



**City Of Oakland
City Council
Legislative Calendar**

Office of the City Clerk
Oakland City Hall
1 Frank Ogawa Plaza
Oakland, CA 94612
LaTonda Simmons, City Clerk

**ALL MEETINGS ARE HELD IN CITY HALL
ONE FRANK H. OGAWA PLAZA, OAKLAND, CA**

Date	Time	Meeting Body	Meeting Location
FOR THE WEEK OF 3-19-2018			
3-20-2018	3:30 P.M.	Special Closed Session	Sgt. Daniel Sakai (HR 4) 2nd Floor
3-20-2018	5:30 P.M.	Oakland City Council	Council Chamber 3rd Floor
3-22-2018	10:30 A.M.	Special Closed Session	Building Bridges Room 3rd Floor
	10:45 A.M.	*Rules & Legislation Committee	Council Chamber 3rd Floor
UPCOMING MEETINGS FOR COUNCIL COMMITTEES:			
3-27-2018	CANCELLED	* Finance & Management Committee	Sgt. Mark Dunakin Rm (HR1) 1st Floor
3-27-2018	CANCELLED	* Public Works Committee	Sgt. Mark Dunakin Rm (HR 1) 1st Floor
3-27-2018	CANCELLED	* Community & Economic Development Committee	Sgt. Mark Dunakin Rm (HR 1) 1st Floor
3-27-2018	CANCELLED	* Life Enrichment Committee	Sgt. Mark Dunakin Rm (HR 1) 1st Floor
3-27-2018	CANCELLED	* Public Safety Committee	Sgt. Mark Dunakin Rm (HR 1) 1st Floor
3-29-2018	10:30 A.M.	Special Closed Session	Building Bridges Room 3rd Floor
	10:45 A.M.	*Rules & Legislation Committee	Council Chamber 3rd Floor

** In the event that 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 actions can be taken.*

City of Oakland

*This document is provided as a courtesy only and is not an official notice as prescribed by Local and State laws.
Please refer to the published Meeting Agendas for official noticing information.*

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA 6TH FLOOR • OAKLAND, CALIFORNIA 94612

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DRAFT

THE OAKLAND CITY COUNCIL WILL
HOLD A SPECIAL CLOSED SESSION ON
TUESDAY, MARCH 20, 2018, 3:30 P.M. TO 5:00 P.M.
IN HEARING ROOM 4

The City Council will Convene in Open Session Prior To Adjourning to Closed Session and will Report Out Any Final Decisions in City Council Chambers During the City Council's Open Session Meeting Agenda

1. Pursuant to California Government Code Section 54956.9(a) & 54956.9(d)(1):

CONFERENCE WITH CITY ATTORNEY - PENDING LITIGATION

- a) Delphine Allen v. City of Oakland
United States District Court Case No. C00-4599 WHO
- b) Courtney Jones v. City of Oakland
Alameda County Superior Court Case No. RG16825542
- c) City of Oakland v. International Federation of Professional & Technical Engineers, Local 21, AFL-CIO
PERB Case No. SF-C0-413-M

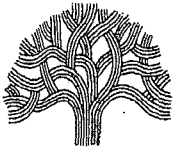
2. Pursuant to California Government Code Section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

- a) Property: Henry J. Kaiser Convention Center, also known as the Oakland Municipal Auditorium
- City Negotiators: Mark Sawicki, Patrick Lane, Jens Hillmer, and Bijal Patel
- Negotiating Parties: Nick Orton and David Dial on behalf of Orton Development, Inc.
- Under Negotiation: Price and terms for the proposed ground lease and development of the property

Respectfully submitted,

BARBARA J. PARKER
City Attorney



CITY OF OAKLAND

City of Oakland

Meeting Agenda - FINAL

Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

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

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

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

Tuesday, March 20, 2018

5:30 PM

City Council Chamber, 3rd Floor

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.

