



# 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 - FINAL \*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, January 25, 2018

10:45 AM

City Council Chamber, 3rd Floor

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The Oakland City Council Rules And Legislation Committee convened at 11:04 AM, with Council President Reid presiding as Chairperson.

### Roll Call / Call To Order

**Excused** 1 - Abel J. Guillén

**Present** 3 - Lynette McElhaney, Laurence E. Reid, and Annie Campbell Washington

### 1 Determinations Of Closed Session

[18-0021](#)

*There will be a closed session on February 6, 2018 at 2 PM.*

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

**Excused:** 1 - Guillén

**Aye:** 3 - McElhaney, Reid, and Campbell Washington

**NO VOTE:** 0

### 2 Approval Of The Draft Minutes For January 11, 2018

[18-0022](#)

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

**Excused:** 1 - Guillén

**Aye:** 3 - McElhaney, Reid, and Campbell Washington

**NO VOTE:** 0

3 Determination Of Schedule Of Outstanding Committee Items  
[18-0023](#)

*No Changes were made to the pending list.*

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

**Excused:** 1 - Guillén

**Aye:** 3 - McElhaney, Reid, and Campbell Washington

**NO VOTE:** 0

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)  
[18-0025](#)

*There was 1 speaker on this item.*

**A motion was made by Annie Campbell Washington, seconded by Lynette McElhaney, that this matter be Accepted as Amended. The motion carried by the following vote:**

**Excused:** 1 - Guillén

**Aye:** 3 - McElhaney, Reid, and Campbell Washington

**NO VOTE:** 0

4.1 Subject: Amending Rule 7.6 And 4 Of Council Rules Of Procedure  
From: Councilmember McElhaney, Vice Mayor Campbell Washington And Council President Reid  
Recommendation: Adopt A Resolution Amending And Superseding The Council's Rules Of Procedure Currently Set Forth In Resolution No. 86034 C.M.S, As Amended By Resolution No. 86862 C.M.S., To Amend: 1) Rule 4 To Authorize The Council President To Change Committee Membership And Committee Chair Assignments, And 2) Rule 7.6 To Provide That Any Stems Pulled From The Consent Calendar Are Moved To The Beginning Of The Non-Consent Calendar And Will Be Heard The Same Evening, Subject To The Discretion Of The Council President To Determine The Order Of Agenda Items  
[18-0081](#)

**Sponsors:** Campbell Washington

***Council President Reid requested to be a co author. Councilmember McElhaney made a motion to schedule this item to the full council.***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/6/2018**

**4.2** Subject: Resolution In Support Of AB 1870 - Share Act  
From: Councilmember Kalb, Vice Mayor Campbell Washington, And City Attorney Parker  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1870 (Reyes, Friedman & Waldron) That Would Extend From One To Three Years The Statute Of Limitations For Filing Discrimination, Harassment And Retaliation Complaints With The Department Of Fair Employment And Housing  
[18-0090](#)

**Sponsors:** Campbell Washington

**This City Resolution be Scheduled.to go before the \*Rules & Legislation Committee to be heard 2/15/2018**

**4.3** Subject: Resolution In Support Of AB 403  
From: Councilmember Kalb, Vice Mayor Campbell Washington And City Attorney Parker  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 403 (Melendez) That Would Prohibit Interference With Or Retaliation Against The Right Of State Legislative Employees To Make Protected Disclosures Of Ethics Violations  
[18-0091](#)

**This City Resolution be Scheduled.to go before the \*Rules & Legislation Committee to be heard 2/15/2018**

**4.4** Subject: GRM Information Management Services And Corodata, LLC Contracts  
From: Office Of The City Clerk  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Waiving The Requester For Proposals/Qualifications Process And Authorizing The City Administrator To Execute A Fourth Amendment To The Contract With GRM Information Management Services ("GRM") To Extend The Contract Under The Current Contract Terms Through September 30, 2018 In An Additional Amount Not To Exceed \$170,000; And

[18-0084](#)

