



# 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, November 7, 2019

10:45 AM

City Council Chamber, 3rd Floor

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The Oakland City Council Rules & Legislation Committee convened at 11:30 a.m. with Councilmember Thao presiding as Chairperson.

### Roll Call / Call To Order

**Present** 4 - Dan Kalb, Rebecca Kaplan, Sheng Thao, and Lynette McElhaney

#### 1 Determinations Of Closed Session

[18-2363](#)

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

*A Special Closed Session is Scheduled for November 19, 2019 beginning at 2:00 p.m*

*There were 2 speakers on this item*

A motion was made by Rebecca Kaplan, seconded by Dan Kalb, that this matter be Accepted. The motion carried by the following vote:

**Aye:** 4 - Kalb, Kaplan, Thao, and McElhaney

**NO VOTE:** 0

#### 2 Approval Of The Draft Minutes From The Committee Meeting Of October 24, 2019

[18-2364](#)

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

A motion was made by Rebecca Kaplan, seconded by Dan Kalb, that this matter be Accepted. The motion carried by the following vote:

**Aye:** 4 - Kalb, Kaplan, Thao, and McElhaney

**NO VOTE:** 0

**3** Determination Of Schedule Of Outstanding Committee Items

[18-2365](#)

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

*The Roll Call was modified to show Councilmember Thao out her seat at 11:45 a.m.*

*There were 3 speakers on this item*

**A motion was made by Lynette McElhaney, seconded by Dan Kalb, that this matter be Accepted. The motion carried by the following vote:**

**Aye:** 3 - Kalb, Kaplan, and McElhaney

**Absent:** 1 - Thao

**NO VOTE:** 0

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

[18-2366](#)

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

*The Roll Call was modified to show Councilmember Thao present at 11:59 p.m.*

**4.1** Subject: Rescind The "The Children's Initiative Of 2018"

From: Member Of The Public: Gene Hazzard

Recommendation: Rescind The Action Item Of December 14, 2018 Where Members Of The Oakland City Council Voted Approving "The Children's Initiative Of 2018" AKA Measure AA Which Appeared On The November 6, 2018 General Election Ballot. The Measure Was A \$198.00 Parcel Tax Measure Where The Certified Election Results Of The Alameda County Registrar Of Voters Said The Measure Failed Because It Did Not Receive The Supermajority Or 2/3 Voter Approval For Passage. The Council 'S Action On December 14, 2018 Was Contrary To The Certified Election Results, Therefore Must Be Rescinded!; On A City Council Agenda As Soon As Possible

**18-2255**

**This Report and Recommendation be Continued.to go before the \*Rules & Legislation Committee to be heard 11/14/2019**

**S6**      Subject:    Parcel Tax For Parks Maintenance And To Address Homelessness  
From:        Oakland Public Works Department  
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To  
The Voters At The March 3, 2020 Special Municipal Election, An Ordinance To Adopt A  
Special Parcel Tax To Maintain And Improve City Of Oakland Parks And Recreational  
Facilities, Provide Services To Unhoused/ Unsheltered Persons, Reduce Trash And  
Litter Pollution In The City's Watershed And Storm Drain System; And Directing The City  
Clerk To Take All Actions Necessary Under Law To Prepare For And Conduct A March  
3, 2020 Special Municipal Election  
[18-2332](#)

**Attachments:**   [View Report 10/29/2019](#)  
[View Kalb Report 10/28/2019](#)  
[View Supplemental Request From Rules 10.31.2019](#)  
[View Supplemental Report - Kalb 11/4/2019](#)  
[View Supplemental Report - Kalb 11/12/2019](#)  
[View Supplemental Report - Staff 11/12/2019](#)  
[87919 CMS](#)

*The Agenda was modified to show item S6 being heard out of order*

**DUE TO THE PRESENCE OF VICE MAYOR REID AND COUNCILMEMBER TAYLOR,  
A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE  
AND SECONDED TO ADJOURN THE MEETING OF THE RULES & LEGISLATION  
COMMITTEE, AND TO CONVENE AS A SPECIAL MEETING OF THE FULL  
COUNCIL AT 12:25 P.M.**