1 PLEDGE OF ALLEGIANCE

2 ROLL CALL / CITY COUNCIL

COUNCILMEMBERS: Desley Brooks, District 6; Vice Mayor Annie Campbell Washington, District 4; Noel Gallo, District 5; President Pro Tempore Abel J. Guillén, District 2; Dan Kalb, District 1; Rebecca Kaplan, At Large; Lynette McElhaney, District 3; Council President Larry Reid, District 7

3 OPEN FORUM / CITIZEN COMMENTS (Time Available: 15 Minutes)

4 ACTIONS ON SPECIAL ORDERS OF THE DAY
(Ceremonial Presentations, Reports/Presentations From The Mayor,
Council Acknowledgements/Announcements):

- 4.1 Subject: American Red Cross Month
From: Council President Reid And Councilmember Kalb
Recommendation: Adopt A Resolution Declaring March 2018 As American Red Cross
Month
18-0215

Attachments: [View Report](#)

Legislative History

3/8/18 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council

- 4.2 Subject: Honoring Betty Soskin
From: Councilmember Brooks
Recommendation: Adopt A Resolution Celebrating And Honoring Betty Reid Soskin For
Her Courageous, Innovative, Groundbreaking Work; Which Is Truly Inspirational; Has
Promoted Positive Change, And Has Uplifted The Residents Of The City Of Oakland And
The Nation In The Areas Of Social Justice, Advocacy, Arts And Culture, Business And
Faith
18-0220

Attachments: [View Report](#)

Legislative History

3/8/18 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF MARCH 6, 2018
AND THE MARCH 8, 2018 SPECIAL CITY COUNCIL MEETING
18-0233

- 6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests To: Reschedule Items From Consent To Non-Consent
To The Next Council Agenda, Speak On Consent Calendar, Register Votes,
Change Order Of Items, Reconsiderations, Pull Items Held In Committee):

- 7 CONSENT CALENDAR (CC) ITEMS:

- 7.1 Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency Syndrome ("AIDS") Epidemic
18-0234
Attachments: [View Report](#)
- 7.2 Subject: Declaration Of Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland
18-0235
Attachments: [View Report](#)
- 7.3 Subject: Salary Ordinance Amendment-Various Classifications
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 Full-Time Classifications Of Treasury Administrator, Assistant, And Revenue & Tax Administrator, Assistant; To Amend The Title Of Deputy Director, Economic Development & Employment To Deputy Director, Economic & Workforce Development; To Amend The Title Of Treasury Manager To Treasury Administrator; To Amend The Title Of Operations Shift Supervisor To Help Desk Supervisor And Amend The Salary; To Amend The Title Of Marketing Specialist To Marketing Program Coordinator And To Amend The Salary; And To Amend The Title Of Child Education Coordinator To Head Start Education Coordinator And Amend The Salary
18-0129
Attachments: [View Report](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON MARCH 6, 2018 WITH VOTE TBD

Legislative History

2/8/18	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
2/27/18	*Finance & Management Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

3/6/18 * Concurrent Meeting of the
Oakland Redevelopment
Successor Agency and the
City Council Approved On Introduction and Scheduled for
Final Passage to the * Concurrent Meeting
of the Oakland Redevelopment Successor
Agency and the City Council

7.4 Subject: Settlement Of Olga Cortez, Et Al., V. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Cases Of: Olga Cortez, Et Al., V. City Of Oakland, Et Al.,
United States District Court No. 16-CV-06256-JSW In The Amount Of Thirty Five
Thousand Dollars And No Cents (\$35,000) Arising From Alleged Assaultive Conduct Of
Intoxicated Off-Duty OPD Officer On December 7, 2015. (Oakland Police Department-
Civil Rights) For A Total Settlement Amount Of Thirty Five Thousand And No Cents.
(\$35,000)
18-0190

Attachments: [View Report](#)

Legislative History

3/6/18 * Concurrent Meeting of the
Oakland Redevelopment
Successor Agency and the
City Council Continued to the * Concurrent Meeting of the
Oakland Redevelopment Successor Agency
and the City Council

7.5 Subject: Settlement Of Chinwe Olike, Et Al., V. City Of Oakland And United Financial
Casualty Co. V. City Of Oakland
From: Office Of The City Attorney
Recommendation : Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Cases Of: (1) Chinwe Olike & Ogenna Udemezue V. City Of
Oakland, Et Al., Alameda County Superior Court No. RG16810453 In The Amount Of Ten
Thousand Dollars And No Cents (\$10,000) And (2) The Related Case Of United Financial
Casualty Co., V. City Of Oakland, Alameda County Superior Court, Case No.
RG17854117) In The Amount Of Thirty Six Thousand Dollars, One Hundred And Fifteen
Dollars And Fifty Two Cents (\$36,115.52) As A Result Of An Auto Collision On May 21,
2015. (Oakland Police Department- Auto Collision) For A Total Settlement Amount Of
Forty Six Thousand, One Hundred And Fifteen Dollars And Fifty Two Cents. (\$46,115.52)
18-0189

