



# 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 - SUPPLEMENTAL

### \*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, May 23, 2019

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**

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

#### **COMMITTEE MEMBERSHIP:**

**1** Determinations Of Closed Session

[18-1780](#)

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

**2** Approval Of The Draft Minutes From The Committee Meeting Of May 9, 2019

[18-1781](#)

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

3 Determination Of Schedule Of Outstanding Committee Items

[18-1782](#)

Attachments: [View Report](#)

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

[18-1783](#)

Attachments: [View Report](#)

4.1 Subject: Assembly Bill And Senate Bill Status Update

From: Councilmember Taylor And Councilmember Bas

Recommendation: Approve A Report Describing The Provisions And Providing The Status And Impacts To The City Of The Following Bills: Assembly Bill 1191 (Bonta), Entitled, "State Lands Commission: Exchange Of Trust Lands: City Of Oakland: Howard Terminal Property: Oakland Waterfront Ballpark Act" ("AB 1191") And Senate Bill 293 (Skinner), Entitled, "Infrastructure Financing Districts: Oakland Waterfront Revitalization And Environmental Justice Infrastructure Financing District" ("SB 293"); And (2) Resolutions Supporting, Opposing, Or Supporting With Amendments AB 1191 And SB 293; On A City Council Agenda

**18-1899**

4.2 Subject: Amendment For Salary And Equity Adjustments Of 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 Fire Marshal (Sworn) From The Operation Of Civil Service; And

**18-1888**

2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide A One Percent (1%) Wage Increase To The Salaries Of Employees In Representation Units SB1, SC1, SD1, SI1, TA1, TF1, TM2, TW1, UH1, UM1, UM2, TM1, U41, U31, IE1, TV1, FQ1, US1, UR1, UU1, UK1, UK2 And UP1 Effective The First Pay Period After January 1, 2019; And (1) To Provide A One Percent (1%) Wage Increase To The Salary Schedule Of Unrepresented Units In CON, U51, UG1, TL1 And UJ1 Effective The First Pay Period After January 1, 2019; And (2) To Provide A Wage Increase To The Salaries Of Certain Unrepresented Employees In Units CON, U51, UG1, TL1, UJ1 UK1, UK2, UP1, And US1 As Follows: Increase Of Two Percent (2%) Effective The First Full Pay Period In July 2019 And An Increase Of Two Percent (2%) Effective The First Full Pay Period In July 2020; And (3) To Provide A Five Percent (5%) Wage Increase To The Salaries Of The Full-Time Classifications Of Deputy Chief Of Fire Department And Assistant Chief Of Fire Department Effective The First Full Pay Period In July 2019; And (4) To Provide A Twenty Percent (20%) Wage Increase To The Salary Of The Full-Time Classification Of Executive Assistant To The City Administrator And Amend The Representation Unit From U31 To UP1 Effective The First Full Pay Period In July 2019; And (5) To Amend The Title Of The Full-Time Classification Of Equal Employment Opportunities Officer To Equal Employment Opportunity And Civil Rights Director, Change The Representation Unit From UK2 To UK1, And Internally Align The Compensation Range With The Department Of Race And Equity Director Effective The First Full Pay Period In July 2019; On The June 4, 2019 City Council Agenda As Consent Item

**18-1889**

- 4.3** Subject: Settlement Agreement - Juanita Johnson 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 Juanita Johnson V. City Of Oakland, Alameda County Superior Court Case No. RG17886477, In The Amount Of Thirty Four Thousand Five Hundred Dollars And No Cents (\$34,500.00) (Department Of Transportation - Vehicle Collision); On The June 4, 2019 City Council Agenda

**18-1893**

- 4.4** Subject: Settlement Agreement - Blake Trisler 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 Blake Trisler V. City Of Oakland, Alameda County Superior Court Case No. RG18899726, In The Amount Of Fifty Thousand Dollars And No Cents (\$50,000.00) (Department Of Transportation - Vehicle Collision); On The June 4, 2019 City Council Agenda

