

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 *Rules & Legislation Committee

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

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

Thursday, March 26, 2015

10:45 AM

City Council Chamber, 3rd Floor

The Oakland City Council Rules & Legislation Committee convened at 11:00 a.m., with Councilmember 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

14-0646

Attachments: View Report.pdf

A Special Closed Session has been scheduled on March 31, 2015 at 2:00 p.m.

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

2 Approval Of The Draft Minutes From The Committee Meeting Of March 12, 2015

14-0647

Attachments: View Report.pdf

A motion was made by Guillén, 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

3 Determination Of Schedule Of Outstanding Committee Items

14-0644

Attachments: View Report.pdf

A motion was made by Kalb, 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

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

14-0648

Attachments: View Report.pdf

There were 3 speakers on this item.

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

4.1 Subject: Support For AB 700: California Disclose Act

From: Councilmember Dan Kalb

Recommendation: Adopt A Resolution In Support Of State Assembly Bill (AB) 700 (Gomez & Levine), The California Disclose Act, That Would Require Radio, Telephone, TV, And Video Ads Regarding Ballot Measures To State The Top Contributors To The Committee Paying For The Ad 14-0673

Attachments: View Report.pdf

View Supplemental Report.pdf

This City Resolution was Rescheduled to the *Rules & Legislation Committee to be heard 4/16/2015

4.2 Subject: Settlement Agreement - Clifton Raines v. City Of Berkeley, 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 Clifton Raines V. City Of Berkeley, City Of Oakland, Et Al, Alameda County Superior Court Case No. RG13-686968, In The Amount Of Ten Thousand Dollars And No Cents (\$10,000.00) As A Result Of A Trip And Fall Incident On Or About October 15, 2012 (PWA- Dangerous Condition/Trip & Fall)

14-0701

Attachments: View Report.pdf

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 4/21/2015 as a Consent Item

4.3 Subject: Subordinated Tax Allocation Refunding Bonds, Series 2015-TE & 2015-T From: Finance Department

Recommendation: Adopt A Successor Agency Resolution Authorizing The Issuance And Prescribing The Terms, Conditions And Form Of Not To Exceed \$115,000,000 Combined Aggregate Principal Amount Of The Oakland Redevelopment Successor Agency Subordinated Tax Allocation Refunding Bonds, Series 2015-Te And Oakland Redevelopment Successor Agency Taxable Subordinated Tax Allocation Refunding Bonds, Series 2015-T, Approving The Form Of And Authorizing The Execution And Delivery Of An Indenture Of Trust And A Purchase Agreement; Approving The Selection And Retention. Of A Financial Advisor And Underwriters; Authorizing Payment Of Costs Of Issuance; And Authorizing And Approving Necessary Actions In Connection Therewith

14-0705

Attachments: View Report.pdf

This ORSA Resolution was Scheduled.to the *Finance & Management Committee to be heard 4/14/2015

4.4 Subject: General Obligation 2015 Refunding Bonds

From: Finance Department

Recommendation: Adopt A Resolution Ratifying And Approving The Issuance And Sale Of Not To Exceed \$140,000,000 Aggregate Principal Amount Of City Of Oakland General Obligation Refunding Bonds (Dedicated Unlimited Ad Valorem Property Tax), Series 2015A; Prescribing The Terms Of Sale Of Said Bonds; Approving The Form Of And Authorizing The Execution And Delivery Of A Fiscal Agent Agreement, Escrow Agreements, Continuing Disclosure Certificate And Bond Purchase Agreement; Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing The Execution And Delivery Of An Official Statement; And Authorizing Necessary Actions Related Thereto

14-0707

Attachments: View Report.pdf

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 4/14/2015

Meeting Minutes

4.5 Salary Ordinance Amendments To Add Part Time Classifications Subject: From: **Human Resources Management Department** Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Part Time Classifications Of Cable TV Stage Manager, PT; Hearing Officer PT; Language Interpreter, PT; And To Modify Existing Full Time Classifications By Adding The Part Time Equivalents Of The Classifications Of Emergency Planning Coordinator, PT; Emergency Planning Coordinator, Senior, PT; Head Start Program Coordinator, PT; Senior Services Program Assistant, PT; Special Events Coordinator, PT; Veterinarian, PT; And To Correct Inconsistencies In The Published Salary Rates For The Part Time Equivalent Classifications Of Emergency Medical Services Instructor, PT; Management Intern, PT; Management Assistant, PT; And Program Analyst I, PT To Align With The Salary Rate For The Full Time Rate For Those Classifications; And To Delete The Classifications- Of Case Manager, Supervising, PT; CD Cleanup Supervisor, PT; Employee Assistance Program Counselor, PT; And Senior Center Director, PT 14-0706

