



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>

Thursday, January 31, 2019

10:45 AM

City Council Chamber, 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:

Council President Rebecca Kaplan, At-Large; President Pro Tempore Dan Kalb, District 1; Lynette McElhaney, District 3; Chairperson: Sheng Thao, District 4

1 Determinations Of Closed Session

[18-1287](#)

Attachments: [View Report](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of January 17, 2019

[18-1288](#)

Attachments: [View Report](#)

3 Determination Of Schedule Of Outstanding Committee Items

[18-1289](#)

Attachments: [View Report](#)

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

[18-1290](#)

Attachments: [View Report](#)

4.1 Subject: Nullification Of Action On Measure AA

From: League Of Women Voters Of Oakland

Recommendation: Adopt A Resolution To Nullify The December 14, 2018 Action To Certify Measure AA As Passed; On The February 26, 2019 City Council Agenda As A Public Hearing

18-1338

4.2 Subject: City Council Strategic Plan For City Of Oakland

From: Councilmember Gallo

Recommendation: Approve A Report And Recommendation Requesting For The City Council To Develop A 2019 Strategic Plan That Includes Goals To 1) Provide High Quality Public Service 2) Work In Partnership To Achieve Safe And Livable Neighborhoods 3) Create An Economically Prosperous City And Communities: On The City Council Agenda

18-1376

4.3 Subject: Presentation By The Alameda County Mosquito Abatement District

From: Council President Kaplan

Recommendation: Receive A Brief Informational Presentation From The District Manager And Council Appointed Trustee Of The Alameda County Mosquito Abatement District; On The April 16, 2019 City Council Agenda

18-1377

4.4 Subject: Recognizing Forever Oakland

From: Councilmember Gallo

Recommendation: Adopt A Resolution Recognizing The Zealous Leadership Of Forever Oakland On Their Twentieth-Year Anniversary; On The February 5, 2019 City Council Agenda As A Ceremonial Item

18-1368

4.5 Subject: Award Between The City of Oakland And IAFF, Local 55
From: Human Resources Management Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Approving The Conditional Arbitration Award And The Tentative Agreements To The Memorandum Of Understanding Between The City Of Oakland And The International Association of Firefighters, Local 55 Representing Employees In Representation Unit FQ1 For A Term Of November 1, 2017 Through October 31, 2020;
And

18-1373

2) Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Provide Wage Increases To Represented Employees In Representation Unit FQ1 Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The International Association Of Firefighters, Local 55 As Follows: Increase Of 4% Effective November 1, 2017; Increase Of 1% Effective November 1, 2018; And 2% Effective The First Full Pay Period In November 2019; And

18-1374

3) Adopt An Ordinance Amending The Salary Schedule Of Ordinance No.12187 C.M.S. ("Salary Ordinance") To Provide Wage Increases To The Salaries Of The Unrepresented Chief Of Fire, Deputy Chief Of Fire Department And Assistant Chief Of Fire Department, Representation Units UR1 And UU1; The Wage Increases Shall Be As Follows: Increase Of 4% Effective November 1, 2017; Increase Of 1% Effective November 1, 2018; And 2% Effective The First Full Pay Period In November 2019; On The February 5, 2019 City Council Agenda

18-1375

4.6 Subject: Measure Z 2014 Audit Report For Fiscal Year 2017-18
From: Finance Department
Recommendation: Receive The Measure Z - Public Safety And Services Violence Prevention Act Of 2014 Audit Report For The Year Ended June 30, 2018; On The February 19, 2019 Special Finance And Management Committee And Special Public Safety Committee Agenda

18-1339

4.7 Subject: Measure C - Oakland Hotel Tax Audit And Program Status Report
From: Finance Department
Recommendation: Receive The Measure C - Oakland Hotel Tax Audit And Program Status Report For The Year Ended June 30, 2018; On The February 19, 2019 Special Finance And Management Committee Agenda

