



# City of Oakland

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

## Meeting Minutes - DRAFT \*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, February 5, 2015

10:45 AM

City Council Chamber, 3rd Floor

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*The Oakland City Council Rules & Legislation Committee convened at 10:46 A.M.,  
with Council President Gibson McElhaney presiding as Chairperson.*

### Roll Call / Call To Order

**Present** 4 - Abel J. Guillèn, Dan Kalb, Laurence E. Reid, and Lynette Gibson McElhaney

#### 1 Determinations Of Closed Session

**14-0482**

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

*A Special Closed Session has been scheduled for February 17, 2015 at 3:00 p.m.*

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

**Aye:** 4 - Guillèn, Kalb, Reid, and Gibson McElhaney

#### 2 Approval Of The Draft Minutes From The Committee Meeting Of January 22, 2015

**14-0462**

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

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

**Aye:** 4 - Guillèn, Kalb, Reid, and Gibson McElhaney

#### 3 Determination Of Schedule Of Outstanding Committee Items

**14-0347**

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

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

**Aye:** 4 - Guillèn, Kalb, Reid, and Gibson McElhaney

**4** Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)  
**14-0348**

Attachments: [View Report.pdf](#)

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

**Aye:** 4 - Guillèn, Kalb, Reid, and Gibson McElhaney

**4.1** Subject: Commending Oakland Public Works Department  
From: Vice Mayor Rebecca Kaplan  
Recommendation: Adopt A Resolution Commending Oakland Public Works Department For Achieving Re-Accreditation By The American Public Works Association On December 9, 2014; On The March 3, 2015 City Council Agenda As A Ceremonial Item  
**14-0492**

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/3/2015**

**4.2** Subject: Salary Ordinance Amendment - Treasurer and Treasurer, Assistant  
From: Office Of The City Administrator  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Change The Title Of Treasury Manager To Treasurer, To Increase The Salary Range, And To Move The Classification Into The UK1 Bargaining Unit; And To Create The Classification Of Treasurer, Assistant; And

**14-0430**

**This Ordinance was Scheduled.to the \*Finance & Management Committee to be heard 3/10/2015**

2) A Resolution Recommending To The Civil Service Board The Exemption Of The Following Classification From The Operation Of Civil Service: Treasurer, Assistant

**14-0508**

**This City Resolution was Scheduled.to the \*Finance & Management Committee to be heard 3/10/2015**

- 4.3** Subject: Amendments To The FY 2014-2015 Midcycle Budget  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Amending The City Of Oakland's Fiscal Year 2014-15 Midcycle Budget, Which Was Adopted Pursuant To Resolution No. 85085 C.M.S. On July 1, 2014 And Amended By Resolution 85281 C.M.S. On November 18, 2014 To Appropriate Fiscal Year 2014-15 General Purpose Fund Expenditures In An Amount Not To Exceed \$744,186 From Oakland Parks And Recreation Reserve For Youth Program; And Increase General Purpose Fund Reserve In An Amount Of \$55,914  
**14-0495**

This City Resolution was Scheduled.to the \*Finance & Management Committee to be heard 2/24/2015

- 4.4** Subject: Budget Priorities Poll  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report Presenting The Results Of The 2015 Budget Priorities Poll Of Oaklanders; Conducted In Accordance With The Consolidated Fiscal Policy (Ordinance 13279 C.M.S.) As Part Of The Fiscal Year 2015-2017 Budget Development  
**14-0493**

This Informational Report was Scheduled.to the \*Finance & Management Committee to be heard 2/24/2015

- 4.5** Subject: Fiscal Year 2014-2015 Second Quarter Revenue and Expenditure Report  
From: Finance Department  
Recommendation: Receive The Fiscal Year 2014-2015 Second Quarter Revenue and Expenditure Report  
**14-0494**

This City Resolution was Scheduled.to the \*Finance & Management Committee to be heard 2/24/2015

- 4.6** Subject: Oakland Parks Coalition's Community Report Card  
From: Vice Mayor Kaplan  
Recommendation: Receive An Informational Report From The Oakland Parks Coalition's Community Report Card On The State Of Oakland Parks  
**14-0349**

