



City of Oakland

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Oakland, California 94612
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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>

Thursday, May 7, 2015

10:45 AM

City Council Chamber, 3rd Floor

*The Oakland City Council Rules & Legislation Committee convened at 11:14 a.m.,
with Councilmember Gibson McElhaney presiding as Chairperson.*

Roll Call / Call To Order

Excused 1 - Laurence E. Reid

Present 3 - Abel J. Guillén, Dan Kalb, and Lynette Gibson McElhaney

1 Determinations Of Closed Session

[14-0834](#)

Attachments: [View Report.pdf](#)

*A Special Closed Session has been scheduled for May 11, 2015 at 12:30 p.m. and
May 19, 2015 at 2:00 p.m.*

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

2 Approval Of The Draft Minutes From The Committee Meeting Of April 23, 2015

[14-0835](#)

Attachments: [View Report.pdf](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

3 Determination Of Schedule Of Outstanding Committee Items

[14-0836](#)

Attachments: [View Report.pdf](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

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

[14-0837](#)

Attachments: [view report.pdf](#)

The May 26, 2015 Public Works Committee meeting has been Cancelled.

There were 3 speakers on this item.

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

- 4.1 Subject: Budget Hearings
From: Council President Gibson McElhaney
Recommendation: Request To Schedule The Following Hearings For The 2015-2017 Budget: 1) Review Of The Mayor's Proposed 2015-2017 Budget, On The May 26, 2015 Finance & Manangement Committee; 2) Council President's Budget Presentation, On The June 16, 2015 City Council Agenda; And 3) Final Adoption Of The Budget; On The June 30, 2015 Special City Council Agenda

[14-0925](#)

The request to schedule a Review Of The Mayor's Proposed 2015-2017 Budget to The May 26, 2015 Finance & Manangement Committee was withdrawn.

This Informational Report was Scheduled.to the City Council meeting on June 16, 2015, and to the Special City Council Meeting on June 30, 2015

- 4.2 Subject: Asian American And Pacific Islander Heritage Month
From: Councilmember Abel Guillen
Recommendation: Adopt A Resolution In Celebration Of Asian American And Pacific Islander Heritage Month Honoring Asian American And Pacific Islanders Whose Service And Leadership In Oakland Contribute To The City's Cultural Diversity And Its Spirit Of Community Service

[14-0926](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 5/19/2015

- 4.3** Subject: Settlement Agreement - Claim of Beischel And Jameyson
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Christopher Beischel And Elizabeth Jameyson (Claim No. C30257), In The Amount Of Twenty-Five Thousand Seventy-Eight Dollars And Twenty-Six Cents (\$25,078.26) As A Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Failed City Sewer Main On April 17, 2014 (Public Works Agency - Dangerous Condition/Sewers)
[14-0921](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 5/19/2015 as a Consent item

- 4.4** Subject: Resolution Honoring Patrick Caceras
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Honoring Citizens' Police Review Board Policy Analyst Patrick Caceres For Over 10 Years Of Exemplary Service To The City Of Oakland
[14-0918](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 5/19/2015 as a Ceremonial Item

- 4.5** Subject: Tract No. 8194 Subdivision Map (Phase 1) Children's Hospital
From: Planning & Building Department
Recommendation: Adopt A Resolution Adopting Appropriate CEQA Findings And Conditionally Approving A Phase 1 Final Map For Tract No. 8194 Located At 747 52nd Street And Authorizing The City Administrator To Enter Into A Subdivision Improvement Agreement With Children's Hospital And Research Center Oakland For Deferred Construction Of Public Infrastructure Improvements As A Condition To The Final Map Approval For Tract No. 8194; On The May 19, 2015 City Council Agenda
[14-0903](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/2/2015

- 4.6** Subject: Amending Ordinance 13238 FY 2014-2015 Master Fee Schedule
From: Revenue Management Bureau
Recommendation: Adopt An Ordinance Amending Ordinance 13238 C.M.S. (The FY 2014-15 Master Fee Schedule, Or "MSF"), To Establish, Modify And Delete Fees And Penalties Assessed By All Offices, Departments, Bureaus, And Agencies Of The City Of Oakland; On The May 26, 2015 Finance And Management Committee Agenda
[14-0923](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 5/26/2015

- 4.7** Subject: Interim Measure BB Funding Agreement
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Approving The Interim Measure BB Master Program Funding Agreement Between The Alameda County Transportation Commission And The City Of Oakland Effective From April 1, 2015 To June 30, 2016; On The May 26, 2015 Public Works Committee Agenda
[14-0902](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/2/2015

