



City of Oakland

Office of the City Clerk
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Oakland, California 94612
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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>

Thursday, December 1, 2016

10:45 AM

City Council Chamber, 3rd Floor

Roll Call / Call To Order

The Oakland City Council Rules and Legislation Committee convened at 10:56 a.m., with Council President Gibson McElhane presiding as Chairperson.

Present 3 - Abel J. Guillén, Laurence E. Reid, and Lynette McElhaney

Absent 1 - Dan Kalb

1 Determinations Of Closed Session

[16-0373](#)

Attachments: [View Report](#)

There will be a Special Closed Session on December 7, 2016 at 12:30 p.m. and on December 13, 2016 at 2 p.m.

A motion was made by Larry Reid, seconded by Abel J. Guillén, that this matter be Accepted. The motion carried by the following vote:

Aye: 3 - Guillén, Reid, and McElhaney

Absent: 1 - Kalb

NO VOTE: 0

2 Approval Of The Draft Minutes From The Committee Meeting Of October 27, November 3, 2016, And The November 17, 2016

[16-0374](#)

Attachments: [View Report](#)

[View Report](#)

Minutes from November 17, 2017 will be presented at the following Rules and Legislation Committee meeting.

A motion was made by Abel J. Guillén, seconded by Larry Reid, that this matter be Accepted. The motion carried by the following vote:

Aye: 3 - Guillén, Reid, and McElhaney

Absent: 1 - Kalb

NO VOTE: 0

3 Determination Of Schedule Of Outstanding Committee Items

[16-0484](#)

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

A motion was made by Larry Reid, seconded by Abel J. Guillén, that this matter be Accepted. The motion carried by the following vote:

Aye: 3 - Guillén, Reid, and McElhaney

Absent: 1 - Kalb

NO VOTE: 0

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

[16-0447](#)

There was 1 speaker on this item.

A motion was made by Abel J. Guillén, seconded by Kalb, that this matter be Accepted as Amended. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and McElhaney

NO VOTE: 0

Subject: License Agreement For Use Of Building L-118 At Oakland International Airport
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute An Amendment To A License And Concession Agreement With The Port Of Oakland For The City's Use Of Port Building L-118 At The Oakland Airport For Office Use And Maintenance Of City Helicopters: (1) Extending The Agreement By Five Years, With Five (5) One Year Options; And (2) Setting Rent At Sixteen Thousand Four Hundred Seventeen Dollars And Five Cents (\$16,417.05) Monthly, Such Rent To Be Offset By The Equivalent Value Of Services Provided By The Oakland Police Department At The Airport; And Making Certain California Environmental Quality Act Exemptions
[16-0420](#)

Attachments: [View Report](#)
[13412 CMS](#)
[Proof Of Publication 13412 CMS](#)

Staff requested to change the title for the Special Community and Economic Development Committee meeting on 12/06/2016 item 10 to read as follows: "Adopt An Ordinance Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute An Amendment To A License And Concession Agreement With The Port Of Oakland For The City's Use Of Port Building L-118 At The Oakland Airport For Office Use And Maintenance Of City Helicopters: (1) Extending The Agreement By Five Years, With Five (5) One Year Options; And (2) Setting Rent At Sixteen Thousand Four Hundred Seventeen Dollars And Five Cents (\$16,417.05) Monthly, Such Rent To Be Offset By The Equivalent Value Of Services Provided By The Oakland Police Department At The Airport; And Making Certain California Environmental Quality Act Exemptions"

Subject: Affordable Housing On The Oak To Ninth Project
From: Gene Hazzard / Member Of The Public
Recommendation: An Informational Report Related To The April 4, 2016 And The May 16, 2016 Letters From The State Department Of Finance Denying The City's Request For The Enforceable Obligation Of The Use Of \$4,000,000.00 For The Construction Of Affordable Housing On The Oak To Ninth Project Also Provide The Percentage Of Ownership In The Project Of Oakland Harbor Partners (AKA Signature Properties) And Zarison. Include ,The Current Status Of The Funds On Hand For The Construction Of Affordable Housing On The Oak To 9th Project
[16-0273](#)

Attachments: [View Report](#)

Staff requested to remove Item 3 on the Special Community and Economic Development Committee meeting regarding Affordable Housing On The Oak To Ninth Project.