*There was 11 speakers son this item*

*The Committee Accepted a Title Change read into record*

*The Rules and Legislation Committee Recessed at 1:28 p.m.*

*The Rules and Legislation Committee Reconvened at 1:30 p.m.*

*Council President Kaplan made a motion, seconded by Councilmember McElhaney  
to forward the Resolution as amended to include President Pro Tempore Kalbs  
Amended handout and Councilmember Thao & President Kaplans Amended  
handout with the addition to strike the one-time revenue and add the Title Change  
read into record*

**This City Resolution be Approved as Amended the Recommendation of Staff, and  
Forward.to go before the Special Concurrent Meeting of the Oakland  
Redevelopment Successor Agency/City Council to be heard 11/14/2019**

**Aye:**    4 -    Kalb, Kaplan, Thao, and McElhaney

**NO VOTE:**    0

- 4.2**      Subject:    Semi-Annual Grants Report  
              From:      Finance Department  
              Recommendation: Receive A Semi-Annual Informational Report From The Finance Department On City Efforts To Apply For, Accept And Appropriate Grants Over \$50,000 From Private, Local, State And Federal Sources, For The Period Beginning January 1, 2019 And Projected Through June 30, 2020  
[18-2451](#)

Attachments: [View Report](#)

**This Informational Report be Continued.to go before the \*Rules & Legislation Committee to be heard 12/3/2019**

- 4.3**      Subject:    Update On The Next Generation 9-1-1 Public Safety Upgrade  
              From:      Information Technology Department  
              Recommendation: Receive An Informational Report That Provides An Update On The Next Generation 9-1-1 Public Safety Upgrade And The Court Mandated Performance, Reporting, Information And Metrics Environment System (PRIME 2.0) Projects  
[18-2456](#)

Attachments: [View Report](#)

**This Informational Report be Continued.to go before the \*Rules & Legislation Committee to be heard 11/14/2019**

- 4.4**      Subject:    Update To The AMIP-SSMP  
              From:      Oakland Public Works Department  
              Recommendation: Adopt A Resolution Approving The Asset Management Implementation Plan And Sanitary Sewer Management Plan - December 2019 As Required By The State Water Resources Control Board's Statewide General Discharge Requirements For Sanitary Sewer Systems And The 2014 Final Consent Decree  
[18-2446](#)

Attachments: [View Report](#)

**This City Resolution be Scheduled.to go before the \*Special Public Works Committee to be heard 12/3/2019**

- 4.5** Subject: Construction Award For Fire Station#12 Remodel  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Award And Execute A Construction Contract In The Amount Of Seven Hundred Ninety Eight Thousand Six Hundred Dollars (\$798,600.00) To S&H Construction, Inc., The Lowest Responsive And Responsible Bidder, For The Construction Of The Fire Station #12 Remodel Project (No. 1003439A), In Accordance With The Project Plans And Specifications And Contractor's Bid.

[18-2447](#)

Attachments: [View Report](#)

**This City Resolution be Scheduled.to go before the \*Special Public Works Committee to be heard 12/3/2019**

- 4.6** Subject: Sanitary Sewer Master Plan  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Professional Services Agreement With V&A Consulting Engineers For Engineering Services For Sanitary Sewer Master Plan Project No. 1004788 In The Amount Not To Exceed Two Million Four Hundred Eighty-Six Thousand Six Hundred Sixty-Six Dollars (\$2,486,666)

[18-2442](#)

Attachments: [View Report](#)

**This City Resolution be Scheduled.to go before the \*Special Public Works Committee to be heard 12/3/2019**

- 4.7** Subject: Rehabilitation Of Sanitary Sewers  
From: Oakland Public Works Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Specifications For Sanitary Sewer Rehabilitation Sub-Basin 84-003 (Project No. 1003202) And With Contractor's Bid In The Amount Of Three Million Five Hundred Seventy-One Thousand Five Hundred One Dollars (\$3,571,501.00); And

[18-2443](#)

Attachments: [View Report](#)

**This City Resolution be Scheduled.to go before the \*Special Public Works Committee to be heard 12/3/2019**

2) A Resolution Awarding A Construction Contract To Andes Construction, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Specifications For The On-Call Sanitary Sewers Emergency Projects FY 2019-21 (Project No. 1000720-2.0) And With Contractor's Bid In The Amount Of One Million Eight Hundred Seventeen Thousand Seven Hundred Fourteen Dollars (\$1,817,714.00)  
[18-2444](#)