**This City Resolution be Scheduled.to go before the \*Finance & Management Committee to be heard 2/13/2018**

2) A Resolution Authorizing A Contract With The Successful Bidder, Corodata, LLC., In An Amount Not To Exceed \$150,000 Each Year For Records Management And Offsite Records Storage Service For A Period Of Seven Years In the Total Amount of \$1,050,000, With Two, Two-Year Options To Extend The Contract Up To A Total Of 11 Years, For A Grand Total Contract Amount of \$1,650,000

[18-0086](#)

*A Title Change was read into record.*

**This City Resolution be Scheduled.to go before the \*Finance & Management Committee to be heard 2/13/2018**

- 4.5** Subject: Agreement With Conduent State And Local Solutions  
From: Finance Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Execute An Agreement With Conduent State & Local Solutions, Inc. To Provide Parking Citation Management Software And Parking Enforcement Hardware, Leasing, Installation, Maintenance, Support And Related Professional Services For An Initial Five-Year Term At Approximately \$497,870 Per Year, For A Total Of \$2,489,350, With Two One-Year Options, For A Grand Total Amount Not To Exceed \$3,485,095  
[18-0083](#)

**This City Resolution be Scheduled.to go before the \*Finance & Management Committee to be heard 2/13/2018**

- 4.6** Subject: Assessment District No. 2007-232 Piedmont Pines Phase II  
From: Department Of Transportation  
Recommendation: Adopt The Following Pieces of Legislation;
- 1) A Resolution Of Intention To 1) Order Improvements And To Form The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase II; 2) Accept Indications Of Interest In The Proposed Assessment District By Owners Owning Land Constituting More Than One-Half Of The Area Of The Assessable Lands Within The Proposed Assessment District; 3) Finding That The Improvements Are Of More Than Local Or Ordinary Public Benefit, And The Cost And Expenses, Including Incurred City Cost Of District Creation Thereof, Are Made Chargeable Upon The Assessment District; 4) Providing That The Council Intends To Levy A Special Assessment Upon The Land Within The Assessment District; 5) Providing That Bonds Shall Be Issued To Finance A Portion Of The Costs Of Improvements; 6) Appointing Harris & Associates As The Engineer Of Work For The Assessment District; And 7) Directing The Engineer Of Work To Make And File The Engineer's Report With The City Clerk; And
- [18-0073](#)

***This item will only be heard at the Finance and Management Committee.***

**This City Resolution be Scheduled.to go before the \*Finance & Management Committee to be heard 2/13/2018**

2) A Resolution 1) Preliminarily Accepting And Approving The Engineer's Report; 2) Calling For A Public Hearing On The Proposed Assessment District To Be Held By The Council On Tuesday, March 20, 2018 At 6:30 P.M. And An Election For The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase II; And 3) Designating The Engineer Of Work To Assist The City Clerk In Connection With The Mailing And Tabulation Of The Ballots, And To Answer Inquiries Regarding The Protest Proceedings Applicable To The Assessment District  
[18-0074](#)

*This item will only be heard at the Finance and Management Committee.*

*A correction to the title was made correcting the public hearing time.*

**This City Resolution be Scheduled.to go before the \*Finance & Management Committee to be heard 2/13/2018**

**4.7** Subject: Construction Award For Tassafaronga Gym Waterproofing  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Bay Construction Company, The Lowest Responsive And Responsible Bidder, For The Tassafaronga Gym Waterproofing (Project Number 1003446), In Accordance With The Project Plans And Specifications And With The Contractor's Bid In The Amount Of Three Hundred Forty-Five Thousand Nine Hundred Ninety Dollars (\$345,990.00)  
[18-0080](#)

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 2/13/2018**

**4.8** Subject: Major Encroachment Permit at 1100 Broadway  
From: Department Of Transportation  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To SKS Broadway, LLC To Allow Portions Of The Existing Basement And Proposed Outward Swinging Doors At 1100 Broadway To Encroach Into The Public Right-Of-Way Along Broadway, 11th Street And 12th Street, Major Encroachment Permit ENMJ17053 And Rescinding Encroachment Permit Granted By City Of Oakland Resolution No. 60834 C.M.S.  
[18-0079](#)

