



# City of Oakland

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

## Meeting Agenda - 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, April 13, 2017

10:45 AM

City Council Chamber, 3rd Floor

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#### **DEFINITION OF TERMS:**

**Consent Item:** any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

**Non-Consent Item:** any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

**Action Item:** any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

**Informational Item:** an item of the agenda consisting only of an informational report that does not require or permit Council action.

Roll Call / Call To Order

#### **COMMITTEE MEMBERSHIP:**

Lynette Gibson McElhaney, District 3; President Pro Tempore Abel J. Guillén, District 2;  
Dan Kalb, District 1; Chairperson: President Reid, District 7

1 Determinations Of Closed Session

[16-0913](#)

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

2 Approval Of The Draft Minutes From The Committee Meeting Of March 23, 2017

[16-0914](#)

3 Determination Of Schedule Of Outstanding Committee Items

[16-0915](#)

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

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

[16-0916](#)

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

4.1 Subject: Support Of Senate Bill 562 (Lara & Atkins), The Healthy California Act  
From: Councilmember Kaplan  
Recommendation: Adopt A Resolution In Support Of Senate Bill 562 (Lara & Atkins), The Healthy California Act, That Would Create The Healthy California Program To Provide Comprehensive Universal Single-Payer Health Care Coverage And A Health Care Cost Control System For The Benefit Of All Residents Of The State; On The April 18, 2017 City Council Agenda

[16-0782](#)

**Sponsors:** Kaplan

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

**Legislative History**

2/23/17	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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4.2 Subject: Recognizing The Week Of May 11th-21st, As Affordable Housing Week  
From: President Larry Reid  
Recommendation: Adopt A Resolution Declaring The Week Of May 11th -21st,2017 As Affordable Housing Week In The City Of Oakland; On The May 2, 2017 City Council Agenda As Ceremonial

**16-0953**

4.3 Subject: Prohibiting Sanctuary Cities For Applying For And Returning (Claw Back) Grant Funds

From: Member of the Public

Recommendation: Receive An Informational Report For A Financial Contingency Plan (If Any At All) In Response To United States Attorney General Jeff Sessions Admonition Of Prohibiting Sanctuary Cities Like Oakland From Applying For And Returning (Claw Back) Grant Funds From The United States Department Of Justice"; As Soon As Possible On The City Council Agenda

**16-0963**

**Sponsors:** Member(s) of the Public

**4.4** Subject: Recognizing Emergency Dispatcher's  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Recognizing April 9-15, 2017 As National Public Safety Telecommunicators Week in the City of Oakland; On The May 2, 2017 City Council Agenda As A Ceremonial Item

**16-0964**

Sponsors: Ms. Brooks

Attachments: View Report

**4.5** Subject: Allocation Of Additional Funding To The Code Compliance Relocation Program  
From: Housing And Community Development  
Recommendation: Adopt A Resolution (1) Amending Resolution Nos. 84860 C.M.S. And 85413 C.M.S., Which Authorized A \$750,000 Loan To Habitat For Humanity East Bay/Silicon Valley To Acquire And Rehabilitate Foreclosed, Vacant And Abandoned Single Family Homes, To Change The Source Of Project Funding For The Remaining Balance Of \$615,000 From Community Development Block Grant Funds To The Low And Moderate Income Housing Asset Fund; And (2) Allocating \$615,000 Of Community Development Block Grant Funds To The Code Enforcement Relocation Program; On The April 18, 2017 City Council Agenda

**16-0977**

Sponsors: Housing And Community Development Department

**4.6** Subject: Mandatory Trash Delinquent Fees And Special Assessment Charges 2017  
From: Revenue Management Bureau  
Recommendation: Adopt The Following Pieces Of Legislation

1) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Fees And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection Of The Periods January, February, March And January-March 2017 Quarterly; And

[16-0974](#)

Sponsors: Finance Department

2) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Fees And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection; And

[16-0975](#)

Sponsors: Finance Department

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; On The May 2, 2017 City Council Agenda As A Public Hearing  
[16-0976](#)

**Sponsors:** Finance Department

**4.7** Subject: Summary Of City’s Unfunded Liabilities  
 From: Finance Department

Recommendation: Receive An Informational Report On The Status Of The City Of Oakland’s Unfunded Actuarial Accrued Liabilities (UAAL) ; On The April 25, 2017 Finance And Management Committee Agenda  
**16-0962**

**4.8** Subject: Salary Ordinance Amendment And Exemption Resolution  
 From: Human Resources Management

Recommendation: Adopt: (1) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Budget Administrator From The Operation Of Civil Service And;  
**16-0978**