**18-1894**

- 4.5** Subject: Settlement Agreement - Beverly Whittington Burton 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 Beverly Whittington Burton V. City Of Oakland, Alameda County Superior Court Case No. RG17883475, In The Amount Of Fifty Thousand Dollars And No Cents (\$50,000.00) (Oakland Fire Department - Vehicle Collision); On The June 4, 2019 City Council Agenda  
**18-1895**
- 4.6** Subject: 10-10th Street Appeal  
From: Planning And Building Department  
Recommendation: Adopt A Resolution Denying The Appeal And Thus Upholding The Planning Commission's Approval Of 1) A Major Conditional Use Permit For Auditorium Activities, 2) Regular Design Review For Site And Building Alterations, And 3) Related California Environmental Quality Act (CEQA) Findings For The Proposed Project Located At 10-10TH Street, Oakland CA (Project Case No.PLN17101); On The June 4, 2019 City Council Agenda As A Public Hearing  
**18-1897**
- 4.7** Subject: Support Of Assembly Bill 38 - Wildfire Prevention And Preparedness  
From: Councilmember Thao  
Recommendation: Adopt A Resolution To Support Assembly Bill 38 By Assemblymember Jim Wood Regarding Wildfire Prevention And Preparedness; On The June 6, 2019 Rules And Legislation Committee Agenda  
**18-1890**
- 4.8** Subject: Budget Advisory Commission's Report For FY 2019-21  
From: Council President Kaplan  
Recommendation: Receive An Informational Report From The Budget Advisory Commission (BAC) Providing Feedback On The Mayor's Fiscal Year (FY) 2019-21 Proposed Policy Budget In Accordance With The City's Consolidated Fiscal Policy; On The June 10, 2019 Special City Council Meeting Agenda  
**18-1892**
- 4.9** Subject: Rent Adjustment Program Audit Report  
From: Office Of The City Auditor  
Recommendation: Receive A Presentation From The City Auditor Regarding The Rent Adjustment Program Follow-Up Audit Report; On The June 11, 2019 Finance And Management Committee Agenda  
**18-1864**  
Sponsors: Office Of The City Auditor

**4.10** Subject: Status Of Measure KK Projects And Expenditures  
From: Finance Department  
Recommendation: Receive An Informational Report On The Status Of The Affordable Housing And Infrastructure Bond Public (Measure KK) Projects And Expenditures; On The June 11, 2019 Finance And Management Committee Agenda  
**18-1882**

**4.11** Subject: CIP Portfolio Project Management System  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To: 1. Enter Into An Agreement With PMWEB, Inc, For A Term Beginning September 1, 2019, Through December 31, 2023, In An Amount Not To Exceed Eight-Hundred Eighty-Two Thousand Dollars (\$882,000), Inducing A Twenty Five Percent Contingency, For The Purchase And Installation Of A Capital Improvement Project (CIP) Management System, Software License, Training And Support For The Department Of Transportation And The Oakland Public Works Department; 2. With The Option To Enter A Into License, Maintenance, Hosting, And Professional Services Agreements With PMWEB, Inc., Or Its Authorized Business Partners, In An Amount Not To Exceed Sixty-Nine Thousand Dollars (\$69,000), Including The Purchase Of Products That Enhance PMWEB Inc. System Through Additional Functionality, Without Return To Council; And, 3. Waive The Competitive Proposal Solicitation Requirement For The Professional Service Agreements For Continued Support And/Or Products Listed In (2) Above; On The June 25, 2019 Finance And Management Committee Agenda  
**18-1870**

Sponsors: Oakland Public Works Department

**4.12** Subject: Rental Of Convenient Copiers  
From: Information Technology Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Toshiba Business Solutions, A Corporation, In An Annual Amount Not To Exceed Three Hundred Sixty-Two Thousand, Seven Hundred Thirty-Seven Dollars (\$362,737), To Provide Rental Of Convenience Copiers, For A Three Year Term From July 1, 2019, To June 30, 2021, For A Total Not-To-Exceed Contract Amount Of One Million Eighty-Eight Thousand, Two Hundred Eleven Dollars (\$1,088,211), In Accordance With Specification No. 19-985-00/Request For Quotation ("RFQ") No. 138493; On The June 25, 2019 Finance And Management Committee Agenda  
**18-1896**

**4.13** Subject: Improvements To Telegraph Avenue From 20th Street To 29th Street  
From: Transportation Department  
Recommendation: Adopt A Resolution To Implement Improvements To Telegraph Avenue From 20th Street To 29th Street To Address Identified Issues; On The June 11, 2019 Public Works Committee Agenda  
**18-1869**