Attachments: [View Report](#)

[View Revised Report](#)

Legislative History

3/6/18 * Concurrent Meeting of the
Oakland Redevelopment
Successor Agency and the
City Council Continued to the * Concurrent Meeting of the
Oakland Redevelopment Successor Agency
and the City Council

7.6 Subject: MOU With International Federation Of Professional & Technical Engineers
From: Department Of Human Resource Management
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving Memorandum Of Understanding Between The City Of Oakland
And The International Federation Of Professional & Technical Engineers ("IFPTE"), Local
21, Representing Employees In Representation Units TA1, TF1, TM2, TW1, UH1, UM1,
UM2, TM1, And U41, Covering The Period From Of July 1,2017 Through June 30,2019;
And

18-0218

Attachments: [View Report](#)

Legislative History

3/8/18	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary
Ordinance") To Provide Wage Increases To Represented Employees Pursuant To The
Memorandum Of Understanding Between The City Of Oakland And The International
Federation Of Professional & Technical Engineers, Local 21; The Wage Increases Shall
Be As Follows: Increase Of 4% Effective July 1,2017; Increase Of 1% Effective The First
Pay Period In January 2019; Additional Increase Of 2% For Select Listed Classifications
Effective January 1, 2018; And Additional Increase Of 2% For Select Listed
Classifications Effective July 1, 2018

18-0219

Attachments: [View Report](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS
ORDINANCE.*

FINAL PASSAGE (Second Reading) WILL OCCUR ON APRIL 17, 2018.

Legislative History

3/8/18	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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A Title change was read into record.

- 7.7 Subject: Adding Cannabis Permitting Staff
From: Office Of The City Administrator
Recommendation: Adopt A Resolution To Authorize The City Administrator Or Her Designee To Appropriate Three Hundred Seven Thousand And Thirty-Two Dollars (\$307,032) Of Available One-Time Project Funds Generated Through Cannabis Permit Application Fees To Fund One Full-Time City Administrator Analyst And One Full-Time Public Service Representative To Work On Cannabis Regulation And Implement The Cannabis Equity Permit Program Through June 30, 2019
18-0240

Attachments: [View Report](#)

Legislative History

3/8/18	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 7.8 Subject: Adams Point Neighborhood Group Graffiti Abatement Grant
From: Councilmember McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$1,000 From Councilmember McElhaney's Graffiti Abatement Mural And Green Wall Funds To The Oakland Parks And Recreation Foundation For The Adams Point Neighborhood Group's Mosaic Trash Container Project
18-0242

Attachments: [View Report](#)

Legislative History

3/8/18	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 7.9 Subject: Ordinance To Enact The Tenant Move Out Agreement Ordinance
From: Office Of The City Attorney, President Pro Tem Guillén And Councilmember Kalb
Recommendation: Adopt An Ordinance Adding A New Article VI To O.M.C. Chapter 8.22 To (1) Regulate Tenant Move Out Agreements And Negotiations, (2) Create Disclosure And Reporting Requirements For Such Agreements And Negotiations, And (3) Provide Remedies For Violations
17-0415

Attachments: [View Report](#)

[View Supplemental 1-19-2018](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 6, 2018; 8 AYES.