Attachments: View Report.pdf

This Ordinance was Scheduled.to the *Finance & Management Committee to be heard 4/14/2015

4.6 Subject: Salary Ordinance Amendments To Adjust Salaries & Titles

From: Human Resources Management Department

Recommendation: Adopt Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Adjust The Salaries And Titles Of Various Classifications And Delete The Classifications Of Revenue Collections Supervisor, Revenue Audit Supervisor, And Police Services Technician I And Various Part-Time Camp Classifications

14-0710

Attachments: View Report.pdf

This Ordinance was Scheduled.to the *Finance & Management Committee to be heard 4/14/2015

4.7 Subject: CSAC-EIA Risk Management Subsidy Funds From: Human Resources Management Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Risk Management Subsidy Funds From The California State Association Of Counties - Excess Insurance Authority (CSAC-EIA) In An Estimated Amount Of \$135,511.39, For Software License, Service And Hosting Fees To Use Riskmaster, A Risk Management Information System, And Receive Annually Thereafter Risk Management Subsidy Funds From CSAC-EIA In The Amount Of \$39,560 To Pay These Ongoing Fees 14-0711

Attachments: View Report.pdf

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 4/14/2015

4.8 Subject: 2021 Broadway Major Encroachment Permit

From: Planning & Building Department

Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Alameda Bayfarm Investment, LLC To Allow An Existing Under-Sidewalk Basement To Encroach. Into The Public Right-Of-Way Along The Building's Frontage On 2021 Broadway

<u>14-0702</u>

Attachments: View Report.pdf

This City Resolution was Scheduled.to the *Public Works Committee to be heard 4/14/2015

4.9 Subject: Contract Authorization For Sewer Operations Equipment & Supplies

From: Oakland Public Works Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To Execute A One-Year Contract With One Or More Vendors, To Be Selected Through A Competitive Bidding Process, For The Period Of May 1, 2015 Through April 30, 2016, In An Amount Not To Exceed Four Hundred Thousand Dollars (\$400,000.00) For The Purchase Of Iron And Steel Castings For Manhole Frames, Covers, Drainage Grates And Other Related Capital Improvement Supplies And Equipment On Behalf Of Oakland Public Works, With Two, One-Year Options To Extend These Contracts In An Amount Not To Exceed Four Hundred Thousand Dollars (\$400,000.00) Per Year, For A Grand Total Contract Amount Of One Million Two Hundred Thousand Dollars (\$1,200,000.00), Without Return To Council, Provided That The City's Contracting Requirements Are Followed With Respect To These Purchases

14-0704

Attachments: View Report.pdf

This City Resolution was Scheduled.to the *Public Works Committee to be heard 4/14/2015

4.10 Subject: Tract No. 7621 Subdivision Map, Brooklyn Basin Project 845 Embarcadero

From: Planning & Building Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving A Final Map For Tract No. 7621 Phase 1 Located At 845 Embarcadero For A Seven Lot Subdivision For Zarsion-OHP I LLC; And

14-0708

Attachments: View Report.pdf

View Supplemental Report.pdf

This City Resolution was Scheduled.to the *Public Works Committee to be heard 4/14/2015

2) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Subdivision Improvement Agreement With Zarsion-OHP I LLC For Deferred Construction Of Public Infrastructure Improvements As A Condition To Final Map Approval For Tract No. 7621 Phase 1 Located At 845 Embarcadero 14-0709

Attachments: View Report.pdf

View Supplemental Report.pdf

This City Resolution was Scheduled.to the *Public Works Committee to be heard 4/14/2015

4.11 Subject: DeFremery Park Rec Center Exterior Rehabilitation Project

From: Oakland Public Works Department

Recommendation: Adopt A Resolution To Reject All Bids, Waive Further Advertising And Competitive Bidding, And Authorize The City Administrator, Or Designee, To Negotiate And Execute A Construction Contract Up To The Amount Of Six Hundred Forty Thousand Dollars (\$640,000.00) In The Open Market For The DeFremery Park Recreation Center Exterior Rehabilitation Project (No. C469510) In Accordance With The Project Plans And Specifications

14-0712

Attachments: View Report.pdf

This City Resolution was Scheduled.to the *Public Works Committee to be heard 4/14/2015

