



City of Oakland Meeting Minutes

*Rules & Legislation Committee

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

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

City of Oakland Website: <http://www.oaklandnet.com>

Thursday, September 15, 2011

10:45 AM

City Council Chambers - 3rd Floor

Roll Call / Call to Order

Absent: President Pro Tempore De La Fuente

Present: Vice Mayor Brooks, Member Schaaf and Member Reid

The Oakland City Council Rules and Legislation Committee convened at 10:50 a.m., with Council President Reid presiding as Chairperson.

1 Determinations of Closed Session

A motion was made by Member Schaaf, seconded by Vice Mayor Brooks, to *Approve as Submitted a Closed Session on September 20, 2011 at 3:30 p.m. The motion carried by the following vote:

Votes: Absent; 1 - President Pro Tempore De La Fuente

Aye; 3 - Member Schaaf, Vice Mayor Brooks and Member Reid

2 Approval of the Draft Minutes from the Committee Meetings of July 14 and 21, 2011

A motion was made by Member Schaaf, seconded by Vice Mayor Brooks, to *Approve as Submitted. The motion carried by the following vote:

Votes: Absent; 1 - President Pro Tempore De La Fuente

Aye; 3 - Member Schaaf, Vice Mayor Brooks and Member Reid

3 Determination of Schedule of Outstanding Committee Items

A motion was made by Member Schaaf, seconded by Vice Mayor Brooks, to *Approve as Submitted. The motion carried by the following vote:

Votes: Absent; 1 - President Pro Tempore De La Fuente

Aye; 3 - Member Schaaf, Vice Mayor Brooks and Member Reid

[rules091511](#)

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4 Scheduling of Agenda Items and revisions to the agenda for the ORA/City Council meeting of September 20, 2011 (SUPPLEMENTAL)

A motion was made by Member Schaaf, seconded by Vice Mayor Brooks, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Absent; 1 - President Pro Tempore De La Fuente
Aye; 3 - Member Schaaf, Vice Mayor Brooks and Member Reid

S-4.1 Subject: Physio-Control Contract Award - Paramedic Services Equipment
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Dispense With Advertising And Bidding And Award A Contract To Physio-Control Incorporated To Furnish Cardiac Monitors, Chest Compression Devices, Automatic External Defibrillators, All Necessary Accessories And A Five-Year LifeNet Transmission Subscription, In An Amount Not To Exceed Nine Hundred Seventy Six Thousand Dollars (\$976,000) And Appropriate The Same Amount From Fund Balance For This Purpose, And; 2) Appropriate Additional Fund Balance From The Paramedic Services Act Of 1997 Fund (Measure N) In An Amount Not To Exceed One Million Nineteen Thousand Dollars (\$1,019,000) For Equipment Purchase And Delivery Of Program Services In Accordance With The Measure N Preliminary Spending Plan Without Further Council Authorization, Including Purchases, Provided The City's Purchasing Programs And Policies Are Followed
[11-0028](#)

Scheduled to *Public Safety Committee on 9/27/2011

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S-4.2 Subject: Buffer Zone Protection Program Grant Award
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Enter Into A Buffer Zone Protection Program (BZPP) Grant Agreement With The Alameda County Sheriff's Office (ACSO) To Accept And Administer Fiscal Year 2010 Buffer Zone Protection Program (BZPP) Grant Equipment And Supplies For The City Of Oakland Fire And Police Departments, In An Amount Up To One Hundred And Ninety Nine Thousand Eight Hundred And Twenty Dollars (\$199,820); And 2) Approve The 2010 BZPP Grant Preliminary Spending Plan Which Would Require That Funds Be Expended For The Purchase Of Hazardous Materials Detection And Monitoring Equipment, Intrinsically Safe Radios And Other Related Haz Mat Equipment, Supplies And Training Related To The BZPP Proposal Which ACSO Will Purchase On Behalf Of The Oakland Fire And Police Departments And Transfer Ownership Of Such Equipment To Oakland Fire And Police Departments Until Such 2010 BZPP Grant Funding Of \$199,820, Is Expended Or By January 1, 2013 At The Latest
[11-0036](#)