This Informational Report was \* Withdrawn and Rescheduled.to the \*Public Works Committee to be heard 2/24/2015

**4.7** Subject: Car Share Policy, Ordinance, Master Fee Changes & External Funding  
From: Oakland Public Works Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving A Car Sharing Policy; 2) Accept And Appropriate Three Hundred Twenty Thousand Five Hundred And Twenty-Six Dollars (\$320,526.00) In Cycle 2 Congestion Mitigation And Air Quality (CMAQ) Program Funds From The Metropolitan Transportation Commission; 3) Commit Matching Funds Of 20.00% Of The Grant Amount, Or Sixty-Four Thousand One Hundred Five Dollars (\$64,105.00); And

**14-0500**

This City Resolution was Scheduled.to the \*Public Works Committee to be heard  
2/24/2015

2) A Resolution Authorizing The Filing Of An Application For Funding Assigned To MTC And Committing Any Necessary Matching Funds And Stating The Assurance To Complete The Project; And

**14-0501**

This City Resolution was Scheduled.to the \*Public Works Committee to be heard  
2/24/2015

3) An Ordinance That Amends Title 10.44 And Title 10.71 Of The Oakland Municipal Code To Establish New Parking Permits To Eligible Car Sharing Organizations; And Amend Ordinance Number 13184 C.M.S. (The FY 2013-14 Master Fee Schedule, Or "MFS") To Establish Fees For The New Permits

**14-0502**

This Ordinance was Scheduled.to the \*Public Works Committee to be heard  
2/24/2015

**4.8** Subject: Rehabilitation Of Sanitary Sewers  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For The Rehabilitation Of Sanitary Sewers In The Easement Of Clarendon Crescent Avenue And Sunny Hills Road (Project No. C329135) And With Contractor's Bid In The Amount Of Four Hundred Forty-Five Thousand Eighty-One Dollars (\$445,081.00)

**14-0504**

This City Resolution was Scheduled.to the \*Public Works Committee to be heard  
2/24/2015

**4.9** Subject: DeFremery Skate Park Phase II \$1 Gift In-Place Contract  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution To: 1) Authorize The City Administrator To Accept In-Kind Services From Levi Strauss & Co. Through Friends Of Oakland Parks & Recreation To Construct The DeFremery Skate Park Phase II Project In West Oakland, Valued Up To Three Hundred Thousand Dollars (\$300,000.00); 2) Authorize The City Administrator To Execute A Construction Contract With A Contractor To Be Determined For One Dollar (\$1.00) To Perform The Services And Authorize The Work On City Property; And 3) Waive Advertising And Bidding Requirements For The Project

**14-0505**

This City Resolution was Scheduled.to the \*Public Works Committee to be heard 2/24/2015

**4.10** Subject: Sanitary Sewer Management Plan  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Approving The Sanitary Sewer Management Plan As Required By The State Water Resources Control Board's Statewide General Discharge Requirements For Sanitary Sewer Systems

**14-0506**

This City Resolution was Scheduled.to the \*Public Works Committee to be heard 2/24/2015

**4.11** Subject: Workforce Investment Board Budget  
From: Economic & Workforce Development Department  
Recommendation: Receive An Informational Report On The Oakland Workforce Investment Board's Budget

**14-0497**

This Informational Report was Scheduled.to the \*Community & Economic Development Committee to be heard 2/24/2015

**4.12** Subject: 10451 MacArthur Boulevard ENA  
From: Economic & Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With AMG & Associates Or Related Affiliate For The Sale And Development Of The Property Located At 10451 Macarthur Boulevard; And Authorizing An Exclusive Negotiating Period Of One Year And One Optional Six Month Administrative Extension

**14-0498**

This City Resolution was Scheduled.to the \*Community & Economic Development Committee to be heard 2/24/2015