Attachments: [View Report](#)

**This City Resolution be Scheduled.to go before the \*Special Public Works Committee to be heard 12/3/2019**

- 4.8** Subject: Agreement With Willie Electric Supply Co., Inc, DBA San Leandro Electric  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Awarding A Contract To Willie Electric Supply Co., DBA San Leandro Electric Supply, The Lowest Responsive And Responsible Bidder, For Electrical Supplies In The Amount Not-To-Exceed \$150,000 Per Year For A Three (3) Year Term, October 1, 2019 To September 30, 2022, With Two (2) One-Year Options To Extend The Contract In An Amount Not-To-Exceed \$150,000 Per Year For A Total Contract Amount Of \$750,000 Over A Five-Year Term In Accord With Specification No. 19-285-00/RFQ 160513 And Contractor's Bid  
[18-2448](#)

Attachments: [View Report](#)

**This City Resolution be Scheduled.to go before the \*Special Public Works Committee to be heard 12/3/2019**

- 4.9** Subject: Contract To R&S Overhead Garage Doors & Rolling Gates  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Awarding A Contract To R&S Overhead Garage Door, Inc., The Lowest Responsive And Responsible Bidder For Overhead Garage Doors And Rolling Gates Installation, Maintenance, And Repair Services For 148 Roll-Up Doors And 37 Rolling Gates At 36 Locations In An Amount Not-To-Exceed \$375,000 Per Year For A Two-Year Term, November 1, 2019 To October 31, 2021; With Two (2) One-Year Options To Extend The Agreement, In An Amount Not-To-Exceed \$375,000 Per Year, For A Total Not-To-Exceed Contract Amount Of \$1,500,000 Over A Four-Year Term In Accord With Specification No. 19-910-00/RFP/Q 1155477 And Contractor's Bid Proposal  
[18-2445](#)

Attachments: [View Report](#)

**This City Resolution be Scheduled.to go before the \*Special Public Works Committee to be heard 12/3/2019**

- 4.10** Subject: Major Encroachment Permit At 325 7th Street.  
From: Transportation Department  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To 325 - 7th Street LLC, To Allow Portions Of The New Building Above Grade To Encroach Into The Public Right-Of-Way On 6th Street, 7th Street And Harrison, Major Encroachment Permit ENMJ19057  
[18-2449](#)

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

**This City Resolution be Scheduled.to go before the \*Special Public Works Committee to be heard 12/3/2019**

- 4.11** Subject: Major Encroachment Permit At 75 Vernon Street.  
From: Transportation Department  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Barbara S. Leicht, Trustee Of The Pacific Landing Trust, The Milton Lieberman Irrevocable Trust, And Daniel Lieberman And Miran Choi, Trustees Under The Daniel Lieberman And Miran Choi Living Trust, L.P., To Allow Portions Of The Existing Building Above Grade At 75 Vernon Street To Encroach Into The Public Right-Of-Way On Vernon Street, Major Encroachment Permit ENMJ19051  
[18-2450](#)

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

**This City Resolution be Scheduled.to go before the \*Special Public Works Committee to be heard 12/3/2019**

- 4.12** Subject: Acceptance Of Alameda County Transportation Commission Grants  
From: Transportation Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee, To Accept And Appropriate Grants From The Alameda County Transportation Commission In An Amount Of \$12.059 Million For Three Projects Including The Macarthur Smart City Corridor Project, Broadway Shuttle Operations, And The Fruitvale Avenue Gap Closure Project And Commit Matching Funds Of \$1.231 Million  
[18-2452](#)

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

**This City Resolution be Scheduled.to go before the \*Special Public Works Committee to be heard 12/3/2019**

- 4.13** Subject: Oakland Vegetation Management Plan  
From : Oakland Fire Department  
Recommendation: Receive An Informational Report On The Status, Goals And Potential Impacts Of The Proposed Oakland Vegetation Management Plan Including But Not Limited To The Environmental Impact Report (EIR) Review Process, Including Scoping, Designation Of Lead Agency, Project Objectives And Description, And Timeline  
[18-2453](#)