Scheduled to *Public Safety Committee on 9/27/2011

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S-4.3 Subject: Citywide Vacancies/Status Updates ("Golden Handshake")
From: Department Of Human Resources Management
Recommendation: Receive A Quarterly Report On Citywide Vacancies And A Status Update
On Positions Vacated Under The 2009 CalPERS Two Years Additional Service Credit
Retirement Incentive Program ("Golden Handshake")
[10-0654](#)

Scheduled to *Finance & Management Committee on 10/25/2011

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S-4.4 Subject: Salary Ordinance Amendments - UM2 Unit Designation
From: Department Of Human Resource Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No.
12187 C.M.S. ("Salary Ordinance") To Change The Bargaining Unit Designation From UMI
To UM2 For The Classifications Of City Council Office Administrator; Production Control
Parking Supervisor; Recreation General Community Restoration Emergency Coordinator;
Computer Operations Emergency Services Manager, Assistant; Supervisor; Supervisor;
Planning Supervisor; Financial Analyst, PPT; Recreation Services Manager, Assistant To;
Library Automation Supervisor; Recycling Supervisor; Police Program & Performance
Auditor; Solid Waste/Recycling Program Supervisor; Volunteer Program Coordinator,
Supervising; Environmental Program Supervisor; Chief Conservator; Community Housing
Services Manager; Development/ Redevelopment Program Manager; Financial Analyst,
Principal; Spatial Data Administrator; City Architect, Assistant; Inspection Services Manager;
Librarian, Administrative; Real Estate Service Manager; Support Services Administrator
[11-0032](#)

Scheduled to *Finance & Management Committee on 9/27/2011

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S-4.5 Subject: Salary Ordinance Amendments - Deputy City Attorney V
From: Department Of Human Resource Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No.
12187 C.M.S. ("Salary Ordinance") To Add The Full Time Equivalent Classification Of
Deputy City Attorney V - Labor & Employment
[11-0033](#)

No Action Taken

This item was withdrawn.

S-4.6 Subject: Salary Ordinance Amendments - New FTE
From: Department Of Human Resource Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full Time Equivalent Classifications Of Forensic Technician; Outreach Developer; Treasury Analyst I; And Treasury Analyst II; And To Change The Title Of Treasury Analyst To Treasury Analyst III And Increase The Salary Schedule For The Retitled Treasury Analyst III Classification
[11-0034](#)

Scheduled to *Finance & Management Committee on 9/27/2011

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S-4.7 Subject: Salary Ordinance Amendments - UK2 Unit Designation
From: Department Of Human Resource Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Change The Bargaining Unit Designation From U31 To UK2 For The Classifications Of Budget Director; Controller; City Attorney, Assistant; Human Resources Manager; And To Change The Bargaining Unit Designation From UMI To UK2 For The Classifications Of Affirmative Action Manager; Risk Manager; Revenue & Tax Administrator; And Treasury Manager
[11-0035](#)

Scheduled to *Finance & Management Committee on 9/27/2011

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S-4.8 Subject: Two Tier Retirement Amendment
From: Department Of Human Resources
Recommendation: Adopt A CalPERS Resolution Of Intention and Ordinance Of The City Of Oakland To Approve An Amendment To The Contract Between The City Of Oakland And The Board Of Administration Of The California Public Employees' Retirement System (CalPERS) To Provide 1) Section 20475, Different Level of Benefits, Section 21354.4 (2.5% @ 55 Full Formula) And Section 20037 (Three-Year Final Compensation) Applicable To Local Miscellaneous Members Entering Membership For The First Time In The Miscellaneous Classification After The Effective Date Of This Amendment To Contract; 2) Section 20475, Different Level of Benefits, Section 21363.1 (3% @ 55 Full Formula and Section 20037 (Three-Year Final Compensation) Applicable To Local Safety Members Entering Membership For The First Time In the Safety Classification After The Effective Date Of This Amendment To Contract; And (3 To Include Section 20516 (4% Employees Sharing Cost of Additional Benefits) For Second Tier Local Fire Members
[11-0044](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 10/4/2011**

As a Consent item.