- 4.13** Subject: 2015-2017 Permanent Access To Housing (PATH) Strategy  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Amend The 2014-2017 Permanent Access To Housing (PATH) Grant Agreement With Abode Services To Add \$47,948 For Housing Retention Services; 2) Amend The 2014-2017 Path Grant Agreement With East Oakland Community Project (EOCP) To Add \$55,163 For Housing Retention Services; 3) Enter Into A Grant Agreement In An Amount Not To Exceed \$27,980 With Alameda County As Fiscal Agent For Everyone Home (EOH) For The Alameda Countywide EOH Plan; 4) Enter Into A Grant Agreement With The Society Of St. Vincent De Paul (SVDP) For The Provision Of Warming Center Services For The Period Of November 17, 2014 Through April 15, 2015; And 5) Authorizing A Contribution From The General Purpose Fund In An Amount Equivalent To The Department's Central Services Overhead For Fiscal Years 2014-2015, 2015-2016 And 2016-2017 In An Estimated Total Amount Of \$421,564  
**14-0424**

**This City Resolution was Scheduled.to the \*Life Enrichment Committee to be heard 2/24/2015**

- 4.14** Subject: Measure WW Public Art  
From: Economic & Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Four Thousand Sixty-Seven Dollars (\$204,067) From The East Bay Regional Park District Local Grant Program Under The Measure WW Park Bond Extension To Be Allocated For Public Art At Two Designated Oakland Parks And Open Space Renovation Project Sites At Morcom Rose Garden And Children's Fairyland  
**14-0496**

**This City Resolution was Scheduled.to the \*Life Enrichment Committee to be heard 2/24/2015**

**4.15** Subject: Federal Fiscal Year 2014 Port Security Grant Program (PSGP)  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Do The Following: 1) Enter Into A Grant Agreement With The U.S. Department Of Homeland Security For Fiscal Year 2014/15 Port Security Grant Program (PSGP) Funds In An Amount Up To Five Hundred Seventy-Eight Thousand, Five Hundred And Twenty-Seven Dollars (\$578,527); 2) Accept, Appropriate, And Administer Said Funds; 3) Approve The Preliminary Spending Plan; 4) Expend Funds In Accordance With The Preliminary Spending Plan Without Further Council Review Or Action, Including Purchases Of Equipment And Services In Excess Of The City Administrator's Purchasing Authority, Provided Federal And City Advertising, Bidding And Request For Proposal/Qualifications And Oakland's Purchasing Programs And Policies Are Followed, As Required By The Grant; And 5) Authorize Use Of Existing (Budgeted) Funding In The Amount Of One Hundred Ninety-Two Thousand, Eight Hundred And Forty Two Dollars (\$192,842) From General Purpose Fund For Personnel And Other Administrative Resources, To Satisfy The In-Kind Match Requirement

**14-0499**

This City Resolution was Scheduled.to the \*Public Safety Committee to be heard  
2/24/2015

**4.16** Subject: Aviat Renewal  
From: Information Technology Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To: 1) Negotiate And Enter Into A Renewal Of The Existing Maintenance Agreement With Aviat U.S., Inc. In An Amount Not To Exceed \$100,000 Per Year For A Period Of Five Years For A Total Expenditure Not To Exceed \$500,000 For The Purchase Of An Extended Warranty And Maintenance Contract With Related Professional Services; And 2) Waive The City's Advertising, Competitive Bid And Request For Proposals (RFP) Process For Equipment, Products And Professional Service For The Above Described Maintenance Agreements

**14-0507**

This City Resolution was Scheduled.to the \*Public Safety Committee to be heard  
2/24/2015

**4.17** Subject: Violence Prevention Relocation Program MOU  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Memorandum Of Understanding With Alameda County Probation Department Establishing A Pilot Violence Prevention Relocation Program, To Facilitate Coordinated Implementation Of Emergency Relocation Services For Witnesses And Victims Of Violent Crime

**14-0509**

This City Resolution was Scheduled.to the \*Public Safety Committee to be heard  
2/24/2015

**4.18** Subject: Alameda County Transportation Commission Appointments  
From: Council President Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution Appointing Dan Kalb To The Alameda County Transportation Commission, Fulfilling The Seat Held By Larry Reid, And Appointing Abel Guillen To Serve As Alternate To The Alameda County Transportation Commission ("ACTC")