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 2/13/2018**

- 4.9** Subject: Major Encroachment Permit At 2500 Webster Street  
From: Department Of Transportation  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Chris Kwei And Eileen Kwei, Husband And Wife As Community Property With Right Of Survivorship, To Allow Portions Of The New Building Above Grade At 2500 Webster Street To Encroach Into The Public Right-Of- Way On Webster Street, Major Encroachment Permit ENMJ17065  
[18-0077](#)

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 2/13/2018**

- 4.10** Subject: Construction Award For Sausal Creek Erosion Control Restoration Project  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, Authorizing The City Administrator, Or Designee, To Negotiate, Award And Execute A Construction Contract Without Return To Council For An Amount Not To Exceed Three Hundred And Fifty Thousand Dollars (\$350,000) In The Open Market For The Construction Of The Sausal Creek Erosion Control Restoration Project (No. 1000839) In Accordance With The Project Plans And Specifications  
[18-0078](#)

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 2/13/2018**

- 4.11** Subject: Professional Services Agreements For Estuary Park Renovation Project  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Award And Execute A Professional Services Agreement For Landscape Architectural Design Services For The Estuary Park Renovation And Expansion Project (#1000858) With Hargreaves Associates For An Amount Not-To-Exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00)  
[18-0076](#)

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 2/13/2018**

- 4.12** Subject: Oakland Army Base Construction-Related Air Quality Plan  
From: Planning And Building Department  
Recommendation: Receive An Informational Report On The Construction-Related Air Quality Plan Prepared By Prologis And Approved By The City Administrator For The Southeast And Central Gateway Sites Of The Oakland Army Base Redevelopment Project  
[18-0082](#)

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 2/13/2018**

- 4.13** Subject: Programmatic Agreement With SHPO Relating To The Harrison Hotel  
From: Planning And Building Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Authorizing The City Administrator, Or Designee, To Negotiate And Execute A Programmatic Agreement, Pursuant To Section 106 Of The National Historic Preservation Act, With The California State Historic Preservation Officer Regarding The Rehabilitation Of The Harrison Hotel Located At 1415 Harrison Street, Oakland, California, Without Returning To The City Council  
[18-0072](#)

*This Item will also be scheduled as a public hearing on February 20, 2018*

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 2/13/2018**

- 4.14** Subject: Costs Of Maintenance And Repairs For The Oakland Asian Cultural Center  
From: President Pro Tempore Guillén  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Grant One Hundred Thousand Dollars (\$100,000.00) To API Cultural Center, Inc. To Assist In The Costs Of Maintenance And Repairs For The Oakland Asian Cultural Center  
[18-0070](#)

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 2/13/2018**

- 4.15** Subject: Update On Establishing The Department Of Violence Prevention  
From: Councilmember McElhaney  
Recommendation: Receive An Informational Report On The Implementation Of Ordinance No. 13451 C.M.S. To Create The Department Of Violence Prevention Focusing On Ending The Epidemic Of Violent Crime In Oakland And Healing Trauma In Impacted Communities  
[18-0087](#)

**This Informational Report be Scheduled.to go before the \*Life Enrichment Committee to be heard 2/13/2018**

- 4.16** Subject: Joint Hearing Of Life Enrichment Committee And Safety And Services Oversight Committee  
From : Councilmember McElhaney  
Recommendation: Hold A Joint Hearing Of The City Of Oakland's Life Enrichment Committee And The Safety And Services Oversight Committee On February 27 At 5PM To Consider Informational Items Related To The 2014 Oakland Public Safety and Services Violence Prevention Act (Measure Z); On The February 27, 2018 Life Enrichment Committee Agenda  
[18-0085](#)

*Staff suggested a Title change replacing "Joint Hearing" with "Concurrent Meeting", and to the extent possible, schedule with a Special Meeting of the 2014 Measure Z Committee*