18-1340

- 4.8** Subject: Electrical Equipment And Supplies Contract
From: Finance Department
Recommendation: Adopt A Resolution Awarding A Contract To Francisco Electric Supply, A Corporation, The Lowest Responsive And Responsible Bidder To Furnish Street Light Traffic Signal Standards And Accessories In The Amount Not To Exceed One Million, Seven Hundred Ninety-Seven Thousand Eight Hundred Nineteen Dollars And Nine Cents (\$1,797,819.09) For The Period Of March 4, 2019 To March 3, 2020, Per Request For Quotation 130425, Specification No 19-285-00 And The General Conditions Therefor On File In The Purchasing Section And According To The Contractor's Bid Submitted October 22, 2018: On The February 19, 2019 Finance And Management Committee Agenda
18-1347
- 4.9** Subject: Authorization To Examine Sales And Use Tax Records
From: Finance Department
Recommendation: Adopt A Resolution Amending Resolution No. 85476 C.M.S. And Authorizing The City Administrator To Update And Expand The List Of Designated City Officials Authorized To Examine Sales And Use Tax Records For The City Of Oakland From The State Board Of Equalization Pursuant To California Revenue And Taxation Code Section 7056(B) To: (1) Include The City Administrator, Assistant City Administrator, Finance Director, Revenue And Tax Administrator, Assistant Revenue And Tax Administrator, Revenue Operations Supervisor, Budget Administrator, Assistant Budget Administrator, Finance Manager, Principal Budget Analyst, Director Of Economic And Workforce Development , Deputy Director Economic And Workforce Development, Urban Economic Analyst III, Principal Revenue Analyst, Principal Financial Analyst, Revenue Analyst, Account Clerk II Assigned To The Revenue Bureau, Tax Auditor II, Tax Auditor III, Accountant II Assigned To The Revenue Bureau, Tax Enforcement Officer II, Collections Officer, Revenue Assistant, City Attorney, Chief Assistant City Attorney, Deputy City Attorney V, Deputy City Attorney IV, Deputy City Attorney III And Consultant Hinderliter De Llamas And Associates; And (2) Remove Budget Director, City Administrator Analyst, And Tax Representative II; On The February 19, 2019 Special Finance And Management Committee Agenda
18-1348
- 4.10** Subject: Informational Update On The Cannabis Equity Program
From: Councilmember McElhaney
Recommendation: Receive An Informational Report From The City Administrator On The Cannabis Equity Program Including An Update On Program Outcomes, The Application Process, And Any Opportunities For Improvement; On The February 19, 2019 Special Finance And Management Committee Agenda
18-1370

4.11 Subject: Salary Ordinance Amendment for Various Classifications
From: Human Resources Management Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Real Property Asset From The Operation Of Civil Service; And
18-1344

2) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Housing Development From The Operation Of Civil Service; And
18-1345

3) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-Time Classification of Inspector General; To Add The Part-time Equivalent Classification Of US&R Warehouse And Logistics Specialist, PT; To Amend The Title Of Deputy Director, Public Ethics Commission To Enforcement Chief, Public Ethics Commission; And To Amend The Title Of Real Estate Services Manager To Manager, Real Property Asset And Amend The Representation Unit From UM2 To UM1; On The February 19, 2019 Special Finance And Management Committee Agenda
18-1346

4.12 Subject: Amendment For Maintenance Of Emergency Response Vehicles
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing: (1) An Amendment To Resolution No. 87161 C.M.S. Governing Contractual Provisions With Golden State Fire Apparatus, Inc. In The Amount Of Two Hundred Thousand Dollars (\$200,000.00) Annually For The Period Of May 1, 2018 Through April 30, 2019, With Two One-Year Options To Renew, For A Grand Total Contractual Allocation of Six Hundred Thousand Dollars (\$600,000.00) To A Proposed Increased Contractual Amount of Four Hundred Thousand Dollars (\$400,000.00) Annually For The Period of May 1, 2018 Through April 30, 2019, With Two One-Year Options To Renew, For A Grand Total Increased Contractual Amount Of One Million Two Hundred Thousand Dollars (\$1,200,000.00) For Maintenance, Parts And Repair Of Fire Department Emergency Response Vehicles And Related Equipment, Without Returning To Council, And (2) A Waiver Of The Advertising, Competitive Bidding And Request For Proposal/ Qualifications (RFP/Q) Requirements; On The February 19, 2019 Special Public Works Committee Agenda
18-1369