Legislative History

11/16/17	*Rules & Legislation Committee <i>This Item was scheduled to be heard at the 1st Committee in January.</i>	Scheduled to the *Community & Economic Development Committee
1/9/18	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the Community and Economic Development Committee <i>The Committee directed staff to change the Article number in the report from 6 to 7 .</i> <i>There was 3 speakers on this item</i>	Continued to the *Community & Economic Development Committee
1/11/18	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
1/23/18	*Community & Economic Development Committee <i>There were 4 speakers for this item</i> <i>The Staff read into record the following amendments:</i> <i>1) a title change, to strike VI and change it "VII" and change in Section J page 3 from VI to "VII".</i> <i>2) Section 3 page 14 strike effective thirty (30) days after adoption and add "on May 1, 2018"</i>	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
2/6/18	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
2/20/18	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
3/8/18	*Rules & Legislation Committee <i>This item will result in a second reading.</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

7.10 Subject: Support Of Temporary Protected Status
From: Councilmember Brooks And President Pro Tem Guillen
Recommendation: Adopt A Resolution Calling On The Federal Government To Extend
Temporary Protected Status (TPS) For All Nations Currently Under The Program, And To
Establish A Pathway To Permanent Residency For Current Beneficiaries
18-0173

Attachments: [View Report](#)

[View Supplemental Report 3-1-2018](#)

[View Report](#)

[Legislative History](#)

3/8/18 *Rules & Legislation Committee Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 7.11 Subject: Agreement With The State Of California Office Of Emergency Services (CAL OES)
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee To Enter Into An Agreement With The State Of California Office Of Emergency Services (Cal OES) To Accept, Appropriate, And Administer Grant Funds In An Amount Not To Exceed Two Hundred Twenty-Eight Six Hundred Eighty-One Dollars And Sixty Cents (\$228,681.60) For A Scheduled Full-Scale Exercise To Meet Personnel And Supply Expenses For The Training Of The Oakland Fire Department's Urban Search And Rescue (US&R) Team
18-0247

Attachments: [View Report](#)

Legislative History

3/8/18 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 7.12 Subject: James Prator V. City Of Oakland, Et Al., Alameda County
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of James Prator V. City Of Oakland, Et Al., Alameda County Superior Court No. RG15792210 In The Amount Of Nine Hundred Thousand Dollars And No Cents (\$900,000.00), As A Result Of Multiple Severe Injuries Arising From A Trip And Fall On A Section Of Uplifted Sidewalk Occurring On January 29, 2015 (Oakland Department Of Transportation - Dangerous Condition)
18-0248

Attachments: [View Report](#)

Legislative History

3/8/18 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

7.13 Subject: Rezoning Of 4432-4434 And 4444 Telegraph Avenue
From: Planning And Building Department
Recommendation: Adopt An Ordinance, To Rezone Portions Of Two Parcels Located At
4432-4434, And 4444 Telegraph Avenue From The RM-1 Mixed Housing Type
Residential Zone To The CN-2 Neighborhood Center Zone And To Adopt Related
California Environmental Quality Act (CEQA) Findings
18-0040

Attachments: [View Report](#)

Pursuant to Rule 28(a) (Council) of Resolution 87044 C.M.S., this item was added to this agenda.

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 6, 2018; 8 AYES.

Legislative History

1/11/18	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
1/23/18	*Community & Economic Development Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
		<i>The Committee Approved the Recommendation of Staff to have this item forwarded to City Council to be heard as a Public Hearing</i>
2/6/18	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 7:26 p.m.</i>
		<i>1 individual spoke on this item.</i>
		<i>Councilmember Kalb made a motion, seconded by Councilmember McElhaney, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Brooks, Campbell Washington, Gallo, Kalb, Kaplan, Reid and President Gibson McElhaney - 7, Recused: Guillén - 1</i>
2/20/18	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	No Action Taken
3/6/18	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	No Action Taken
3/8/18	*Rules & Legislation Committee	No Action Taken

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- 7.14 Subject: Reappointment To The Community Jobs Oversight Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Larry Gallegos To The Community Jobs Oversight Commission
18-0249
Attachments: [View Report](#)
- 7.15 Subject: Reappointment To The Privacy Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Heather Patterson And Chloe Brown As A Member Of The Privacy Advisory Commission
18-0250
Attachments: [View Report](#)
- 7.16 Subject: Appointment To The Community Policing Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Collette McPherson And Kimberly Aceves As A Member Of The Community Policing Advisory Board
18-0251
Attachments: [View Report](#)
- 7.17 Subject: Appointment To The Sugar Sweetened Beverages Community Advisory Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Gabriela Regalado As Members Of The Sugar Sweetened Beverages Community Advisory Board
18-0252
Attachments: [View Report](#)
- 7.18 Subject: Appointment To The Civil Service Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Appointment Of Carmen Lorena Martinez To The Civil Service Board
18-0253
Attachments: [View Report](#)