4.12 Subject: Rehab 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 Area Bounded By Mountain Boulevard, Joaquin Miller Road, Skyline Boulevard And Castle Drive (Project No. C329144) And With Contractor's Bid In The Amount Of Four Million Three Hundred Seventy-One Thousand Seven Hundred Seventy-Three Dollars (\$4,371, 773.00)

14-0713

Attachments: View Report.pdf

This City Resolution was Scheduled.to the *Public Works Committee to be heard 4/14/2015

4.13 Subject: Caldecott Settlement Bike/Ped Improvements Award Contract

From: Oakland Public Works Department

Recommendation: Adopt A Resolution Rejecting All Bids, Waiving Further Advertising And Bidding; And Authorizing The City Administrator Or Designee, To Negotiate With Bidders And Execute A Construction Contract, Without Return To Council, In Accordance With The Plans And Specifications, For The Caldecott Fourth Bore Settlement Project #9 And #14, Along Broadway From Keith Avenue To Golden Gate Way (City Project No. C369520), In An Amount Not To Exceed One Million Eight -Hundred Eighty Four Thousand Two Hundred And Fifteen Dollars (\$1,884,215.00) For The Base Bid And A Bid Alternate

<u>14-0714</u>

Attachments: View Report.pdf

This City Resolution was Scheduled.to the *Public Works Committee to be heard 4/14/2015

4.14 Subject: Agreement With MTC For Pavement Management Assistance

From: Oakland Public Works Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: 1) Apply For, Accept \$100,000.00 In Pavement Management Technical Assistance Program Grant Funds From The Metropolitan Transportation Commission; 2) Allocate \$20,000.00 In Matching Funds And An Additional \$88,860.00 For Additional Professional Services From An Existing Project; And 3) Enter Into An Agreement With Metropolitan Transportation Commission To Provide Additional Professional Services In An Amount Not-To-Exceed \$88,860.00

Attachments: View Report.pdf

This City Resolution was Scheduled.to the *Public Works Committee to be heard 4/14/2015

Safer Housing For Oakland - Soft Story Retrofit Program 4.15 Subject:

> From: Office Of The City Administrator

Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code (O.M.C.) By Adding A New Chapter 15.27 Entitled "Mandatory Seismic Retrofit Of Certain Multi-Unit Residential Buildings" And Modifying Certain Sections Of O.M.C. Chapter 15.26, And Establish Financial Incentives For Early Compliance Within The First Two Years; On The April 14, 2015 Community & Economic Development Committee Agenda

14-0716

This Ordinance was Withdrawn with no new date.

4.16 Subject: Brooklyn Basin Transportation Demand Management Plan

> Planning & Building Department From:

Recommendation: Adopt A Resolution Approving The Brooklyn Basin Transportation

Demand Management Plan

14-0717

Attachments: View Report.pdf

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 4/14/2015 and as a Public Hearing on April 21, 2015

4.17 Subject: Update On Citywide Impact Fee Nexus Study And Implementation Strategy

Planning & Building Department

Recommendation: Receive An Informational Report On The Update Of The Citywide

Impact Fee Nexus Study And Implementation Strategy

14-0718

Attachments: View Report.pdf

This Informational Report was Scheduled.to the *Community & Economic Development Committee to be heard 4/14/2015

4.18 Subject: Comprehensive Housing Action Plan

> From: Housing & Community Development Department

Recommendation: Receive A Report And Possible Action On The Oakland Housing Equity Roadmap, A Comprehensive Action Plan To Address Oakland's Displacement, Affordable Housing Production, And Housing Habitability Challenges; On The April 14, 2015 Community & Economic Development Committee Agenda

14-0719

This Report and Recommendation was Withdrawn with No New Date.

4.19 Subject: DDA For 12th Street Remainder Parcel

From: Economic & Workforce Development Department

Recommendation: Adopt An Ordinance Authorizing: (1) The City Administrator, Without Returning To The City Council, To Negotiate And Execute A Disposition And Development Agreement And Related Documents Between The City Of Oakland, And A Development Entity Comprised Of Urbancore Development, LLC, And UDR, Inc., (Or Its Related Entities Or Affiliates) For Sale Of The 12th Street Remainder Parcel Located At E12th Street And 2nd Avenue For No Less Than \$5.1 Million And Development As A Residential Mixed-Use Project, All Of The Foregoing Documents To Be In A Form And Content Substantially In Conformance With The Term Sheet Attached As Exhibit A; (2) Set -Aside Of No More Than \$500,000 From Land Sales Proceeds For Remediation Of Property, And (3) Appropriation Of \$200,000 From Land Sales Proceeds To Fund An Asset Portfolio Management Plan 14-0662

