

City of Oakland

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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 12, 2016

10:45 AM

City Council Chamber, 3rd Floor

The Oakland City Council Rules & Legislation Committee convened at 10:58 A.M., with Council President Gibson McElhaney presiding as Chairperson.

Roll Call / Call To Order

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

1 Determinations Of Closed Session

15-0958

Attachments: View Report

Special Closed Session has been scheduled for May 17, 2016 at 3:00 p.m.

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

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

Absent: 1 - Reid

2 Approval Of The Draft Minutes From The Committee Meeting Of March 17, April 7 And April 28, 2016

15-0951

Attachments: View Report

View Report

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

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

Absent: 1 - Reid

3 Determination Of Schedule Of Outstanding Committee Items

<u>15-0957</u>

Attachments: View Report

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

Aye: 3 - Guillén, Kalb, and Gibson McElhaney

Absent: 1 - Reid

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

15-0959

Attachments: View Report

There were 8 speakers on this item.

DUE TO THE PRESENCE OF COUNCILMEMBER GALLO, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE BY COUNCIMEMBER KALB AND SECONDED BY PRESIDENT PRO TEMPORE REID TO ADJOURN THE MEETING OF THE RULES & LEGISLATION COMMITTEE AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 11:15 A.M.

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

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

4.1 Subject: Loaned Equity Director For Department Of Race & Equity

From: Office Of The City Administrator

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Amended Memorandum Of Understanding With The City Of Portland, Oregon, For The Continued Loan Of An Equity Director To The City Of Oakland For Occasional Training And Technical Consultation Visits, Extending The Time Period Through June 30, 2017 And Increasing The Not-To-Exceed Amount From Sixty-Seven Thousand Dollars (\$67,000) To Ninety-Seven Thousand Dollars (\$97,000)

15-1017

Attachments: View Report

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 5/24/2016

4.2 Subject: FY 2015-16 Third Quarter Revenue & Expenditure Report

From: Finance Department

Recommendation: Receive An Informational Report On The Projected Fiscal Year (FY) 2015-16 Third Quarter Revenue And Expenditure Results And Year-End Summaries For Six Selected Funds - General Purpose Fund (GPF 1010), Multipurpose Reserve Fund (1750), State Gas Tax Fund (2230), State Gas Tax Proposition 42 Replacement Fund (2231), Landscape & Lighting Assessment District Fund (LLAD 2310), And Facilities Fund (4400); And Overtime Analysis For The General Purpose Fund (1010) And All Funds 15-1027

This Informational Report was Scheduled.to the *Finance & Management Committee to be heard 5/24/2016

4.3 Subject: Potential Infrastructure Bond Measure

From: Office Of The City Administrator

Recommendation: Review And Provide Direction Regarding The Legislation Necessary To Submit A General Obligation Bond To Fund City Infrastructure Needs, Including Streets, Facilities And Affordable Housing, To The Voters In November 2016 15-1032

This Report and Recommendation was Scheduled.to the *Finance & Management and Public Works Committee to be heard 5/24/2016

4.4 Subject: Creation Of New Department Of Transportation

From: Office Of The City Administrator

Recommendation: (1) Receive An Informational Report Providing An Update On The Status Of Creating A New Department Of Transportation (DOT) And Recruitment Of A Director Of DOT; And (2) Adopt A Resolution Approving A Contract With A Consulting Firm Or Individual To Provide Interim Director Services For The New DOT Prior To Completion Of The Recruitment Of A Permanent Director 15-1031

This City Resolution was Scheduled.to the *Public Works Committee to be heard 5/24/2016

4.5 Subject: Foothill Seminary Point Construction Gap Loan & Line Of Credit

From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing A \$2,000,000 Loan And A
\$1,500,000 Line Of Credit To Sunfield Development LLC, Seminary Point LLC,
And/Or COCRF Seminary Point, LLC, Or Affiliated Entities, To Be Used For
Development Of The Foothill Seminary Point Neighborhood Commercial Retail Center
Project

15-1021

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 5/24/2016 and as a Public Hearing on 6/7/2016

4.6 Subject: Professional Service Agreements For Community Buying Program & Homeowner Legal Services

From: Housing & Community Development Department
Recommendation: Adopt A Resolution: (1) Authorizing A Professional Services
Agreement With Hello Housing For Up To \$150,000 To Administer The Community
Buying Program; (2) Authorizing A Professional Services Agreement With Housing
And Economic Rights Advocates For Up To \$100,000 To Provide Legal Services To
Oakland Residents Related To Homeownership, Foreclosure Prevention, And
Household Economic Stability; (3) Waiving Advertising, Competitive Bidding, And
Request For Proposals/ Qualifications Competitive Selection Requirements For These
Agreeements; And (4) Allocating Program Income From The Community Buying
Program To Affordable Housing Activities
15-1022