7.19 Subject: Restricting The Issuance Of Cannabis Permits At Properties With Residential
Tenants
From: Councilmember Kaplan, Office Of The Mayor And Office Of The City
Administrator
Recommendation: Adopt An Ordinance Amending Chapters 5.80 And 5.81 Of The
Oakland Municipal Code To Restrict Or Prohibit Approval And/Or Permitting Of Cannabis
Businesses At Locations (A) Where "Work/Live" Type Uses, As Defined In Chapters 5.80
And 5.81, Existed As Of March 6, 2018 Or (B) Where Residential Uses Existed As Of
March 6, 2018
18-0241

Attachments: [View Report](#)

[View Supplemental Report 3-8-2018](#)

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF
THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON MARCH 8, 2018; 5 AYES 2
EXCUSED BROOKS AND MCELHANEY.*

[Legislative History](#)

3/8/18 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
Councilmember Kaplan made a motion, seconded by Councilmember Kalb to approve the ordinance with the following amendments:

5.81.150 - Restrictions on Approvals for Properties Used for Work/Live or Residential Purposes

A. No permit or local authorization shall be issued under OMC Chapters 5.80 or 5.81 to a cannabis

applicant at premises where either:

1. Work/Live use existed as of March 6, 2018; or 2. Residential use existed as of March 6, 2018. In both

the foregoing, this applies irrespective of any subsequent reconfiguration of the premises; or

2. Residential use existed as of March 6, 2018.

B. A permit or local authorization may be issued under OMC Chapters 5.80 or 5.81 to a cannabis

applicant utilizing different premises within a parcel of land that also contains Work/Live or residential

uses, so long as the cannabis applicant mitigates potential impacts, if possible, as directed by the City

Administrator, Fire Marshall, and/or Building Official, including any mitigations required by the Fire

Marshall and/or the Building Office, and so long as volatile manufacturing may only take place in a

separate building with approval of the Fire Marshall and Building Official and under such mitigations as

they or the City Administrator may require.

C. The City Administrator may develop further guidelines and operating standards to implement this section

There were 19 speakers on this item

8 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION & DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS

COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:

9 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 11 Subject: Police Commission Enabling Ordinance
From: Councilmember Kalb And Councilmember Gallo
Recommendation: Discussion And Action On An Ordinance (1) Enabling Implementation
Of The City Charter Amendment Creating The Oakland Police Commission And The
Community Police Review Agency, (2) Establishing A Civilian Inspector General, And (3)
Requiring An Annual Report And Presentation By The Community Policing Advisory
Board To The Commission [TITLE CHANGE]
16-1095

Attachments:

[View Report](#)

[View Report - Gallo Alternative](#)

[View Supplemental Report - Kalb](#)

[View Supplemental Report 2-23-18](#)

Legislative History

5/4/17 *Rules & Legislation Committee Scheduled to the *Public Safety Committee

6/13/17 *Special Public Safety Committee No Action Taken

A motion was made by Councilmember Gallo, seconded by Councilmember Brooks, to approve the Councilmember Gallo/Community alternative ordinance and forward it to the full council on June 20, 2017.

A substitute motion was made by Council President Reid, seconded by President Pro Tempore Guillen, to approve the original ordinance, Councilmember Kalb's ordinance. Councilmember Brooks and Councilmember Gallo voted no.

35 speakers spoke to this item.

6/20/17 Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board Referred to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

6/20/17 Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board Referred to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

6/27/17

Special Concurrent Meeting
of the Oakland
Redevelopment Successor
Agency/City Council
ORIGINAL MOTION:

Continued to the * Concurrent Meeting of the
Oakland Redevelopment Successor Agency
and the City Council

Councilmember Kalb made a motion, seconded by Council President Reid to amend the ordinance as follows:

Direct the City Administrator to offer to meet and confer with the applicable unions, as required by state law, over the relevant provisions of version of the Police Commission Enabling Ordinance that we vote on tonight.