**14-0511**

Attachments: [View Report.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 2/17/2015**

**4.19** Subject: Workforce Investment Board Nomination  
From: Council President Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution Nominating Councilmember Annie Campbell Washington To The Workforce Investment Board ("WIB") Of The City Of Oakland

**14-0512**

Attachments: [View Report.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 2/17/2015**

**4.20** Subject: Report Regarding \$12 Million Dollar Loan To Rotunda Partners  
From: Member Of The Public  
Recommendation: Receive An Informational Report Regarding The \$12 Million Dollar Loan Provided To Rotunda Partners I/II (AKA: Phil Tagami) On The Rotunda Building In 1998/1999 Where The First 15 Years Was A No Interest Loan Of 3% Which Deprived The City Of Nearly \$6.5 Million Dollars. This Information Has Been Verified By City Staff Person Patrick Lane

**14-0503**

*Former Interim City Administrator Gardner will provide an informational letter regarding the loan within 14 days.*

**4.21** Subject: Settlement Agreement - Socorro Guzman 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 Socorro Guzman v. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG13663115, City Attorney's File No. 29290, For A Sum Not To Exceed Five Hundred Thousand Dollars And No Cents (\$500,000.00) (Oakland Public Works - Dangerous Condition)

**14-0513**

Attachments: [View Report.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 2/17/2015**

- 4.22** Subject: Ordinance Extending The Moratorium On Unattended Donation Boxes  
From: Planning & Building Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Consider Extending Ordinance No. 13232 C.M.S., An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Continuing A Temporary Moratorium On The Establishment, Installation, Placement, Construction, And/Or Expansion Of Unattended Donation/Collection Boxes, To take Immediate Effect, Through December 31,2015 Or Whenever Permanent Regulations Are Adopted, Whichever Occurs First. (7 VOTES REQUIRED FOR PASSAGE)  
**14-0514**

Attachments: [View Report.pdf](#)

**This Ordinance was Scheduled.to the Meeting of the Oakland City Council to be heard 2/17/2015 As A Public Hearing**

- 4.23** Subject: Special Budget Meeting  
From: Council President Gibson McElhaney  
Recommendation: Receive An Informational Report And Discussion About The Five Year Forecast, Council Priorities And Debt Obligations  
**14-0515**

*Council Priorities will also be discussed at the meeting.*

**This Informational Report was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 3/2/2015**

- 4.24** Subject: League Of California Cities Board Of Directors Appointment  
From: Council President Gibson McElhaney  
Recommendation: Adopt A Resolution Appointing Dan Kalb To The League Of California Cities Board Of Directors  
**14-0516**

Attachments: [View Report.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 2/17/2015**

**Items Submitted On The Dais**

Subject: Black History And Heritage Month 2015  
From: Council President Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution Honoring African American Leaders From Throughout Oakland For Black History And Heritage Month 2015: Tennessee Reed, D.R. William Love, Arnold Perkins, Reverend Harry Louis Williams, Mr. Charles King And Mrs. Celeste King, Carroll. Fife, Cat Brooks, Jennifer Johns, Kev Choice, Ms. Gladys Green, Robbie Clark And Just Cause, And Ericka Huggins  
**14-0517**

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 2/17/2015

- 5 Review Of The Draft Agendas For The City Council Meeting Of February 17, 2015 And The Rules & Legislation Committee Meeting Of February 19, 2015  
**14-0350**

Attachments: [View Report.pdf](#)

*The February 10, 2015 Education Partnership Committee meeting has been rescheduled to February 23, 2015 at 4:00 p.m.*

A motion was made by Kalb, seconded by Guillèn, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 4 - Guillèn, Kalb, Reid, and Gibson McElhaney

- 6 **Subject: Support For Senate Act 140**

**THIS ITEM WAS RESCHEDULED TO THE FEBRUARY 19, 2015  
RULES & LEGISLATION COMMITTEE AGENDA.**

*This item was rescheduled to the February 19, 2015 Rules & Legislation Committee agenda.*

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

*There was one Open Forum speaker.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:19 a.m.*

**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.