Attachments: View Report.pdf

This Ordinance was Scheduled.to the *Community & Economic Development Committee to be heard 4/14/2015

4.20 Subject: MOU With Alameda County Operational Area

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into A Memorandum Of Understanding (MOU) With The Alameda County Operational Area To Administer And Maintain The Local Oil Spill Contingency Plan (LOSCP) For The Alameda County Operational Area; And 2) Accept And Appropriate Up To Thirty-Five Thousand Dollars (\$35,000) Annually In Grant Funds For The Next Five Years For A Total Amount Of One Hundred And Seventy Five Thousand Dollars (\$175,000), Through July 1, 2020 Or Whenever Said Amount Of Grant Funds Is Exhausted, Whichever Occurs Last, From The California Department Of Fish And Wildlife (CDFW) Office Of Spill Prevention And Response (OSPR)

14-0703

Attachments: View Report.pdf

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 4/14/2015

4.21 Subject: Honoring Saundra Andrews

From: Councilmembers Reid And Gibson McElhaney

Recommendation: Adopt A Resolution Honoring Ms. Saundra Andrews For More Than 20 Years Of Dedicated Service With Congresswoman Barbara Lee Upon Her Retirement

14-0720

Attachments: View Report.pdf

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 4/21/2015

Items Submitted On The Dais

#1 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; On The May 5, 2015 City Council Agenda

As A Ceremonial Item

14-0722

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

#2 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; On The May 5, 2015 City Council Agenda As A Ceremonial Item

14-0723

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

#3 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

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

#4 Subject: Resolution Calling On Gerawan Farming To Respect The Law

From: Councilmember Abel J. Guillén

Recommendation: Adopt A Resolution Calling Upon Gerawan Farming To Meet Basic Standards Of Fair Conduct And Immediately Implement The Union Contract Issued By The Neutral Mediator And The State Of California

14-0725

Attachments: View Report.pdf

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 4/21/2015 as a Consent Item

#5 Subject: Support For SB 379: Update Safety Element To Address Climate

Adaptation

From: Councilmember Dan Kalb

Recommendation: Adopt A Resolution In Support Of Senate Bill (SB) 379 (Hannah-Beth Jackson), Which Would, Upon The Next Revision Of The Housing Element On Or After January 1, 2017, Require The Safety Element To Be Updated To Address Climate Adaptation And Resiliency Strategies 14-0726

Attachments: View Report.pdf

View Supplemental Report.pdf
View Supplemental Report.pdf

This City Resolution was Scheduled.to the *Rules & Legislation Committee to be heard 4/16/2015

5 A Review Of The Council Committees' Actions From March 24, 2015 And Determination Of Scheduling To The Special City Council Meeting Of March 31, 2015 (MATRIX)

14-0649

Attachments: View Report.pdf

The vote for Item 9 from the March 24, 2015 Community & Economic Development Committee will be amended as follows: 3 Ayes, 1 Absent - Campbell Washington.

A motion was made by Guillén, 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

From The March 31, 2015 Special City Council Agenda:

Subject: Creating The Department Of Race And Equity

From: Councilmember Desley Brooks

Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled, "City Agencies, Departments And Offices", Which Established The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of The City Charter Section 600, To Create The Department Of Race And Equity By December 2015, That Will Report Directly To The City Administrator; Establishing Definitions And Implementation Steps Related To A Citywide Strategy Of A Fair And Just City; And Receive An Informational Report Identifying The Timeline And All Steps Necessary To Implement The Department By December 2015 [TITLE CHANGE]

14-0457

Attachments: View Finance Committee Report.pdf

View Life Enrichment Committee Report.pdf

View Finance Supplemental Report.pdf

View Life Enrichment Supplemental Report.pdf

<u>View Supplemental Report.pdf</u> <u>View Supplemental Report.pdf</u>

This Ordinance was Rescheduled.to the Meeting of the Oakland City Council to be heard in May

A Review Of The Cancellation Agendas For The City Council Meeting Of April 7, 2015 And The Rules And Legislation Committee Of April 9, 2015 14-0650

Attachments: View Report.pdf

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

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 11:29 a.m.

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.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406 Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 238-3254

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.