**This City Resolution be Scheduled.to go before the \*Life Enrichment Committee to be heard 2/27/2018**

- 4.17** Subject: AllStar Fire Protective Clothing Agreement  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Purchase Agreement With Allstar Fire Equipment, Inc. For The Purchase Of Firefighter Protective Clothing (Turnouts) For The Period February 1, 2018 Through January 31, 2021, In An Amount Not To Exceed Seven Hundred And Sixty-Two Thousand Dollars (\$762,000.00), With An Optional Two Year Extension In The Amount Of Two Hundred And Fifty-Four Thousand Dollars (\$254,000.00) Per Each Additional Year, For A Total Amount Not To Exceed One Million Two Hundred And Seventy Thousand Dollars (\$1,270,000.00) Over The Possible Five Year Term  
[18-0075](#)

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 2/13/2018**



- 4.18** Subject: Professional Services Contract For The Department Of Violence Prevention  
From: Councilmember McElhaney And Council President Reid  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee (1) To Execute A Professional Services Agreement With A Locally Based And Nationally Recognized Non-Profit Organization, In An Amount Not To Exceed \$300,000 (A) To Provide Policy Analysis And Advice To The City Council, Reporting Directly To The Council President And The Chairperson Of The Life Enrichment Committee, Violence Prevention Policy For The Purposes Of Providing Policy Guidance To The City Administrator’s Planning And Implementation Of Department Of Violence Prevention Strategic Planning And Operations, And (B) To Work Collegially With The City Administrator, Other Local Agency Officials And Oakland Community Representatives To Obtain Relevant Documents And Information For The Establishment And Operations Of The Department Of Violence Prevention, Without Returning To Council; And (2) Waiving The Competitive Procedures Under The City’s Purchasing Ordinance (Oakland Municipal Code Chapter Regarding The Development Of A Robust 2.04)

[TITLE CHANGE]

[18-0088](#)

**Sponsors:** Reid

**This City Resolution be Scheduled.to go before the \*Life Enrichment Committee to be heard 2/13/2018**

- 4.19** Subject: Tibetan Uprising Day Resolution  
From: Councilmember Kalb  
Recommendation: Adopt A Resolution Commemorating The 59th Anniversary Of Tibetan Uprising Day And Affirming Support For The People Of Tibet  
[18-0071](#)

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/6/2018**

## **REQUESTS SUBMITTED ON THE DIAS**

Subject: Establishing The Five-Percent (5%) For Mandela And Job Center Program  
From: Council Members Brooks, Gallo, And Kaplan  
Recommendation: Adopt An Ordinance Authorizing The Allocation Of 5% Of The City's Capital Improvement Projects Costs To The Cypress Mandela Training Program And The Citywide Job Centers For Training, Job Readiness, And Job Placement Of City Residents; Establishing A Method For Calculating Cypress Mandela Training Program And Citywide Job Centers Appropriations Of Capital Projects, Establishing A Cypress Mandela Training Program And Citywide Job Centers Project Account; Establishing Method Of Distribution Of The Cypress Mandela Training Program And Citywide Job Centers Account Funds; On The March 29, 2018 City Council Agenda [18-0092](#)

**This City Resolution be No Action Taken.**

- 5 A Review Of The Council Committees' Actions From January 23, 2018 And Determination Of Scheduling To The City Council Meeting Of February 6, 2017 (MATRIX) [18-0026](#)

*The Committee requested that the items on the cancelled Public Safety Agenda be carried over to the February 13, 2018 Public Safety Committee.*

**This Report and Recommendation be Accepted as Amended.**

Subject: Actions To Identify And Remedy Racial Inequities In Traffic Enforcement  
From: Councilmember Kaplan  
Recommendation: Receive An Informational Report Listing City Of Oakland-Issued Fines, Penalties, And Fees For Traffic Violations And Vehicle Violations, Including A List Of Categories Of Violations; Number Issued Per Year; Total Amount Billed Each Year; What Portion Of Funds Come To The City Of Oakland, State Of California, Or Other Recipients; And The Proportion Of Racial Inequity Found In The Issuance Of Each Category Of Violation (Including, Specifically, The Degree To Which The Portion Of Violations Issued To African Americans Exceeds The Percent Of African Americans In The Oakland Population); And Options For Actions To Remedy Racial Inequities And Economic Harms From Traffic And Vehicle Violation Fees [16-1361](#)