Subject: Final Map For Tract No. 7877 At 466 37th Street
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Approving A Final Map For Tract No. 7877 Located At 466 37th Street For Conversion Of Eight Rental Housing Units To Condominium Ownership For Mosswood Builders, LLC, A California Limited Liability Company
[16-0444](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[View Supplemental Report](#)
[86547 CMS](#)

Staff requested title change to agenda Item 5 on the Special Public Works Committee meeting of 12/06/2013 to read as follows: "Adopt A Resolution Approving A Final Map For Tract No. 7877 Located At 466 37th Street For Conversion Of Eight Rental Housing Units To Condominium Ownership For Mosswood Builders, LLC, A California Limited Liability Company."

Subject: FY 2016-17 Cultural Funding Grants
From: Economic and Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Seventy-One (71) Cultural Services Grant Agreements To Sixty-Four (64) Oakland-Based Individual Artists And Nonprofit Organizations Providing Arts And Cultural Services In Oakland During The Fiscal Year 2016-17, In A Total Amount Not To Exceed \$996,452
[16-0425](#)

Attachments: [View Report](#)

Staff requested to remove agenda Item 6 from the Special Life Enrichment Committee meeting on 12/06/2016 regarding Cultural Funding Grants.

Subject: Abatement And Abandoned Vehicles
From: Mary Maultsby-Jeffrey / Member Of The Public
Recommendation: Receive This Informational Report From The Oakland Police Department (OPD) Regarding The Abatement And Abandonment Of Vehicles Left On The Streets Of Oakland For More Than 72 Hours, Vehicles For Sale Being Parked On The Streets Of Oakland, People Living In Vehicles And The Enforcement Of Laws Related To Parked Motor Vehicles.
[16-0272](#)

Attachments: [View Report](#)

Staff requested to move agenda Item 3 from the Special Public Safety Committee meeting on 12/06/2016 regarding Abatement and Abandoned Vehicles to January 10, 2017 Public Safety Committee meeting.

Subject: Operating Body Cameras For Oakland's Police Department/Video Tapes
From: Councilmember Brooks
Recommendation: Receive An Informational Report And Possible Corrective Actions Of Body Worn Cameras For Oakland Police Officers/Video Tapes Captured/Software Upgrade Report And Reports Of Deleted Videos From 2 Years Ago (2014)
[16-0194](#)

Staff requested to bring this item for scheduling at a later date to be heard in Public Safety Committee meeting.

Subject: Data Security With The Oakland Police Department
From: Gene Hazzard
Recommendation: Receive An Informational Report From The City Auditor Or City Administrator Related To The Security And Safe Guard Of Sensitive Data (Body Camera, Etc.) By The Oakland Police Department And Whether Or Not These Safe Guards Are Consistent With The Standards Used By FIPS (Federal Information Processing Systems) Required By The Federal Government And With Appropriate Recommendations For Corrections
[16-0195](#)

Staff requested to bring this item for scheduling at a later date to be heard in Public Safety Committee meeting.

4.1 Subject: OpenCities Website Content Publishing Platform Software As A Service Agreement
From: The Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Enter Into An Agreement With Opencities, Inc. To Provide A Website Content Publishing Platform That Improves Customer Service; Enhances Public Access To The City's Digital Services On Mobile Devices; Improves The Searchability Of Web Content; And Enables Staff To Publish Timely, Accurate, Easily Understood And Multilingual Information To The City's Website, For An Amount Up To \$125,000 In The First Year And \$75,000 Annually For The Following Two Years, For A Total Amount Over The Three-Year Period Not To Exceed \$275,000; And Waiving The Competitive Request For Proposals/Qualifications (RFP/Q) Process
[16-0497](#)

Attachments: [View Supplemental Report 86517 CMS](#)

Staff revised the title to read as follows: "Adopt A Resolution Authorizing The City Administrator To 1) Enter Into An Agreement With Opencities, Inc. To Provide A Website Content Publishing Platform That Improves Customer Service; Enhances Public Access To The City's Digital Services On Mobile Devices; Improves The Searchability Of Web Content; And Enables Staff To Publish Timely, Accurate, Easily Understood And Multilingual Information To The City's Website, For An Amount Up To \$125,000 In The First Year And \$75,000 Annually For The Following Two Years, For A Total Amount Over The Three-Year Period Not To Exceed \$275,000; And 2) Waving The Competitive Request For Proposals/Qualifications (RFP/Q) Process"

Roll call was modified to show Councilmember Kalb present at 11:00 a.m.