- 4.8** Subject: Appropriation Of Residential Rehab Program Income
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing The Use Of Current And Future Loan Repayment Funds From The Home Maintenance And Improvement Program, The Neighborhood Housing Revitalization Program, And The Weatherization And Energy Retrofit Program To Fund Grants And Loans Made Under Any City Residential Rehabilitation Program, And Appropriating Current Loan Repayment Funds From These Programs For This Purpose; On The May 26, 2015 Community And Economic Development Committee Agenda
[14-0922](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 5/26/2015

- 4.9** Subject: Library Grant For AAMLO Education Center
From: Oakland Public Library
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Apply For, Accept And Appropriate A Museum Grant For African American History And Culture From The Institute Of Museum And Library Services (IMLS) In The Amount Of One Hundred Thirty-Nine Thousand Two Hundred Forty-Five Dollars (\$139,245.00); 2) Enter Into A Two-Year Professional Services Agreement With Christine A. Fogarty For An Amount Not To Exceed Thirty Thousand Dollars (\$30,000); 3) Enter Into A One-Year Professional Services Agreement With Noah U. Landis For An Amount Not To Exceed Thirty-Five Thousand Dollars (\$35,000); 4) Enter Into A One-Year Professional Services Agreement With Lisa Strong For An Amount Not To Exceed Thirty Thousand Dollars (\$30,000); And Waiving The Advertising And Request For Proposal/Qualifications (RFP/Q) Process For The Proposed Agreements With Christine A. Fogarty, Noah U. Landis And Lisa Strong; On The May 26, 2015 Life Enrichment Committee Agenda
[14-0917](#)

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 5/26/2015

- 4.10** Subject: West Oakland Library Transportation Grant
 From: Oakland Public Library
 Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Accept And Appropriate Grant Funds In An Amount Not To Exceed \$249,813 To Continue An Existing Program Providing Transportation To And From The West Oakland Branch Library For Preschool And Kindergarten Children For A Period Of Three Years; And (2) Authorizing The Filing Of An Application For Funding Through The Metropolitan Transportation Commission's Lifeline Transportation Program, Committing The Necessary Local Match And Stating The Assurance To Complete The Project; On The May 26, 2015 Life Enrichment Committee Agenda
[14-0919](#)

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 5/26/2015

- 4.11** Subject: Information & Assistance (I&A) Program 2015-2017
 From: Human Services Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate A Grant In An Estimated Amount Of \$49,288.38 Per Year For Fiscal Years 2015-2016 And 2016-2017 For A Total Amount Of \$98,576.76 For Two Years From Alameda County Social Services Agency, Area Agency On Aging For Continued Operation Of The Information And Assistance (I&A) Program For Oakland Seniors For The Period Of July 1, 2015 Through June 30, 2017; On The May 26, 2015 Life Enrichment Committee Agenda
[14-0920](#)

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 5/26/2015

- 4.12** Subject: State Of CSEC Report (Commercial Sexual Exploitation Of Children)
 From: CouncilmemberS Gibson McElhaney And Campbell Washington
 Recommendation: Receive An Informational Report On The Status Of Commercial Sexual Exploitation Of Children In Oakland Which Will Explain The Challenges, Intervention Strategies, Activities Of The Oakland CSEC Task Force, Funding Sources, And Outstanding Needs To End This Horrific Crime Upon Children In Oakland; On The June 9, 2015 Life Enrichment Committee Agenda
[14-0901](#)

This Informational Report was Scheduled.to the *Life Enrichment Committee to be heard 6/9/2015

- 4.13** Subject: Honoring David Lau
 From: President Pro Tempore Larry Reid
 Recommendation: Adopt A Resolution Honoring David Lau For 26 Years Of Exemplary Service To Oakland Public Works Department And Congratulating Him On His Retirement
[14-0924](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 5/19/2015

Items Submitted On The Dais

Subject: Disruptions At Public Meetings
From: Councilmember Noel Gallo
Recommendation: Discussion And Action Regarding Dealing With Disruptions At Public Meetings, Legal And Practical Considerations For The City Council For A) General Considerations For Mitigating Disruptive Conduct; B) Dealing With Specific Types Of Disruptive Conduct By Members Of The Public; And C) Oakland City Hall Public Access

[14-0927](#)

This item was scheduled to the May 11, 2015 Closed Session agenda.