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 5/24/2016

4.7 Subject: Oakland 2016-2021 Local Hazard Mitigation Plan

From: Planning & Building Department

Recommendation: Adopt A Resolution, As Reccommended By The City Planning Commmission, Adopting The 2016-2021 Oakland Local Hazard Mitigation Plan As An Amendment To The Safety Element Of The Oakland General Plan 15-1024

Attachments: View Report

This City Resolution was Scheduled.to the *Community & Economic Development and Public Safety Committee to be heard 5/24/2016 and as a Public Hearing on 6/7/2016

4.8 Subject: OFCY Grant Awards For Fiscal Year 2016-2017

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 \$14,836,101 For Fiscal Year 2016-2017, With An Option To Approve One-Year Grant Renewalls In Fiscal Years 2017-2018 And 2018-2019 Pending Council Approval 15-1025

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 5/24/2016

4.9 Subject: Senior Companion/Foster Grandparent Program Grants For FY 2016-2017

From: Human Services Department

Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Enter Into Grant Agreements To Accept Grant Funds For Fiscal Year 2016-2017 From The Corporation For National And Community Services (CNCS) In Amounts Not To Exceed \$287,126 For The Senior Companion Program And \$29,484 For The Foster Grandparent Program; (2) Authorizing The City Administrator To Accept And Appropriate Additional Grant Funds From CNCS Within The Grant Terms Without Returning To Council; And (3) Authorizing A Contribution From The General Purpose Fund In The Amount Equivalent To The Department Central Services Overhead Charges

<u>15-1020</u>

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 5/24/2016

4.10 Subject: Astro Tot Lot Capital Improvement Project

From: Office Of The City Administrator

Recommendation: Adopt A Resolution To Authorize The City Administrator To Accept A Gift Of Funds And In-Kind Services Valued In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) From Kaboom! And Private Donors Through The Oakland Parks And Recreation Foundation For Improvements At The Astro Tot Lot; And To Appropriate An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) To The Astro Tot Lot Capital Improvement Project 15-1023

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 5/24/2016

4.11 Subject: Paratransit Measure B & BB Funds For Fiscal Year 2016-17

From: Human Services Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Amend The Direct Local And The Appropriations Of Direct Local Distribution Funds In The Amount Of \$1,079,924 Measure B And \$1,122,690 Measure BB And Accept And Appropriate Up To \$105,680 Measure B Gap Grant Funds For Fiscal Year 2016-2017 From The Alameda County Transportation Commission To Provide Paratransit Services; And Authorizing The City Administrator To Execute Reimbursement Agreements For Fiscal Year 2016-2017 In Amounts Of: 1) \$500,000 To Friendly Transportation, Inc. DBA Friendly Transportation, Friendly Cab Company And Metro Yellow Cab Company, 2) \$200,000 To St. Mini Cab Corporation DBA Veterans Cab, 3) \$250,000 To Quality Transit, LLC, And 4) \$125,000 To Bay Area Charters, Inc.; And Authorizing The City Administrator To Accept And Appropriate Any Additional Grant Funds That May Become Available For Fiscal Year 2016-2017 And Amend The Fiscal Year 2016-2017 Agreements Without Returning To City Council 15-1029

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 5/24/2016

4.12 Subject: Multipurpose Senior Service Program Funds For FY 2016-2017

From: Human Services Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Apply For And Accept State Of California Standard Agreement Funds In The Amount Of \$1,405,480 And Enter Into Agreement Number MS-1617-01 With The State Of California Department Of Aging For The Multipurpose Senior Services Program (MSSP) For Fiscal Year 2016-2017; (2) Accept And Appropriate Additional Grant Funds From The State Of California Within The Grant Term Without Returning To Council; And (3) Enter Into Professional Service Agreements With Various Vendors To Provide In-Home Services To Frail Seniors For The Period July 1, 2016 Through June 30, 2017 In A Total Amount Not To Exceed \$210,821; And Waiving The Request For Proposal/Qualifications Requirement For The Agreements, And Authorizing A Contribution From The General Purpose Fund In The Amount Equivalent To Central Services Overhead Charges

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 5/24/2016

4.13 Subject: Golden State Works Reentry Employment Program Agreement

From: Human Services Department

Recommendation: Adopt AResolution Authorizing The City Administrator To 1) Amend The Public Entity Agreement Between The City Of Oakland And The California Department Of Corrections And Rehabilitation And Accept And Appropriate Additional Funding In An Amount Not To Exceed \$3,236,720 To Provide A Golden State Work Transitional Employment And Job Placement Services Program For Oakland Residents On Parole Through June 30, 2017, And 2) Amend The Grant Agreement With The Center For Employment Opportunities (CEO) To Increase The Grant In An Amount Not To Exceed \$3,086,720 To Provide Work Crews, Job Placement, And Job Retention Services From July 1, 2016 Through June 30, 2017 15-1016