**Sponsors:** Kaplan

**This Informational Report be Scheduled.to go before the \*Public Safety Committee to be heard 2/13/2018**

Subject: 30 Day Monthly Police Staffing Report  
From: Oakland Police Department  
Recommendation: Receive The Oakland Police Department's (OPD) Monthly Informational Report On Recruiting And Sworn Staffing Levels As Of December 31, 2017 [17-0480](#)

**This Informational Report be Scheduled.to go before the \*Public Safety Committee to be heard 2/13/2018**

Subject: Operational Agreement Between City Of Oakland And Alameda County  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Enter Into An Operational Area Agreement With Alameda County To Create An Intermediate Level Of The State Emergency Services Organization That Will Comply With The State Of California Standardized Emergency Management System (SEMS) For The Period From May 10,2016 Through December 31,2025  
[18-0039](#)

**Sponsors:** Oakland Fire Department and

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 2/13/2018**

Subject: FY 2016 Federal Emergency Management Agency, Urban Search And Rescue  
From: Oakland Fire Department  
Recommendation: Adopt A Resolutiom Amending Resolution 86490 No. C.M.S. Which Authorized The City Administrator, Or Her Designee, Among Other Things, To Enter Into An Agreement To Accept, Appropriate And Administer FY 2016 Urban Search And Rescue (US&R) Grant Funds, To Accept, Appropriate And Administer Supplemental Fiscal Year (FY) 2016 US&R Grant Funds In An Amount Not To Exceed One Hundred Sixteen Thousand Nine Hundred And Eleven Dollars (\$116,911) For A Cumulative FY 2016 US&R Grant Award Allocation In An Amount Not To Exceed One Million Three Hundred And Eighty-Six Thousand Four Hundred And Ninety-Three Dollars (\$1,386,493) And Appropriate Said Funds To The US&R Task Force  
[18-0043](#)

**Sponsors:** Oakland Fire Department and

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 2/13/2018**

Subject: Oakland Unite Year 1 Strategy Report  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report Of The First Evaluation By Mathematica Policy Research Of The Oakland Unite Services Funded Through The Safety And Services Act Of 2014 (Measure Z)  
[18-0044](#)

**Sponsors:** Office Of The City Administrator

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 2/13/2018**

- 6 A Review Of The Draft Agendas For The Council Committee Meetings Of February 06, 2018 And The Rules And Legislation Committee Of February 08, 2018  
[18-0027](#)

A motion was made by Annie Campbell Washington, seconded by Lynette McElhaney, that this matter be Accepted. The motion carried by the following vote:

**Excused:** 1 - Guillén

**Aye:** 3 - McElhaney, Reid, and Campbell Washington

**NO VOTE:** 0

- 7 Subject: Legislation To Place A Library Parcel Tax Measure On The June 5, 2018 Ballot  
From: Oakland Public Library  
Recommendation: Adopt 1) A Resolution On The City Council's Own Motion Submitting To The June 5, 2018 Statewide Primary Election, A Proposed Ordinance To Adopt A Special Parcel Tax To Maintain, Protect And Improve Direct Library Services Throughout Oakland; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The June 5, 2018 Statewide Primary Election; OR  
[18-0035](#)

**Sponsors:** Oakland Public Library

*There were 4 speakers on this item.*

A motion was made by Annie Campbell Washington, seconded by Lynette McElhaney, that this matter be Approved the Recommendation of Staff, and Forward to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 2/6/2018. The motion carried by the following vote:

**Excused:** 1 - Guillén

**Aye:** 3 - McElhaney, Reid, and Campbell Washington

**NO VOTE:** 0

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

*1 Speaker spoke during open forum.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Rules And Legislation Committee adjourned the meeting at 12:12 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.