S-4.9 Subject: Oakland Army Base Temporary Winter Shelter Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Waive The Competitive Process And Enter Into An Agreement For The Period Of October 15, 2011 Through May 15, 2012 In An Amount Not To Exceed \$301,000 With Anka Behavioral Health, Inc. To Open And Operate The Oakland Army Base Temporary Winter Shelter (OABTWS) From November 15, 2011 Through April 30, 2012; And (2) Enter Into A Six Month Lease For \$1.00 A Year With The Oakland Redevelopment Agency For Use Of Building 821 At The Army Base From November 1, 2011 Through April 30, 2012; And (3) Allocate \$100,000 From Various Reprogram Funds And Allocate Not Less Than \$125,000 From Alameda County, And \$76,000 From The City Of Berkeley To Establish And Operate The Temporary Winter Shelter At The Oakland Army Base
[11-0037](#)

Scheduled to *Life Enrichment Committee on 10/11/2011

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S-4.10 Subject: 911 System Upgrade
From: Department Of Information Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute Contracts With AT&T To Acquire Necessary Equipment And Services To Upgrade The City Of Oakland's 9-1-1 System Customer Premise Equipment (CPE) And Related Equipment For An Amount-Not-To-Exceed Eight Hundred Thousand Eight Hundred Twenty Dollars And Sixty-Seven Cents (\$800,820.67)
[11-0027](#)

Scheduled to *Public Safety Committee on 9/27/2011

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S-4.11 Subject: Shotspotter Contract Award
From: Vice Mayor Desley Brooks
Recommendation: Receive A Report Providing An Overview Of The Shotspotter Gunshot Location System and Additionally Provide An Explanation On The Delay In Implementation Of The Shotspotter Gunshot Location System And Adopt A Resolution Authorizing The City Administrator To Enter Into A New Contract With Shotspotter, Inc. For The Implementation Of An Updated Gunshot Location System In The City Of Oakland In An Amount Not To Exceed Eighty-Four Thousand, One Hundred Fifty-One Dollars (\$84,151)
[10-0839](#)

Scheduled to *Public Safety Committee on 9/27/2011

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S-4.12 Subject: Amending The Dark Sky Ordinance
From: Vice Mayor Desley Brooks
Recommendation: Receive A Report From The Public Works Department In Coordination With The Oakland Police Department Evaluating The Lighting Levels In East And West Oakland Crime Hot Spots; And Authorization To Increase Lighting In Those Areas Where Lighting Is Found To Be Lower Than The City's Lighting Standards And/Or Where The Police Department Deems Additional Lighting Is Warranted
[11-0038](#)

Scheduled to *Public Safety Committee on 10/11/2011

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S-4.13 Subject: Rent Adjustment Annual Report
From: Community And Economic Development Agency
Recommendation: A Request To Withdraw An Item Previously Scheduled To The September 27, 2011 Community And Economic Committee Agenda With No New Date

Receive An Annual Report Of The Rent Adjustment Program For Fiscal Year 2010-2011
[10-0795](#)

***Withdrawn with No New Date**

S-4.14 Subject: Conditional And Revocable Permit - 1625 Clay Street
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting 1625 Clay LLC A Revocable And Conditional Permit For A Building Located At 1625 Clay Street To Allow An Existing Basement To Encroach Under The Public Sidewalk Along Clay Street And 17th Street
[11-0039](#)

Scheduled to *Public Works Committee on 9/27/2011

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S-4.15 Subject: 1111 Broadway - Communications Lease Extension
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Five Year Lease Extension With Two (2) Five Year Options To Renew The Existing Lease For City Owned Communications Equipment Located At 1111 Broadway, With OCC Venture, LLC, A Delaware Limited Liability Company, For An Initial Annual Rent Of \$120,000 And A 3% Increase Each Year Thereafter
[11-0040](#)

Scheduled to *Finance & Management Committee on 9/27/2011

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S-4.16 Subject: 980 - 8th Street Land Sale
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Sale Of Surplus Vacant Land Containing 9,385 Square Feet Located Adjacent To 980 8th Street, Assessor Parcel Number 004-0007 001-01, To The Abutting Property Owner 5500 Foothill Association, LLC, For The Appraised Value Of \$130,000, And Authorizing Seller Financing Of The Transaction
[11-0041](#)

Scheduled to *Community & Economic Development Committee on 9/27/2011

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S-4.17 Subject: Neighborhood Stabilization Program Funds
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Accepting And Appropriating Funds Totaling \$2,070,087 From The U.S. Department Of Housing And Urban Development (HUD) Neighborhood Stabilization Program
[11-0042](#)