Attachments: View Report

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 5/24/2016

4.14 Subject: Community Policing Advisory Board 2016 Annual Report

From: Office Of The City Administrator

Recommendation: Receive The Community Policing Advisory Board 2016 Annual

Report <u>15-1018</u>

This Informational Report was Scheduled.to the *Public Safety Committee to be heard 5/24/2016

4.15 Subject: Mental Health Counseling Professional Services Contract Amendment

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Amend The Current Seventy-Five Thousand Dollars (\$75,000) Per Year Professional Services Agreement With Michael Palmertree For Mental Health Counseling Services By Adding Twenty-Five Thousand Dollars (\$25,000) Per Year, For A Total Of One Hundred Thousand Dollars (\$100,000) Per Year, And A Total Contract Amount Not To Exceed Four Hundred Fifty Thousand Dollars (\$450,000); And 2) Waive The Competitive Request For Proposals I Qualifications (RFQ/Q) Process, The Advertising And Bidding Requirements, And Local And Small Business Enterprise Programs (L/SLB) Provisions For The Purchase Of Professional Services

Attachments: View Report

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 5/24/2016

4.16 Subject: Oakland School Police Vehicle Transfer - 2nd Supplemental

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept On Behalf Of The City Of Oakland Six Used Motorcycles Valued At \$64,000 (Sixty-Four Thousand Dollars), One Used Vehicle Trailer Valued At \$5,000 (Five Thousand Dollars), And One Used Panel Van Valued At \$7,500 (Seven Thousand Five Hundred Dollars), From The Oakland Unified School District Police Department (OSPD) To Be Used For Official Oakland Police Department (OPD) Purposes

15-0404

Attachments: View Report

View Supplemental Report

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016 as a Consent Item

4.17 Subject: Celebrating 50 Years Of Woodminster Summer Musicals

From: Vice Mayor Annie Campbell Washington

Recommendation: Adopt A Resolution In Honor Of Producers Associates, Inc.

Celebrating 50 Years Of Woodminster Summer Musicals

15-0974

Attachments: View Report

This City Resolution was * Withdrawn and Rescheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

4.18 Subject: Commending Jaelyn Murry

From: Council President Lynette Gibson McElhaney

Recommendation: Adopt A Resolution Commending Jaelyn Murry For Her

Outstanding Contributions To The Community And For Being Named The 2016 Youth

Of The Year By The Boys And Girls Club Of Oakland

<u>15-1026</u>

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

4.19 Subject: Honoring Rev. Dr. Jasper Lowery, Jr.

From: Council President Lynette Gibson McElhaney

Recommendation: Adopt A Resolution Commending Rev. Dr. Jasper Lowery Jr. On

His Twenty Years Of Service And Thanking Him For His Dedication To The

Community <u>15-1028</u>

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/21/2016

4.20 Subject: Celebrating Asian American & Pacific Islander Heritage Month

From: Councilmember Abel Guillén

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

15-1033

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/7/2016

Items Submitted On The Dais

Subject: East Oakland Sports Complex Property Management And Maintenance

Contract

From: Oakland Public Works Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To: (1) Enter Into A Professional Services Agreement With ABM Onsite Services For Property Management And Maintenance Of The East Oakland Sports Complex (EOSC) For A Term Of Two (2) Years In An Amount Of One Million Four Thousand Seven Hundred Eighty-Five Dollars (\$1,004,785) With (A) Two (2) One (1) Year Options To Extend The Agreement In An Amount Of \$553,426 In The Third Year And \$586,623 In The Fourth Year Of The Agreement, And (B) An Option To Extend On A Month-To-Month Basis At The End Of The Term Of The Agreement, Or Any Extensions Thereof, Pending A New Request For Proposals To Secure A New Contractor, And (2) Increase The Current Contract With ABM Onsite Services By An Amount Of Two Hundred Thousand Dollars (\$200,000) For Six (6) Months To Pay For Services Incurred From February 2016 Until The New Contract Is Executed 15-1036

This City Resolution was Scheduled.to the *Public Works Committee to be heard 5/24/2016

Subject: Oakland's Public Lands Policy

From: Councilmembers Gibson McElhaney, Guillén And Campbell Washington Recommendation: Receive An Informational Report With Recommendations On Oakland's Public Lands Policy Which May Include Principles, Goals And Targets For Using City-Owned Land To Build Or Subsidize Affordable Housing And Other Public Benefits

<u>15-0885</u>

This Report and Recommendation was Scheduled.to the *Special Community & Economic Development Committee to be heard 5/31/2016

Subject: Create Neighborhood Preferences For Oaklanders For Affordable Housing

And The First Time Homebuyers Program

From: Council President Lynette Gibson McElhaney

Recommendation: Request To Change The Title And Schedule The Following Item:

OLD TITLE: Adopt A Resolution That Amends The Oakland Resident And Worker Preference Policy For Affordable Housing Developments In Resolution 81232 C.M.S. To Create Preferences By Neighborhood For Both The First Time Homebuyers Program And For Access To Affordable Housing Funded Through The City's Notice Of Funding Availability Process

NEW TITLE: Adopt An Ordinance Amending The Oakland Municipal Code To Adopt (1) A Preference Policy For Neighborhood Residents, Oakland Residents And Workers, And Displaced Households In Applying For Multifamily Affordable Housing Funded By The City, And (2) An Oakland Residency Or Worker Requirement For Participants In The City's First-Time Homebuyer Mortgage Assistance Program; On The May 31, 2016 Community & Economic Development Agenda 15-0886

This Ordinance was Scheduled.to the *Special Community & Economic Development Committee to be heard 5/31/2016

Subject: Police Commission Charter Amendment Measure

From: Councilmembers Noel Gallo And Dan Kalb

Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The November 8, 2016 Statewide General Election A Proposed Amendment To The City Charter To Create The Oakland Police Commission, The Community Police Review Agency, And A Process For Police Discipline, And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The Election; On The May 24, 2016 Public Safety Committee Agenda

15-1035

A motion was made by Guillén, seconded by Reid, that this matter be Scheduled to the *Public Safety Committee, to be heard 6/14/2016. The motion carried by the following vote:

Aye: 3 - Guillén, Reid, and Gibson McElhaney

No: 1 - Kalb

Subject: Establishing The Office Of Independent Police Oversight And Monitoring From: Councilmembers Campbell Washington, Guillén And Reid Recommendation: Adopt An Ordinance Establishing The Office Of Independent Police Oversight And Monitoring, Creating The Position Of Independent Police

Monitor And Replacing The Citizen's Police Review Board With A Police Commission 15-1037

This Ordinance was Scheduled.to the *Public Safety Committee to be heard 6/14/2016

A Review Of The Council Committees' Actions From May 10, 2016 And Determination Of Scheduling To The City Council Meeting Of May 17, 2016 (MATRIX) 15-0960

Attachments: View Report

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

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

A Review Of The Draft Agendas For The Council Committee Meetings Of May 24, 2016 And The Rules And Legislation Committee Of May 26, 2016 15-0961

Attachments: View Report

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 - Guillén, Kalb, Reid, and Gibson McElhaney

7 Subject: Citizen's Police Review Board Appointments

From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Mya Whitaker, Howard Tevelson And Thomas Cameron To The Citizen's Police Review Board

15-0882

Attachments: View Report

View Supplemental Report

A motion was made by Guillén, seconded by Reid, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 5/17/2016. The motion carried by the following vote:

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

8 Subject: Citizen's Police Review Board Appointment

From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of

Colette McPherson To The Citizen's Police Review Board

15-0928

Attachments: View Report

A motion was made by Guillén, seconded by Reid, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 5/17/2016. The motion carried by the following vote:

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

9 Subject: City Planning Commission Appointment

From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Clark

Manus To The City Planning Commission

15-0929

Attachments: View Report

A motion was made by Guillén, seconded by Reid, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 5/17/2016. The motion carried by the following vote:

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

10 Subject: Housing, Residential Rent And Relocation Board Appointment

From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Joanne D. Karchmer To The Housing, Residential Rent And Relocation Board 15-0916

Attachments: View Report

A motion was made by Kalb, seconded by Guillén, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 5/17/2016. The motion carried by the following vote:

Ave: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

11 Subject: Support For SR 69: Urging The Exoneration Of Port Chicago 50 From: Councilmember Desley Brooks And President Pro Tempore Reid Recommendation: Adopt A Resolution To Support California Senate Resolution 69 (Glazer, Hall, Huff And Mitchell) Which Urges The President And The Congress Of The United States To Exonerate, Clear The Records Of, Restore Honor To, And Rectify Federal Mistreatment Of African American Sailors Unjustly Convicted Of Mutiny Regarding The 1944 Port Chicago Disaster 15-0917

Attachments: View Report

View Supplemental Report

A motion was made by Reid, seconded by Gibson McElhaney, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 5/17/2016. The motion carried by the following vote:

Ave: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

Subject: Unites States Embargo On CubaFrom: Councilmembers Kaplan And Guillén

Recommendation: Adopt A Resolution Urging The United States Congress To End

The Trade Embargo On Cuba

15-0823

Attachments: View Report

There was one speaker on this item.

A motion was made by Reid, seconded by Guillén, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 5/17/2016. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, 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 Oakland City Council Rules & Legislation Committee adjourned the meeting at 12:25 p.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.