STRIKE THE FOLLOWING LANGUAGE:

B. Results of a criminal records search. The results of each criminal records search shall be disclosed only to the Appointing Authority that is considering the Commissioner or alternate, and shall remain confidential to the greatest extent permitted by law. The Appointing Authority may use the results of the criminal records search solely for the purpose of evaluating the candidates for Commissioner and alternate. Nothing in this Chapter 2.45 shall be construed to require the Selection Panel or the Mayor to disqualify an applicant because of the results of the criminal records search.

ADD TEXT AS FOLLOWS:

Note: This change will require a change in 2.45.190 H (Commissioner training) as follows:

H. Commissioners will attend a police academy curriculum designed for them by the Chief after consultation with the Commission. The curriculum shall be designed so that criminal background checks will not be required for attendance.

2.46.040 - Agency Director.

The Agency shall report to, AND BE SUPERVISED BY, the Commission, and shall be responsible for the day-to-day operations of the Agency.

SUBSTITUTE MOTION:

Councilmember Gallo made a substitute motion, seconded by Councilmember Brooks to move the ordinance with the amendments included in the main motion and adding the following:

Section 2.45.130 Establishment of Discipline Committee

B. Membership in the Discipline committees shall rotate for each police officer discipline or termination case, as determined by the Chairperson of the Commission, PROVIDED, HOWEVER, THAT NO MORE THAN ONE COMMISSIONER

APPOINTED BY THE MAYOR SHALL BE APPOINTED TO EACH DISCIPLINE

COMMITTEE.

The council took action on the substitute motion.

*The substitute motion tied by Ayes: Brooks, Gallo, Campbell Washington,
Kaplan and Noes: Guillen, Kalb, McElhaney, Reid.*

There were 42 speakers on this item

7/18/17

Concurrent Meeting of the
Oakland Redevelopment
Successor Agency / City
Council / Geologic Hazard
Abatement District Board

Continued to the *Rules & Legislation
Committee

*Councilmember Kalb made a motion, seconded by Council President Reid to
amend the ordinance as follows:*

*Direct the City Administrator to offer to meet and confer with the applicable
unions, as required by state law, over the relevant provisions of version of the
Police Commission Enabling Ordinance that we vote on tonight.*

STRIKE THE FOLLOWING LANGUAGE:

*"The Council approved an alternative motion to direct the City Administrator
to meet and confer with the applicable unions, as required by state law, over
the relevant provisions of this version of the Police Commission Enabling
Ordinance with the following amendments:*

STRIKE THE FOLLOWING LANGUAGE:

*"B. Results of a criminal records search. The results of each criminal records
search shall be disclosed only to the Appointing Authority that is considering
the Commissioner or alternate, and shall remain confidential to the greatest
extent permitted by law. The Appointing Authority may use the results of the
criminal records search solely for the purpose of evaluating the candidates for
Commissioner and alternate. Nothing in this Chapter 2.45 shall be construed
to
require the Selection Panel or the Mayor to disqualify an applicant because of
the results of the criminal records search.*

ADD TEXT AS FOLLOWS:

*Note: This change will require a change in 2.45.190 H (Commissioner
training)
as follows:*

*H. Commissioners will attend a police academy curriculum designed for them
by the Chief after consultation with the Commission. The curriculum shall be
designed so that criminal background checks will not be required for
attendance.*

2.46.040 - Agency Director.

*The Agency shall report to, AND BE SUPERVISED BY, the Commission, and
shall be responsible for the day-to-day operations of the Agency."*

with return after completion of necessary meet and confer with labor groups.

3/6/18

* Concurrent Meeting of the
Oakland Redevelopment
Successor Agency and the
City Council

* Withdrawn and Rescheduled to the *
Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the
City Council

There were 13 speakers on this item

- 12 Subject: Salary Ordinance Amendment -Chief of Violence Prevention
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 Title Of Chief Of Violence Prevention
18-0130

Attachments: [View Report](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS
ORDINANCE.*

FINAL PASSAGE (Second Reading) WILL OCCUR ON APRIL 17, 2018

Legislative History

2/8/18	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
2/27/18	*Finance & Management Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
3/6/18	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

There were 3 speakers on this item

- 13 Subject: Moratorium Extension On Substantial Rehabilitation Exemption
From: Councilmember Kalb And Councilmember Kaplan
Recommendation: Adopt An Ordinance Extending By 180-Days Ordinance No. 13465
C.M.S. That Imposed A 180- Day Moratorium On Substantial Rehabilitation Exemptions
Of Chapter 8.22, Article 1, "Residential Rent Adjustment Program" (O.M.C. Section
8.22.030.B.2.)
18-0221

