professional Services Over A Two-Year Period; And 2) Enter Into A Purchasing Contract With Harris Public Safety Communications For Supply Of Radio Parts, And Materials For The City's 800 MHz Radio Equipment In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000) For A One Year Agreement, With An Option To Renew For An Additional Year Without Return To Council, For A Total Not-To-Exceed Amount Of One Million (\$1,000,000) Over A Two-Year Period, And 3) Waive The City's Advertising, Competitive Bid And Request For Proposal (RFP) Process For Equipment, Products And Professional Services For The Above Described Contracts; On The April 8, 2014 Public Safety Committee Agenda

[\(13-0429\)](#)

- S-4.24 Subject: Resolution Approving Installation Of Stop Signs
From: Department Of Public Works
Recommendation: Adopt A Resolution Approving The Installation Of Stop Signs Pursuant To California Vehicle Code Sections 21351 And 21355 And Oakland Municipal Code Sections 10.12.010 And 10.12.110 On The Following Streets: A) Lowell Street, Single Southbound Approach, At 53rd Street; B) Lowell Street, Both Approaches, At 62nd Street; C) East 31st Street, Both Approaches, At Stuart Street; D) 9th Street, Single Eastbound Approach, At Alice Street; And E) 10th Street, Single Westbound Approach, At Alice Street; On The April 8, 2014 Public Works Committee Agenda
[\(13-0431\)](#)
- S-4.25 Subject: Updating Welcome To Oakland Signs
From: Dwain L. Butler (Citizen)
Recommendation: Adopt A Resolution To Add The Word "Lovelife" On All The Signs That Say, " Welcome To Oakland " To Be Noticed By All Entering The City And Worldwide Humanity; On The April 8, 2014 Public Works Committee Agenda
[\(13-0441\)](#)
[\(Rules032014Item4\)](#)
- 5 A Review Of The Draft Agendas For The City Council Meeting Of April 1, 2014 And The Rules And Legislation Committee Of April 3, 2014
[\(Rules032014Item5\)](#)
- 6 Subject: AB 1999: Economic Development & Historic Preservation Tax Credit Act
From: Vice Mayor Reid And Councilmembers Schaaf And Gibson McElhaney
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1999 (Atkins), The California Economic Development And Historic Preservation Tax Credit Act
[\(13-0400\)](#)

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
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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**