4.13 Subject: On-Call Community Based Organization And Non-Profits Services Agreements
From: Transportation Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Execute Professional Services Agreements For On-Call Community Based Organization And Non-Profits Services To One (1) Tier I Firm For Fifty Thousand Dollars (\$50,000.00) To Walk Oakland Bike Oakland; And To Eight (8) Tier II Firms In The Amount Of Three Hundred Thousand Dollars (\$300,000.00) Each To Building Opportunities For Self-Sufficiency; Communities In Collaboration; Cycles Of Change; East Bay Asian Local Development Corp.; EastSide Art Alliance/Deeply Rooted In Oakland; Safe Passages; Transform; And Urban Strategies Council; On The February 19, 2019 Special Public Works Committee Agenda

18-1353

4.14 Subject: Major Encroachment Permit At 7841 Michigan Avenue
From: Transportation Department

Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Jonathan Wade Crane and Carolyn Mary Crane, To Allow A Portion Of Existing Building, Stairs, Retaining Wall, And Railing To Encroach Into The Public Right-Of-Way At 7841 Michigan Avenue, Major Encroachment Permit ENMJ17063; On The February 19, 2019 Special Public Works Committee Agenda

18-1354

4.15 Subject: As-Needed Pavement Rehabilitation Services
From: Transportation Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Award A Construction Contract For As-Needed Pavement Rehabilitation Services To McGuire & Hester, In Accordance With Contractor's Bid In An Amount Not To Exceed Ten Million, Nine Hundred And Eighty-Two Thousand, Two Hundred Dollars (\$10,982,200.00); And

18-1355

2) Resolution Authorizing The City Administrator Award A Construction Contract For As-Needed Pavement Rehabilitation Services To Gallagher & Burke, Inc., In Accordance With Contractor's Bid In An Amount Not To Exceed Ten Million, Nine Hundred And Ninety-Four Thousand, Six Hundred Dollars (\$10,994,600.00); On The February 19, 2019 Special Public Works Committee Agenda

18-1356

4.16 Subject: Public Works 2019 Strategic Plan Of Action
From: Councilmember Gallo

Recommendation: Requesting From Public Works A Presentation On Their 2019 Strategic Plan Of Action; On The March 5, 2019 Special Public Works Committee Agenda

18-1378

- 4.17** Subject: Professional Services Agreements With FUSE Corps
From: Planning And Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee
To: 1) Negotiate And Execute A Master Agreement With FUSE Corps To Facilitate High Level Priorities Within The City; And 2) Authorize A Contract To FUSE Corps In An Amount Not-To-Exceed Three Hundred Thousand Dollars (\$300,000) To Fund Two Executive-Level Fellows In The Planning and Building Department And Information Technology Department With The Option To Renew Contract As Necessary For Additional Fellows Contingent On Funding Availability; And 3) Waive The Competitive Request For Proposals/Qualifications (RFP/Q) Process Requirement For Above; On The February 19, 2019 Special Community And Econmic Committee Agenda
18-1341
- 4.18** Subject: Memorandum Of Agreement For 30 Blair Place
From: Planning And Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Memorandum Of Agreement With The City Of Piedmont For The Development Of A Replacement Single Family Residence At 30 Blair Place, A Property Located Within Both Jurisdictions; On the February 19, 2019 Community And Economic Development Committee Agenda
18-1342
- 4.19** Subject: Elimination Of Substantial Rehabilitation Exemption
From: Housing And Community Development Department
Recommendation: Adopt An Ordinance To Remove The Substantial Rehabilitation Exemption From The Rent Adjustment Ordinance (O.M.C. 8.22.030.B.2); On The February 19, 2019 Special Community And Economic Development Committee Agenda
18-1350
- 4.20** Subject: OFCY 2017-2018 Year End Evaluation Reports
From: Human Services Department
Recommendation: Adopt A Resolution Adopting The Oakland Fund For Children And Youth Final Evaluation Reports For Fiscal Year (FY) 2017-2018; On The February 19, 2019 Special Life Enrichment Committee Agenda
18-1343