Attachments: [View Report](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS
ORDINANCE.*

FINAL PASSAGE (Second Reading) WILL OCCUR ON APRIL 17, 2018

Legislative History

3/8/18	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 14 Subject: ORSA Tax Allocation Refunding Bonds, Series 2018-TE/T
From: Finance Department
Recommendation: Adopt A Successor Agency Resolution Authorizing The Issuance And Prescribing The Terms, Conditions And Form Of Not To Exceed \$65,000,000 Combined Aggregate Principal Amount Of The Oakland Redevelopment Successor Agency Subordinated Tax Allocation Refunding Bonds, Series 2018- TE And Oakland Redevelopment Successor Agency Subordinated Tax Allocation Refunding Bonds, Series 2018- T (Federally Taxable), Approving The Form Of And Authorizing The Execution And Delivery Of A First Supplement To Indenture Of Trust And A Purchase Agreement; Approving The Selection And Retention Of A Municipal Advisor And Underwriters; Authorizing Payment Of Costs Of Issuance; And Authorizing And Approving Necessary Actions In Connection Therewith
18-0224

Attachments: [View Report](#)

Legislative History

3/8/18

*Rules & Legislation
Committee

Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council

- 15 Subject: Assessment District No. 2007-232 Piedmont Pines Phase II
From: Department Of Transportation
Recommendation: Adopt The Following Pieces of Legislation:
1) 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) Find 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) Provide That The Council Intends To Levy A Special Assessment Upon The Land Within The Assessment District; 5) Provide That Bonds Shall Be Issued To Finance A Portion Of The Costs Of Improvements; 6) Appoint Harris & Associates As The Engineer Of Work For The Assessment District; And 7) Direct The Engineer Of Work To Make And File The Engineer's Report With The City Clerk; And
18-0073

Attachments: [View Report](#)

[View Supplemental Report 3-8-2018](#)

Legislative History

1/25/18

*Rules & Legislation
Committee

Scheduled to the *Finance & Management
Committee

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

2/13/18	*Finance & Management Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
		<i>There was 1 speaker on this item</i>
2/15/18	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
		<i>Staff requested this item be forwarded to the February 20, 2018 full council as a consent item.</i>
3/8/18	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

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, May 15, 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

Attachments: [View Report](#)

Legislative History

1/25/18	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
		<i>This item will only be heard at the Finance and Management Committee.</i>
		<i>A correction to the title was made correcting the public hearing time.</i>
2/13/18	*Finance & Management Committee	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
		<i>The committee approved staffs title change read into record, "2) ... Council On Tuesday, April 17, 2018"</i>
2/15/18	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
		<i>Staff request that this item be forwarded to the February 20, 2018 full council as a consent item.</i>
3/8/18	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

3) ~~AM~~ Resolution 1) Directing City Staff To Assist With A Request To The California Public Utilities Commission For Exception To Certain Rules Related To The Funding Of The Undergrounding Of Utilities For The Proposed City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase II; And 2) Making Findings Related Therefo [NEW TITLE]
18-0243

Attachments: View Report

Legislative History

3/8/18	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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CONTINUATION OF OPEN FORUM

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 12:00 A.M., Unless Extended By Majority Vote Of The Council)

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 5 days 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

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THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.

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 8:30 A.M. TO 5:00 P.M.



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>

Thursday, March 22, 2018

10:45 AM

City Council Chamber, 3rd Floor

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 McElhaney, District 3; President Pro Tempore Abel J. Guillén, District 2; Vice Mayor Campbell Washington, District 4; Chairperson: President Reid, District 7

- 1 Determinations Of Closed Session
18-0236
- 2 Approval Of The Draft Minutes From The Committee Meeting Of March 8, 2018
18-0237
- 3 Determination Of Schedule Of Outstanding Committee Items
18-0238

- 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas
(SUPPLEMENTAL)
18-0239

- 5 There Are No Draft Agendas For The Week of April 2, 2018 Due to Spring Recess

Open Forum (Total Time Available: 15 Minutes)

Adjournment

Americans With Disabilities Act

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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.