Sponsors: Transportation Department

- 4.14** Subject: Revenue Appropriation - Auction Sale Proceeds  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: 1. Accept And Appropriate Revenue Generated Through The Sale Of Surplus City Of Oakland Vehicles And Related Equipment By Public Auction; 2. Allocate Said Surplus Vehicle And Equipment Auction Sales Revenue For The Purchase Of Vehicles And Related Equipment In Support Of The City Of Oakland's Fleet; And 3. Direct Oakland Public Works To Prepare And Present To City Council An Annual Report Identifying Surplus Vehicle And Equipment Auction Sales Revenue And Provide Expenditure Details; On The June 25, 2019 Public Works Committee Agenda  
**18-1865**  
Sponsors: Oakland Public Works Department
- 4.15** Subject: BAAQMD Grant For Commercial Lawn And Garden Equipment  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Apply For, Accept, And Appropriate Grant Funds From The Bay Area Air Quality Management District (BAAQMD) For The Commercial Lawn And Garden Project In An Amount Not-To-Exceed Ninety-Five Thousand Dollars (\$95,000.00); On The June 25, 2019 Public Works Committee Agenda  
**18-1866**  
Sponsors: Oakland Public Works Department
- 4.16** Subject: Mosswood Community Center Project Grant Award  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Apply For, Accept, And Appropriate Grant Funds From The Proposition 68 - California Cultural, Community And Natural Resources Program Grant For The Mosswood Park Community Center Project (No. 1003625) For An Amount Not-To-Exceed Two Million Two Hundred One Thousand One Hundred Dollars (\$2,201,100.00); On The June 25, 2019 Public Works Committee Agenda  
**18-1867**
- 4.17** Subject: Revenue Appropriation - Rebates, Refunds And Other Incentives  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: (1) Accept And Appropriate Rebates, Refunds And Other Similar Incentives Obtained During The Vehicle Procurement Process, (2) Allocate Revenue From Said Vehicle Acquisition Rebates, Refunds And Other Similar Incentives For The Purchase Of Vehicles And Related Equipment To Support The City Of Oakland's Fleet, And (3) Direct Oakland Public Works To Prepare And Present To City Council An Annual Report Identifying Revenue From Said Vehicle Acquisition Rebates, Refunds And Other Similar Incentives And Provide Expenditure Details; On The June 25, 2019 Public Works Committee Agenda  
**18-1884**

- 4.18** Subject: West Oakland Truck Management Plan  
From: Planning And Building  
Recommendation: Receive An Informational Report On The West Oakland Truck Management Plan; On The June 11, 2019 Community And Economic Development Committee Agenda  
**18-1871**  
Sponsors: Planning & Building Department
- 4.19** Subject: Cannabis Regulatory Commission 2016-2018 Report  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report From The Cannabis Regulatory Commission For The Years 2016-2018; On The June 11, 2019 Community And Economic Development Committee Agenda  
**18-1873**
- 4.20** Subject: Contract For Tenant Legal Services And Outreach  
From: Housing And Community Development Department  
Recommendation: Adopt A Resolution Authorizing A One-Year Contract With Centro Legal De La Raza ("CLR") For Provision Of Legal Services And Outreach To Low-Income Tenants In The Amount Of \$250,000 Covering July 1, 2019 Through June 30, 2020, Renewable At The City Administrator's Option For Two Additional One-Year Terms Not To Exceed \$250,000 Per Year; On The June 11, 2019 Community And Economic Development Committee Agenda  
**18-1878**
- 4.21** Subject: The California State Historic Preservation Officer Agreements  
From: Planning And Building Department  
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Authorizing The City Administrator, Or Designee, To Negotiate And Execute A Programmatic Agreement, Pursuant To Section 106 Of The National Historic Preservation Act, With The California State Historic Preservation Officer Regarding The Avoidance Of Any Adverse Effects On Buried Archaeological Historic Properties As A Result Of The 34th And San Pablo Affordable Housing Project Located At 3419-3431 San Pablo Avenue, Oakland, California, Without Returning To The City Council; And  
**18-1879**
  - 2) An Ordinance Authorizing The City Administrator Or Designee To Negotiate And Execute Future Required Programmatic Agreements For Affordable Housing Project With The California State Historic Preservation Officer If Environmental Assessments Are Being Prepared; On The June 11, 2019 Community And Economic Development Committee Agenda And As A Public Hearing On The July 9, 2019 City Council Agenda  
**18-1880**

- 4.22** Subject: Housing Element Annual Progress Report for Calendar Year 2018  
From: Housing And Community Development Department  
Recommendation: Receive An Informational Report On The City Of Oakland's Housing Element Annual Progress Report For Calendar Year 2018; On The June 11, 2019 Community And Economic Development Committee Agenda And As A Public Hearing On The June 18, 2019 City Council AgendaHeHe  
**18-1881**
- 4.23** Subject: BART-CITY Fund Pass Through Agreement  
From: Economic And Workforce And Development Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Fund Pass Through Agreement With The Bay Area Rapid Transit District (BART) And The City Of Oakland And To Accept And Appropriate Capital Funds From BART In An Amount Not To Exceed One Million Five Hundred Thousand Dollars (\$1,500,000) To Fund Public Realm Improvements And Enhance Connection To The 19th Street BART Station; On The June 11, 2019 Community And Economic Development Committee Agenda  
**18-1885**
- 4.24** Subject: Child And Adult Care Food Program (CACFP) FY 2019-20  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept The US Department Of Agriculture Child And Adult Care Food Program (CACFP) Grant From The California Department Of Education In An Estimated Amount Of \$249,723 To Provide Funding For Nutritious Meals For The City Of Oakland's Head Start/Early Head Start Program From July 1, 2019 Through June 30, 2020; On The June 11, 2019 Life Enrichment Committee Agenda  
**18-1874**  
Sponsors: Human Services Department
- 4.25** Subject: Oakland Head Start Early Childhood Education Program - FY 2019-20  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Enter Into A Sub-Contract With Oakland Unified School District To Receive State Funding In An Estimated Amount Of \$185,000 To Provide California General Child Care Services (CCTR) To Eligible Participants, Ages Birth To Three Years Old, Effective July 1, 2019 Through June 30, 2020; 2) Accept And Appropriate Said Funding; And 3) Authorize The General Purpose Fund Contribution Included In The FY2019-20 Midcycle Proposed Budget In The Amount Of \$33,670 To Cover Central Service Overhead Costs; On The June 11, 2019 Life Enrichment Committee Agenda  
**18-1875**