- 4.21** Subject: FY 2017/18 Justice Assistance Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate The Fiscal Year 2017 And 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Funds In The Amounts Of Five Hundred Thirty-Five Thousand, Three-Hundred Twenty-Four (\$535,324) For October 1, 2016 Through September 30, 2020, And Four Hundred Seventy-Three Thousand Nine Hundred Ninety-two Dollars (\$473,992) For October 1, 2017 Through September 30, 2021 To Upgrade Equipment And Fund Department-Wide Training; On The February 19, 2019 Special Public Safety Committee Agenda
18-1351
- 4.22** Subject: Quarterly Report From Oakland Police Commission
From: Councilmember Gallo
Recommendation: Receive A Quarterly Progress Report From Oakland Police Commission; On The March 5, 2019 Special Public Safety Committee Agenda
18-1379
- 4.23** Subject: 2019 Strategic Plan Of Action
From: Councilmember Gallo
Recommendation: Requesting From Oakland Police Department, Fire Department and Neighborhood Services A Presentation On Their 2019 Strategic Plan Of Action. Our Goal Is To Provide High Quality Public Service. Work In Partnership With All Of Our Communities To Achieve Safe And Livable Neighborhoods. Create And Sustain A Resilient And Economically Prosperous City With Opportunity In Every Community; On The March 5, 2019 Special Public Safety Committee Agenda
18-1380
- 4.24** Subject: Additional Data Collection For Gun Tracing Reports
From: Council President Kaplan
Recommendation: Receive Informational Report And Update From The Oakland Police Department (OPD) Criminal Investigations Division (CID) Regarding Gun Tracing And To Include Aggregate Data On Guns Traced And Found To Have A Short Time-To-Crime And Provide Information, As Much As Possible, Of Where Guns Were Purchased, By County, And, For Guns From Out Of State, Aggregated By State Of Purchase; On The April 9, 2019 Public Safety Committee Agenda
18-1371
- 5** A Review Of The Council Committees' Actions From The Meetings Of January 29, 2019 And Determination Of Scheduling To The City Council Meeting Of February 5, 2019
[18-1291](#)

Attachments: [View Report](#)

- 6 A Review Of The Draft Agendas For The Cancelled Council Committee Meetings Of February 12, 2019 And The Rules And Legislation Committee Of February 14, 2019 [18-1292](#)

Attachments: [View Report](#)

- 7 Subject: Concerns With Potential Changes To The Community Reinvestment Act
From: Council President Kaplan
Recommendation: Adopt A Resolution In Response To Concerns Regarding The Office Of The Comptroller Of Currency's Advanced Notice Of Rulemaking Regarding The Community Reinvestment Act (CRA) [18-1296](#)

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

Legislative History

1/17/19 *Rules & Legislation Committee Scheduled to the *Rules & Legislation Committee
The Committee approved to change the scheduling date to January 31, 2019 Rules and Legislation Committee

- 8 Subject: Resolution In Support Of Oakland Public School Teachers
From: Council President Kaplan, Councilmembers Bas And Thao And City Attorney Parker
Recommendation: Adopt A Resolution Expressing Support For Oakland Unified School District ("OUSD") Teachers In Improving Their Working Conditions And Urging The Oakland Unified School Board To Ensure Vital Public Needs Are Met And To Seek To Avoid Closing Public Schools And To Provide All Schools The Resources To Help Students Thrive [18-1298](#)

Attachments: [View Report](#)
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Legislative History

1/17/19 *Rules & Legislation Committee Scheduled to the *Rules & Legislation Committee
City Attorney Parker, Councilmember Bas and Thao were added as cosponsors

Open Forum (Total Time Available: 15 Minutes)

Adjournment

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 5 days 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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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.**