This Report and Recommendation was Withdrawn with No New Date.

A Special City Council Meeting will be held on Monday, May 11, 2015 at 3:30 p.m. and will include the following items. The remaining items will be scheduled to the May 19, 2015 City Council meeting unless specified otherwise below.

Subject: National Small Business Week
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing Oakland Entrepreneurs In Celebration Of National Small Business Week, May 4-8, 2015

[14-0724](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 5/11/2015

Subject: Affordable Housing Week May 8-17
From: Councilmembers Gibson McElhaney, Reid, And Kalb
Recommendation: Adopt A Resolution Proclaiming May 8-17, 2015 As The 19th Annual East Bay Affordable Housing Week

[14-0722](#)

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This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 5/11/2015

Subject: Bike To Work Day May 14, 2015
From: Councilmembers Gibson McElhaney, Kaplan, And Kalb
Recommendation: Adopt A Resolution Proclaiming May 14, 2015 As Bike To Work Day In The City Of Oakland And Urging Oaklanders To Ride Their Bicycles To Work On This Day And As Frequently As Possible To Promote Greater Health And Environmental Benefits For The City And Its Residents
[14-0723](#)

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**This City Resolution was Scheduled.to the Meeting of the Oakland City Council
to be heard 5/11/2015**

Subject: Sole Source Contract With Association Of Bay Area Governments
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Waiving The City's Advertising, Competitive Bid And Request For Proposals/Qualifications (RFP/RFQ) Process And Authorizing The City Administrator Or Designee To A Ward A Contract To The Association Of Bay Area Governments (ABAG) In An Amount Not To Exceed \$60,000 For The Services, As Needed, Of ABAG's Resilience Program Coordinator, Danielle Mieler, To Assist With Oakland's Resilience Action Plan Project Deliverables
[14-0847](#)

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**This City Resolution was Scheduled.to the Meeting of the Oakland City Council
to be heard 5/11/2015**

Subject: National Salvation Army Week
From: Council President Gibson McElhaney And Councilmember Guillen
Recommendation: Adopt A Resolution Proclaiming May 11-16, 2015 As National Salvation Army Week In Recognition Of 150 Years Of Service To Vulnerable Families In Need
[14-0845](#)

Attachments: [View Report.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council
to be heard 5/11/2015**

Subject: Resolution In Support Of AB 1335: Building Homes & Jobs Act
From: Council President Gibson McElhaney And Councilmember Kalb
Recommendation: Adopt A Resolution To Support Proposed California State Assembly Bill 1335 (Atkins) Which Would Establish A Permanent, Ongoing Source Of Funding Dedicated To Affordable Housing Development By Imposing A Fee On The Recording Of Real Estate Transaction Documents, Excluding Home Sales
[14-0749](#)

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**This City Resolution was Scheduled.to the Meeting of the Oakland City Council
to be heard 5/11/2015**

Subject: Broadway/MacArthur/San Pablo Bond Spending Plan Amendment & Grant
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To (1) Accept Excess Bond Proceeds In The Amount Of \$1,357,000 Received From The Oakland Redevelopment Successor Agency ("ORSA") Under The Bond Expenditure Agreement Entered Into November 8, 2013, By And Between The City Of Oakland (The "City") And ORSA; (2) Amend The Broadway/MacArthur/San Pablo Bond Spending Plan To (A) Appropriate And Allocate Such Bond Proceeds To Projects And/Or Programs And (B) Re-Appropriate And Reallocate Excess Bond Proceeds In The Amount Of \$100,000 Previously Listed And Committed In The Approved Bond Spending Plan To Other Bond-Eligible Projects And/Or Programs; (3) Enter Into A Grant Agreement With Macarthur Transit Community Partners, LLC ("MTCP"), To Provide A Grant In The Amount Of \$541,613.26 To Fund Additional Streetscape Improvements At West Macarthur Boulevard; And (4) Adopt Appropriate CEQA Findings
[14-0787](#)

Attachments: [View Report.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council
to be heard 5/11/2015**

Subject: Contract With Keyser Marston & Associates
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Waiving The City's Advertising, Competitive Bid And Request For Proposal/Qualifications (RFP/Q) Process And Authorizing A Professional Services Contract With Keyser Marston And Associates, Inc., In An Amount Not To Exceed \$250,000 To Provide Economic Consulting Services To The City For The Coliseum City Project, With An Option To Add An Additional \$50,000
[14-0798](#)