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

**This City Resolution be Scheduled.to go before the \*Special Public Safety Committee to be heard 12/3/2019**

- 4.14** Subject: 2019 Legislative Summary And 2020 Legislative Agenda  
From: Office Of The Mayor  
Recommendation: Receive An Informational Report That Summarizes The City's State And Federal Legislative Efforts In 2019 And Proposes The Legislative Priorities For 2020  
[18-2454](#)

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

**This Informational Report be Scheduled.to go before the \*Rules & Legislation Committee to be heard 12/5/2019**

- 4.15** Subject: Cesar Chavez National Historic Park  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution In Support Of The National Park Service And The Wilderness Society In The Establishment Of The Cesar Chavez Historic Park  
[18-2457](#)

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

**This City Resolution be Scheduled.to go before the \*Rules & Legislation Committee to be heard 11/21/2019**



**4.16**     Subject:     Resolution Calling Special Election For March 3, 2020  
From:        Office Of The City Clerk  
Recommendation: Adopt A Resolution: 1) Calling And Giving Notice For The Holding Of A Special Municipal Election On Tuesday March 3, 2020 For The Purpose Of Submitting To The Electors Of The City Of Oakland Proposed Measures; 2) Requesting Consolidation Of The City Of Oakland Special Municipal Election With The Statewide Primary Election To Be Held On March 3, 2020; And 3) Authorizing And Directing The City Clerk To Take All Actions Necessary For The Special Municipal Election In Accordance With Applicable Legal Requirements

[18-2458](#)

**Attachments:**   [View Report](#)

[87944 CMS](#)

This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/19/2019

**CHANGES MADE TO THE PREVIOUSLY Distributed 10 DAY**

**CHANGES MADE TO THE NOVEMBER 12, 2019 FINANCE AND MANAGEMENT COMMITTEE AGENDA**

Subject:     Report On Asset Seizure Policies And Practice  
From:        Councilmember McElhaney  
Recommendation: Receive An Informational Report From The City Administrator On Asset Seizure By The Oakland Police Department, City Attorney And Any Other Relevant Departments Detailing The Policies, Practices And Outcomes Of The Seizure Of Assets Including Automobiles, Cash And Other Items Of Value

[18-2098](#)

**Attachments:**   [View Report](#)

This Informational Report be \* Withdrawn and Rescheduled.to go before the \*Finance & Management Committee to be heard 1/14/2020

**CHANGES MADE TO THE NOVEMBER 12, 2019 LIFE ENRICHMENT COMMITTEE AGENDA**

Subject: PATH Plan  
From: Human Services Department  
Recommendation: Approve A Report And Recommendation On The City's Updated Five Year Plan To Address Homelessness In Oakland (PATH Plan)

[18-2223](#)

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

[View Supplemental Report 10/18/2019](#)

***The Committee Accepted to change the title to a Report And Recommendation***

**This Informational Report be \* Withdrawn and Rescheduled.to go before the  
\*Special Life Enrichment Committee to be heard 12/4/2019**

## **CHANGES MADE TO THE NOVEMBER 12, 2019 PUBLIC SAFETYCOMMITTEE AGENDA**

Subject: Report On Asset Seizure Policies And Practice  
From: Councilmember McElhaney  
Recommendation: Receive An Informational Report From The City Administrator On Asset Seizure By The Oakland Police Department, City Attorney And Any Other Relevant Departments Detailing The Policies, Practices And Outcomes Of The Seizure Of Assets Including Automobiles, Cash And Other Items Of Value

[18-2098](#)

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

**This Informational Report be \* Withdrawn and Rescheduled.to go before the  
\*Public Safety Committee to be heard 1/14/2020**

- 5** A Review Of The Draft Agendas For The Meetings Of November 18 And 19, 2019 And The Rules And Legislation Committee Of November 21, 2019

[18-2367](#)

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

***There was 1 speaker on this item***

**A motion was made by Rebecca Kaplan, seconded by Dan Kalb, that this matter be Accepted. The motion carried by the following vote:**

**Aye:** 4 - Kalb, Kaplan, Thao, and McElhaney

**NO VOTE:** 0

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

*There were 3 speakers on this item.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 2:34 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.