**4.26** Subject: California State Preschool Program (CSPP) FY 2019-20  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept The California Pre-Kindergarten Supplemental Grant From The California Department Of Education In An Amount Of \$32,500; And To Apply For And Accept The California State Preschool Program Expansion Grant From The California Department Of Education In An Amount Of \$1,225,109 To Fund Pre-Kindergarten And Family Literacy Services In Accord With Said Grant From July 1, 2019 To June 30, 2020; And To Authorize A Contribution From The General Purpose Fund In The Amount Equivalent To Central Services Overhead Costs Estimated At \$152,447; On The June 11, 2019 Life Enrichment Committee Agenda

**18-1876**

Sponsors: Human Services Department

**4.27** Subject: Ordinance Authorizing A Lease For City Property  
From: Human Services Department  
Recommendation: Adopt An Ordinance (1) Authorizing A Lease Agreement With Bay Area Community Services (BACS) For Lease Of The City-Owned Real Property Located At 641 West Grand Avenue For A Term Of Five Years For Zero Rent In Exchange For In-Kind Services To Provide Housing And Supportive Services To Homeless Individuals; And (2) Finding And Determining That The Lease Of The City-Owned Real Property Located At 641 West Grand Avenue To BACS For Less Than Its Fair Market Value Is In The Best Interest Of The City; On The June 11, 2019 Life Enrichment Committee Agenda

**18-1877**

**4.28** Subject: OFCY 2019-2020 Grant Awards  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Direct Services For Children And Youth In An Amount Not To Exceed \$17,989,162 For Fiscal Year 2019-2020, With An Option To Approve One-Year Grant Renewals In Fiscal Years 2020-2021 And 2021-2022 Pending Council Approval; And Appropriate And Allocate The Interest Income Earned By Kid's First Oakland Fund For Children And Youth In The Amount Of \$243,405 To These Grant Agreements For Fiscal Year 2019-2020; On The June 11, 2019 Life Enrichment Committee Agenda

**18-1883**

- 4.29** Subject: Automatic License Plate Recognition (ALPR) For Parking  
From: Transportation Department  
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator Or Designee To Acquire And Use Vehicle-Mounted Automatic License Plate Recognition Technology (ALPR) For Parking Management And Enforcement Purposes; (2) Approving The Surveillance Impact Report For The Department Of Transportation's ALPR (DOT'S ALPR); And (3) Approving And Adopting The Surveillance Use Policy For Dot's ALPR As City Policy; On The June 11, 2019 Public Safety Committee Agenda  
**18-1872**
- 4.30** Subject: CAHOOTS Program  
From: Councilmember Gallo  
Recommendation: Receive An Informational Report On Crisis Assistance Helping Out On The Streets (CAHOOTS) Program Of White Bird Clinic In Eugene Oregon As A Potential Public Safety Model For The City Oakland; On The June 11, 2019 Public Safety Committee Agenda  
**18-1886**
- 4.31** Subject: Face Recognition Technology  
From: Council President Kaplan  
Recommendation: Adopt An Ordinance Amending Chapter 9.64, Regulations On City's Acquisition And Use Of Surveillance Technology To Add The Definition Of Face Recognition Technology Under Oakland Municipal Code, Section 9.64.010.13 And Add To Make It Unlawful For Any City Staff To Obtain, Retain, Request, Access, Or Use Any Face Recognition Technology Under Oakland Municipal Code Section 9.64.030.1.F; On The June 11, 2019 Public Safety Committee Agenda  
**18-1891**
- 5** A Review Of The Draft Agendas For The City Council Meeting Of June 4, 2019 And The Rules And Legislation Committee Of June 6, 2019  
[18-1784](#)

Attachments: [View Report](#)

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

**Adjournment**

## **Americans With Disabilities Act**

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**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.**