Scheduled to *Community & Economic Development Committee on 9/27/2011

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S-4.18 Subject: Ray's Electric Contract Award - Street Lighting
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Ray's Electric, The Lowest Responsive And Responsible Bidder, For The State Safe Routes To Schools (SR2S) Cycle 7 Project (City Project No. C357010) In Accordance With Project Plans And Specifications In The Amount Of Three Hundred Eighty-Two Thousand, Seven Hundred Two Dollars (\$382,702.00)
[11-0030](#)

Scheduled to *Public Works Committee on 9/27/2011

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S-4.19 Subject: Phoenix Electric Contract Award - Lakeshore/Lake Park Avenue
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Phoenix Electric, The Lowest Responsive And Responsible Bidder, For The Construction Of The Lakeshore/Lake Park Avenue Complete Streets Project (Project Nos. C390010, C390030, C242315) In Accord With The Project Plans And Specifications And The Contractor's Bid In The Amount Of Eight Hundred Forty-Six Thousand, Three Hundred And Thirty-Six Dollars (\$846,336.00)
[11-0043](#)

Scheduled to *Public Works Committee on 10/11/2011

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S-4.20 Subject: Francisco Electric Contract Award - Street Lighting
From: Finance And Management Agency
Recommendation: Adopt A Resolution Awarding A Contract To Francisco Electric, A Corporation, For The Purchase Of Street Lighting And Traffic Signal Standards In The Annual Amount Not To Exceed Eight Hundred Thirty Five Thousand Dollars (\$835,000.00) For The Period Of October 1, 2011 To October 31, 2012 Per Request For Quotation 1773-02, Specification No. 11- 550-85 03 And The General Conditions Therefor On File In The Purchasing Division And According To Contractor's Bid Submitted July 20, 2011
[11-0029](#)

Scheduled to *Finance & Management Committee on 9/27/2011

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S-4.21 Subject: Progressive Solutions Contract Extension - Tax Software
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The Term Of The Current Contract With Progressive Solutions Inc., (PSI) For An Automated Local Tax System Software Maintenance And Support Services For A Period Of Three Years In An Amount Not To Exceed \$100,000 Per Year With Two Optional Annual Extensions For An Amount Not To Exceed 10% Of The Prior Year's Maintenance And Support Services Cost
[11-0031](#)

Scheduled to *Finance & Management Committee on 9/27/2011

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S-4.22 Subject: United Nations Month
From: Councilmember Nadel
Recommendation: Adopt A Resolution Declaring October 2011 As "United Nations Month" And October 24, 2011 United Nations Day In The City Of Oakland And Authorizing The City Of Oakland To Serve As An Honorary Sponsor Of The United Nations Anniversary Flag Raising Ceremony
[11-0026](#)

**Scheduled to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 10/4/2011**

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SUBMITTED ON THE DIAS

Subject: Oakland Army Base Demolition And Remediation Contracting
 From: Council President Reid And Vice Mayor Brooks
 Recommendation: Adopt An Ordinance Amending Ordinance 12389 C. M. S. To Add Local And Small Local Business Contracting Requirements To Oakland's Local And Small Local Business Enterprise Program Specific To The Demolition And Remediation Carried Out At The Oakland Army Base
[11-0045](#)

Scheduled to *Community & Economic Development Committee on 10/11/2011

Councilmember Schaaf is noted as voting No.

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5 A review of the Council Committees' actions from September 13, 2011 and determination of scheduling to the ORA/City Council meeting of September 20, 2011 or future dates (MATRIX)

A motion was made by Member Schaaf, seconded by Vice Mayor Brooks, to *Approve as Submitted. The motion carried by the following vote:

Votes: Absent; 1 - President Pro Tempore De La Fuente
 Aye; 3 - Member Schaaf, Vice Mayor Brooks and Member Reid

[rules091511item5](#)
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6 A review of the Agendas for the Council Committees for the meetings of September 27, 2011 and the Rules and Legislation Committee Meeting of September 29, 2011

A motion was made by Vice Mayor Brooks, seconded by Member Schaaf, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Absent; 1 - President Pro Tempore De La Fuente
 Aye; 3 - Member Schaaf, Vice Mayor Brooks and Member Reid
At this time the September 27, 2011 Life Enrichment Meeting was cancelled.

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OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

There were no speakers during Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:36 a.m.

NOTE: Americans With Disabilities Act
If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

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* 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.

City Clerk and Clerk of the Council