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This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 5/11/2015

Subject: Amendment To CDCR/GSW Reentry Employment Program Agreement
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Amend The Agreement Between The City Of Oakland And The California Department Of Corrections And Rehabilitation (CDCR), And Accept And Appropriate Additional Funding In An Amount Up To \$435,387 To Provide Golden State Works (GSW) Transitional Employment, Job Placement, And Job Retention Services To Oakland Residents On Parole From July 1, 2014 Through June 30, 2016, And (2) Amend The Grant Agreement With Center For Employment Opportunities To Increase The Funding In An Amount Up To \$435,387 To Continue To Provide Transitional Employment, Job Placement, And Job Retention Services
[14-0789](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 5/11/2015

Subject: EPAC OIG Audit Contract
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Professional Services Contract With Elite Performance Assessment Consultants, LLC To Provide As-Needed Law Enforcement Audit Services For A One Year Period Beginning May 8,2015 And Ending May 7,2016 In An Amount Not To Exceed Fifty Thousand Dollars (\$50,000), With Two (2) One-Year Options To Extend The Contract For A Total Amount Not To Exceed One-Hundred And Fifty Thousand Dollars (\$150,000)
[14-0806](#)

Attachments: [View report.pfd](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 5/11/2015

Subject: Laurel Business Improvement District 2016
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Of Intention To Form The Laurel Business Improvement District 2016 ("Laurel Bid 2016"); Granting Preliminary Approval Of The Laurel Bid 2016 Management Plan 2016; Directing Filing Of The Proposed Laurel Bid 2016 Assessment District Boundary Description; Directing Distribution Of A Ballot To All Affected Property Owners Whereby They Can Vote "In Favor Of" Or "Against" The Proposed Laurel Bid 2016 And Assessment To Determine Whether A Majority Protest Exists; And Scheduling A Public Hearing For July 7, 2015.

[14-0799](#)

Attachments: [View Report.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council
to be heard 5/11/2015**

Subject: Update On The Status Of The Zero Waste Garbage Contract
From: Vice Mayor Rebecca Kaplan
Recommendation: Receive An Informational Report On The Status Of Zero Waste Implementation

[14-0536](#)

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[View Supplemental Report.pdf](#)

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**This Informational Report was Scheduled.to the Meeting of the Oakland City
Council to be heard 5/11/2015**

Subject: Waiving Conflict Of Interest Regarding The Coliseum City Project
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing Waiver Of Any Potential Conflict Of Interest That The Law Firm Of Coblenz Patch Duffy & Bass, LLP May Have As A Result Of Providing Advice And Counsel To The Lessee Of The Lake Chalet Restaurant Regarding Lessee's Lease Negotiations With The City Of Oakland, And Permitting Coblenz To Provide Advice And Counsel To The City Of Oakland Regarding The Coliseum City Project

[14-0878](#)

Attachments: [View Report.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council
to be heard 5/11/2015**

Subject: City Of Oakland 2015-2016 Tax And Revenue Anticipation Notes
From: Finance Department
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2015-2016 In An Amount Not To Exceed One Hundred Seventy Million Dollars (\$170,000,000) And The Issuance And Sale Of 2015-2016 Tax And Revenue Anticipation Notes, Series A And Series B (Federally Taxable) Therefor, And Approving Certain Related Matters
[14-0791](#)

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This Ordinance was Scheduled.to the Meeting of the Oakland City Council to be heard 5/11/2015

Subject: Oakland Tourism Business Improvement District 2015
From: Economic & Workforce Development Department
Recommendation: Conduct A Public Hearing To Satisfy The Public Meeting Requirement Regarding The Proposed Formation Of An Oakland Tourism Business Improvement District 2015 (OTBID) And Pursuant To California Streets And Highways Code Section 36623 And Government Code Section 54954.6
[14-0748](#)

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This Informational Report was Scheduled.to the Meeting of the Oakland City Council to be heard 6/2/2015 and 6/16/2015 as Public Hearings

- 5 A Review Of The Draft Agendas For The City Council Meeting Of May 19, 2015 And The Rules And Legislation Committee Of May 21, 2015
[14-0838](#)

Attachments: [View Report.pdf](#)

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

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

Open Forum (Total Time Available: 15 Minutes)

There were no Open Forum speakers.

Adjournment

There being no further business, and upon the motion duly made, the Committee adjourned the meeting at 12:06 p.m.

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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.