



# City of Oakland

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

## Meeting Agenda - FINAL

### \*Rules & Legislation Committee

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

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

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Thursday, July 5, 2018

10:45 AM

City Council Chamber, 3rd Floor

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#### **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:**

Lynette McElhaney, District 3; President Pro Tempore Abel J. Guillén, District 2; Vice Mayor Campbell Washington, District 4; Chairperson: President Reid, District 7

#### **1 Determinations Of Closed Session**

[18-0694](#)

Attachments: [View Report](#)

#### **2 There Are No Minutes For Approval**

3 Determination Of Schedule Of Outstanding Committee Items

[18-0693](#)

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

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

[18-0692](#)

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

4.1 Subject: Settlement - Elaine Brown v. Desley Brooks And City Of Oakland

From: City Attorney's Office

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Elaine Brown V. Desley Brooks And City Of Oakland, Alameda County Superior Court Case No. RG16811619, City Attorney's File No. 30904, On Behalf Of The City Of Oakland, In The Amount Of Two Million Two Hundred Thousand One Hundred Eight Dollars And Twenty One Cents (\$2,200,108.21). (City Council - Intentional Tort); On The July 10, 2018 City Council Agenda

**18-0750**

4.2 Subject: Resolution Initiating Process To Develop A Community Workforce Agreement

From: Council President Pro Tem Guillén And Vice Mayor Campbell Washington

Recommendation: Adopt A Resolution Initiating A Process Toward Developing A Community Workforce Agreement For The City's Large Public Works Projects, With Such Agreement To Ensure Labor Peace, Provide Quality, Equitable Employment And Training Opportunities, And Enhance The City's Local Employment And Local Contracting Programs; And Directing The City Administrator To Undertake An Equity Impact Analysis And Community Engagement Process; On The July 17, 2018 Public Works Committee Agenda

**18-0749**

4.3 Subject: Resolution To Award A Security Services Contract

From: Oakland Public Works Department

Recommendation: Adopt A Resolution A Warding A Security Services Contract To ABC Security Services Inc. For A Term Period Of Three (3) Years With An Option To Extend The Contract Upon Satisfactory Completion Of The Initial Term In Increments Of One (1) Year; For Up To A Total Of Two (2) Consecutive Additional Years; In An Amount Not-To-Exceed Two Million, Five Hundred Thousand Dollars (\$2,500,000) For Each Year Of The Contract; On The July 17, 2018 Public Works Committee Agenda

**16-1213**

**Attachments:** View Report  
View Supplemental Report  
09-15-17 Supplemental

**Legislative History**

6/1/17 \*Rules & Legislation Scheduled to the \*Public Works Committee  
Committee

- 6/13/17 \*Public Works Committee Continued to the \*Public Works Committee  
*There were 7 speakers on this item*
- The committee directed staff to include in the supplemental: 1) What will happen to the existing employees if we were to go with another company., 2) Clarity on the benefits package and the seniority of the employees., 3) Specifics of the contract and what happens to the employees that have been working on the contract.*
- 6/29/17 \*Rules & Legislation Committee Scheduled to the \*Public Works Committee
- 9/12/17 \*Public Works Committee Approved as Amended the Recommendation of Staff, and Forward to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  
*The Committee advanced the option to choose from ABC, Cypress or AI Security Services and following in a supplemental report;*
- 1) Should a company other than Cypress get the award, could there be a one year extension of the current employees?*  
*2) Request additional information for a detailed scoring card or schedule L*  
*3) Clarification on the definition of “substantial presence”*
- There were 11 speakers on this item.*
- Non Consent*
- 9/19/17 \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council Referred to the \*Rules & Legislation Committee  
*Council member Kalb made a motion seconded by Councilmember Kaplan to move the staff recommendation*  
*This motion FAILED with a vote of 4 AYES,( Campbell Washington, Guillen, Kalb, Kaplan), 2 NOS ( Brooks, Gallo), 2 ABSTENTIONS ( McElhaney and Reid).*
- A substitute motion was made by Councilmember Brooks, Seconded by Councilmember Gallo to move Cypress Security Services, this motion FAILED with a Vote of 2 Ayes ( Gallo, Brooks) 4 Nos (Campbell Washington, Guillen, Kalb, Kaplan) 2 Abstentions ( McElhaney and Reid)*
- Councilmember Guillen made a motion, seconded by Brooks to schedule this item to the Rules And Legislation Committee as a new item forwarding Cypress Security Co. and ABC Security Co. and include information about Security Action Plans. This motion PASSED with a vote of 7 AYES (Brooks, Campbell Washington, Gallo, Guillen, Kalb, Kaplan, Reid)*  
*1 NO (McElhaney)*

**4.4** Subject: Body Worn Camera Data Retention  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The Oakland Police Department (OPD) To Delete Body Worn Camera Data Three Or More Years Old Unless Specifically Exempted And Amending The City's Records Retention Schedule To Allow Deletion Of Body Worn Camera Data Three Or More Years Old Unless Specifically Exempted On An Ongoing Basis; On The July 17, 2018, Public Safety Committee Agenda  
**18-0748**

**4.5** Subject: California Waste Solutions ENA  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement ("ENA") With California Waste Solutions, Inc. ("CWS"), Permitting Staff To 1) Negotiate The Price And Terms Of A Development And Disposition Agreement With CWS For The Relocation Of Its Existing West Oakland Recycling Uses To A Portion Of The North Gateway Parcels Located At The Former Oakland Army Base; 2) Accepting And Appropriating A Project Expense Payment In Connection With The ENA; And 3) Confirming The Application Of An Existing Security Deposit; On The July 17, 2018 Community And Economic Development Committee Agenda  
**18-0745**

**4.6** Subject: Property BID Annual Reports and Assessment Payment Approval  
From: Economic And Workforce Development Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution (A) Approving The Fiscal Year 2017-2018 Annual Reports Of The Fruitvale Property Business Improvement District Of 2011, The Lakeshore/Lake Park Business Improvement Management District Of 2012, The Jack London Improvement District, The Temescal/ Telegraph Business Improvement District 2015, And The Laurel Business Improvement District 2016 Advisory Boards; (B) Confirming The Continuing Annual Assessment For Each District And For The Koreatown/Northgate Community Benefit District 2017 For Fiscal Year 2018-2019; And (C) Authorizing Payment Of The City's Cumulative Fiscal Year 2018-2019 Fair Share Assessment In An Approximate Amount Of \$26,453.74 For City-Owned Properties In The The Fruitvale District, The Jack London District, The Temescal District, And The Koreatown District 2017; And  
**18-0746**

2) The Oakland Redevelopment Successor Agency (ORSA) Governing Body Adopt A Resolution Authorizing Payment Of ORSA's Cumulative Fiscal Year 2018-2019 Fair Share Assessment In An Approximate Amount Of \$707.98 For One Oakland Redevelopment Successor Agency-Owned Property In The Koreatown/Northgate Community Benefit District 2017; On The July 17, 2018 Community And Economic Development Committee Agenda  
**18-0747**

**4.7** Subject: Resolution Urging Congress To Abolish ICE  
From: Councilmember Kaplan  
Recommendation: Adopt A Resolution Urging United States Congress To Abolish The Immigration And Customs Enforcement ("ICE") Agency; On The September 13, 2018 Rules And Legislation Committee Agenda  
**18-0744**

**5** A Review Of The Draft Agendas For The Special Council Committee Meetings Of July 17, 2018 And The Rules And Legislation Committee Of July 19, 2018  
[18-0691](#)

Attachments: [View Report](#)

**Open Forum (Total Time Available: 15 Minutes)**

### **Adjournment**

#### **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.**