(2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Amend The Title Of Budget Director To Budget Administrator, Reduce The Salary Rate For Budget Administrator, And Create The Classification Of Budget Administrator, Assistant; On The April 25, 2017 Finance And Management Committee  
[16-0902](#)

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

**Legislative History**

3/23/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
4/11/17	*Finance & Management Committee	* Withdrawn and Rescheduled to the *Finance & Management Committee
<i>There was 1 speaker on this item.</i>		

**4.9** Subject: TDA Article 3 Funds Approval  
From: Oakland Public Works Department, Transportation Services Division  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Three Hundred Seventy-Five Thousand Dollars (\$375,000.00) In Fiscal Year 2017-18 State Transportation Development Act Article 3 Funds As Follows: (1) East 20th Street Stairpath Rehabilitation, One Hundred And Fifty Thousand Dollars (\$150,000.00); (2) Bicyclist Safety Education Classes, Twenty-Five Thousand Dollars (\$25,000.00); (3) Bicyclist Signage Program, One Hundred Thousand Dollars (\$100,000.00); (4) Bicyclist Safe Storm Drain Inlet Program, One Hundred Thousand Dollars (\$100,000.00); And

**16-0954**

Sponsors: Oakland Public Works Department and Transportation Department

2) A Resolution Authorizing The City Administrator To Waive The Advertising And Bidding Requirements For Award Of A Professional Services Agreement To The East Bay Bicycle Coalition (DBA Bike East Bay) In An Amount Not-To-Exceed Twenty-Five Thousand Dollars (\$25,000.00) To Conduct Bicyclist Safety Education Classes; On The April 25, 2017 Public Works Committee Agenda

**16-0956**

Sponsors: Oakland Public Works Department and Transportation Department

**4.10** Subject: On-Call Construction Contracts For Striping And Marking Services  
From: Oakland Public Works Department, Transportation Services Division  
Recommendation: Adopt A Resolution Awarding Two Separate Construction Contracts For On-Call Roadway Striping And Marking Services To Chrisp Company And Striping Graphics For One Million Five Hundred Thousand Dollars (\$1,500,000.00) Each; On The April 25, 2017 Public Works Committee Agenda

**16-0957**

Sponsors: Oakland Public Works Department and Transportation Department

**4.11** Subject: Revisions To Public Art Requirements For Private Developments  
From: Planning And Building Department  
Recommendation: Adopt An Ordinance Repealing Ordinance No. 13275 C.M.S., Amending The Oakland Municipal Code To Adopt Chapter 15.78, Public Art Requirements For Private Development, And Adopting CEQA Exemption Findings; On The April 25 2017 Community And Economic Development Committee Agenda And As A Public Hearing On The May 2, 2017 City Council Agenda

**16-0960**

Sponsors: Planning & Building Department

**4.12** Subject: Oakland Children - Smoking Prevention Ordinance  
 From: Vice Mayor Campbell Washington And Council President Reid  
 Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.91 To: (1) Prohibit The Sale Of Flavored Tobacco Products; (2) Establish A Minimum Package Or Volume Size For Cigars; (3) Prohibit The Sale Of Individual Or Small Unit Packages Of Cigars; (4) Require The Posting Of The Full Retail Price Of Tobacco Products; And (5) Prohibit The Redemption Of Tobacco Discounts And Coupons  
[16-0413](#)

**Sponsors:** Campbell Washington and Mr. Reid

**Legislative History**

11/17/16	*Rules & Legislation Committee <i>President Pro Tempore Reid requested to be associated with this item.</i>	Scheduled to the *Special Life Enrichment Committee
1/12/17	*Rules & Legislation Committee <i>Staff requested to change the title of this item to read as follows: "Adopt An Ordinance Amending Muncipal Code Chapter 5.91 To Prohibit The Sale Of Flavored Tobacco Products, Establishing Minimum Package Or Volume Size For Cigars, Prohibit The Sale Of Individual Or Small Unit Packages Of Cigars, Prohibit The Redemption Of Tobacco Discounts And Coupons, And To Prohibit The Issuance Of A Tobacco Retail License To A Pharmacy Or Store Containing A Pharmacy."</i>	Scheduled to the *Life Enrichment Committee
	<i>Staff requested to reschedule this item to the Life Enrichment Committee meeting on 02/14/2017.</i>	
2/2/17	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee

**4.13** Subject: Head Start-Early Head Start FY 2017-2018  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Apply For, Accept And Appropriate The Head Start Grants For Fiscal Year (FY) 2017-2018 From The U.S. Department Of Health And Human Services, Administration For Children And Families, Office Of Head Start In An Amount Not To Exceed \$16,229,592; And 2) Enter Into Grant Agreements To Fund Comprehensive Early Care, Education And Family Services For The Head Start Program From July 1, 2017 To June 30, 2018 As Follows: Unity Council In An Amount Not To Exceed \$4,689,123; Brighter Beginnings In An Amount Not To Exceed \$500,000; St. Vincent's Day Home In An Amount Not To Exceed \$322,600; Peralta Community College District - Laney College Children's Center In An Amount Not To Exceed \$114,000; Oakland Unified School District In An Amount Not To Exceed \$228,000; And 3) Accept And Appropriate Additional Federal Grant Funding That Becomes Available For The Same Purposes During The Same Grant Term And Amend The Agreements Without Returning To Council; And 4) Appropriate General Purpose Fund Contributions For FY 2017-2018 In An Estimated Amount Of \$1,428,932 To Support Continued Implementation Of Head Start/Early Head Start Services; And Approximately \$320,243 For Essential Program Operations And Personnel Costs Not Allowed By The Federal Grant Award; And Approximately \$714,349 To Support Internal Service Charges, Contingent Upon The Adoption Of The City's Proposed 2017-2019 Budget; And 5) Authorize A Contribution From The General Purpose Fund In An Estimated Amount Of \$1,982,066 For FY 2017-2018 Central Services Overhead Charges; On The April 25, 2017 Life Enrichment Committee

**16-0955**

**4.14** Subject: Parks And Recreation Advisory Commission  
From: Oakland Parks & Recreation Department  
Recommendation: Receive An Informational Report From The Parks and Recreation Advisory Commission (PRAC)

**16-0958**

Sponsors: Oakland Parks & Recreation Department

**4.15** Subject: 2017 Summer Food Service Program (SFSP)  
 From: Human Services/Children And Youth Services Division  
 Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept The Summer Food Service Program (SFSP) Grant From The California Department Of Education, Nutrition Services Division In An Estimated Amount Of \$418,500; 2) Enter Into Agreements With School Foodies In An Amount Not To Exceed \$102,060 And With San Lorenzo Unified School District In An Amount Not To Exceed \$122,400 And With Revolution Foods In An Amount Not To Exceed 109,890 To Provide Food Services For The Period June 12, 2017 Through August 11, 2017; And 3) Accept And Appropriate Additional SFSP Grant Money That Becomes Available And Amend The Agreements To Increase The Grant Amount Within The Grant Term Of June 12, 2017 Through August 11, 2017; On The April 25, 2017 Life Enrichment Committee Agenda

**16-0961**

Sponsors: Human Services Department

**4.16** Subject: The Oakland Police Department And The California Highway Patrol Amber Alert Process  
 From: Member Of The Public  
 Recommendation: Recieve An Informational Report And Possible Action On The Oakland Police Department And The California Highway Patrol Amber Alert Process; A Timeline And Review Of The Dartanian Brooks Amber Alert Request On Or About January 13, 2017; And Recommendations For Improvement To The Process; On The Public Safety Committee Agenda As Soon As Possible

**16-0959**

**4.17** Subject: Informational Report On Police Search Data  
 From: Councilmember Kaplan  
 Recommendation: Receive An Informational Report Regarding Oakland Police Department (OPD) Search Data That Provides “Successful” Searches Showing Numbers That Were Firearms, Numbers That Were Cannabis, And Numbers That Were Other Items; On The May 9th 2017 Public Safety Committee Agenda

[16-0693](#)

Legislative History

2/2/17

\*Rules & Legislation Committee

Scheduled to the \*Public Safety Committee

**5** A Review Of The Council Committees' Actions From April 11, 2017 And Determination Of Scheduling To The City Council Meeting Of April 18, 2017 (MATRIX)

[16-0918](#)

Attachments: [View Report](#)

**6** A Review Of The Draft Agendas For The Council Committee Meetings Of April 25, 2017 And The Rules And Legislation Committee Of April 27, 2017

[16-0919](#)

Attachments: [View Report](#)

7 Subject: Support AB 43 - State Incarceration Prevention Fund  
 From: Councilmember Dan Kalb, Lynette McElhaney And Vice Mayor Annie Campbell Washington  
 Recommendation: Adopt A Resolution In Support Of Assembly Bill 43 (Thurmond) To Create A State Incarceration Prevention Fund By Assessing A Tax On For-Profit Companies That Contract To Do Business With A State Prison Or The Ca Department Of Corrections Or The Department Of General Services To Provide A State Prison With A Good Or Service

[16-0853](#)

**Sponsors:** Kalb, McElhaney and Campbell Washington

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

[View Report](#)

**Legislative History**

3/9/17	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
3/23/17	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee

8 Subject: Resolution In Support Of AB 1505 - Inclusive Neighborhoods  
 From: Councilmember Dan Kalb  
 Recommendation: Adopt A Resolution In Support Of Assembly Bill 1505 (Bloom, Chiu, & Gloria) That Would Authorize Local Jurisdictions To Require Residential Developments To Include A Percentage Of Affordable Rental Units

[16-0865](#)

**Sponsors:** Kalb

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

[View Report](#)

**Legislative History**

3/23/17	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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9 Subject: Support Of SB 560 - Protecting Pensions From Climate Risk By Senator Ben Allen  
 From: Councilmembers Dan Kalb  
 Recommendation: Adopt A Resolution In Support Of Senate Bill 560 (Senator Allen) That Will Require Members Of California’s Public Pension Funds Boards, As Part Of Their Fiduciary Duties, To Consider Financial Risks Associated With Climate Change With Respect To Their Investments, And, Beginning In 2020, To Report Annually On The Financial Climate Risks, Including The Carbon Footprint Of The Investments

[16-0867](#)

**Sponsors:** Kalb

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

[View Report](#)

**Legislative History**

3/23/17      \*Rules & Legislation Committee      Scheduled to the \*Rules & Legislation Committee

- 10**    Subject:    Adopt A Resolution To Co-Sponsor Senate Bill 699 (Galgiani)  
From:        Council President Larry Reid  
Recommendation: Adopt A Resolution To Co-Sponsor Senate Bill 699 (Galgiani)  
Vehicles: Removal And Impoundment  
[16-0888](#)

**Sponsors:**            Mr. Reid

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

**Legislative History**

3/23/17      \*Rules & Legislation Committee      Scheduled to the \*Rules & Legislation Committee

- 11**    Subject:    Resolution In Support Of Support SB 31 (Lara) - Religious Freedom Act  
From:        Councilmembers Dan Kalb & Lynette McElhaney  
Recommendation: Adopt A Resolution In Support Of Senate Bill 31 (Lara) That Would Prohibit (1) State And Local Agencies From Assisting The Federal Government In Compiling A Religious Affiliation Database And (2) State And Local Law Enforcement Agencies From Collecting Religious Affiliation Information Or Assisting In The Enforcement Of Any Religious Registry Requirement  
[16-0895](#)

**Sponsors:**            Kalb and McElhaney

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

[View Report](#)

[View Supplemental Report](#)

**Legislative History**

3/23/17      \*Rules & Legislation Committee      Scheduled to the \*Rules & Legislation Committee

- 12**    Subject:    Appointment Of Mary Jo Cook To The Housing, Residential Rent And Relocation Board  
From:        Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Mary Jo Cook To The Housing, Residential Rent And Relocation Board  
[16-0896](#)

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

**Legislative History**

3/23/17      \*Rules & Legislation Committee      Scheduled to the \*Rules & Legislation Committee

**13** Subject: Resolution In Support Of AB1356 - Tuition-Free College  
From: Councilmember Dan Kalb  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1356 (Assemblymember Eggman) That Will Establish The Higher Education Assistance Fund With The Goal Of Providing Tuition-Free Higher Education To California Students. It Funds Itself Through A 1 Percent Tax On Incomes Exceeding One Million Dollars  
[16-0906](#)

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

**Legislative History**

3/23/17	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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**14** Subject: Mayor's Appointment To The Residential Rent And Relocation Board  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Terry Sandoval And Robert Stone To The Housing, Residential Rent And Relocation Board  
[16-0929](#)

**Sponsors:** Office Of The Mayor

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

**15** Subject: Adopt A Resolution In Support of Assembly Bill 1008  
From: Council President Larry Reid  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1008 (McCarty) Amending The Fair Employment And Housing Act (FEHA )And Extending The Ban The Box To Private Employers, Delaying The Background Check Until The Conditional Offer Phase Of The Hiring Process, And Incorporating The 2012 EEOC Guidelines That Protect People Of Color Against Discrimination Based On A Background Check  
[16-0931](#)

**Sponsors:** Mr. Reid

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

**16** Subject: Resolution In Support of AB1316 (Quirk)  
From: Councilmember Lynette McElhaney And Vice Mayor Annie Campbell Washington  
Recommendation: Adopt A Resolution In Support Of Ab1316 (Quirk) "Childhood Lead Poisoning" That Would Mandate That All Children Are Evaluated For Elevated Blood Lead Levels To Prevent Blood Lead Poisoning  
[16-0872](#)

**Sponsors:** McElhaney

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

**Legislative History**

3/23/17	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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**Open Forum (Total Time Available: 15 Minutes)**

**Adjournment**

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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.**