This City Resolution be Scheduled.to go before the *Special Finance & Management Committee to be heard 12/6/2016

4.2 Subject: Informational Report On Gun Tracing
From: Councilmember Brooks
Recommendation: Receive This Informational Report And Update From The Oakland Police Department (OPD) Criminal Investigations Division (CID) Regarding Gun Tracing, From January 2015 Through December 2016, As Well As An Update On The Use Of One Million Dollars (\$1M) Allocated To Gun Tracing In The Fiscal Year (FY) 2015-17 Budget
[16-0504](#)

Attachments: [View Report](#)

Staff was directed to add information in the report regarding the use of innovative technology to track guns.

This City Resolution be Scheduled.to go before the *Public Safety Committee to be heard 2/14/2017

4.3 Subject: Honoring R. Craig Strunk
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Honoring Craig Strunk For 19 Years Of Exemplary Service To The City Of Oakland

[16-0495](#)

Attachments: [View Report](#)

[86511 CMS](#)

Staff requested to have this item placed on Consent Calendar portion of the Special City Council agenda meeting on 12/13/2016.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.4 Subject: Honoring Morrise Johnson
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Honoring Morrise Johnson For 15 Years Of Exemplary Service To The City Of Oakland

[16-0494](#)

Attachments: [View Report](#)

[86507 CMS](#)

Staff requested to have this item placed on Ceremonial portion of the Special City Council agenda on 12/13/2016.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.5 Subject: Honoring La'Carolyn Jones
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Honoring La'carolyn M. Jones For 25 Years Of Exemplary Service To The City Of Oakland

[16-0493](#)

Attachments: [View Report](#)

[86544 CMS](#)

Staff requested to have this item placed on Ceremonial portion of the Special City Council agenda meeting on 12/13/2016.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

- 4.6 Subject: Honoring Richard Illgen
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Honoring Richard Illgen For 17 Years Of Exemplary Service To The City Of Oakland
[16-0496](#)

Staff requested to have this item placed on Ceremonial portion of the Special City Council agenda meeting on 12/13/2016.

Councilmember Kalb, Council President Gibson McElhaney and President Pro Tempore requested to be co-sponsors on this item.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

- 4.7 Subject: Emergency Moratorium On Residential Hotel Conversion Or Demolition
From: Council President Gibson McElhaney, President Pro Tempore Reid, Councilmember Kaplan, And Guillen
Recommendation: Conduct a Public Hearing And Upon Conclusion Adopt An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Establishing A Temporary Moratorium On The Conversion, Demolition, Reconfiguration, And Rehabilitation Of Residential Hotels, To Take Effect Immediately Upon Adoption
[16-0507](#)

Attachments: [View Report](#)
[View Report](#)
[13410 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

- 4.8 Subject: Lamar Green 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 Case Of Lamar Green V. City Of Oakland, Alameda County Superior Court Case No. RG15775898, City Attorney's File No. 30605, In The Amount Of Twenty-Eight Thousand Dollars And Zero Cents (\$28,000.00) (Oakland Public Works - Dangerous Condition)
[16-0505](#)

Attachments: [View Report](#)
[86512 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.9 Subject: Settle The Claim Of W.S. Wilson
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of W.S. Wilson, In The Amount Of Thirty One Thousand Nine Hundred Two Dollars And 61/100 Cents (\$31,902.61) As The Result Of A Failed Sewer Main On August 12, 2015 (Oakland Public Works - Inverse Condemnation) [16-0506](#)

Attachments: [View Report](#)
[86513 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.10 Subject: Mandatory Trash Delinquent Fees April Through June, 2016, And Quarterly July - September , 2016
From: Finance Department/Revenue Management Bureau
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative 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; Or [16-0499](#)

Attachments: [View Report](#)
[86542 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

2) Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code; Or [16-0508](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative 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

[16-0509](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.11 Subject: Liens for Delinquent Real Estate Property Transfer Taxes
From: Finance Department / Revenue Management Bureau
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection, Or

[16-0498](#)

Attachments: [View Report](#)

[86543 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or

[16-0510](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

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 Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

[16-0511](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.12 Subject: Montclair BID Annual Report And FY 2017-2018 Levy Approval
From: Economic And Workforce Development
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Annual Report Of The Montclair Business Improvement District Advisory Board And Levying The Annual Assessment For The Montclair Business Improvement District For Fiscal Year 2017-2018

[16-0501](#)

Attachments: [View Report](#)

[86539 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.13 Subject: Mandatory Trash Delinquent Fees January Through March, 2016, And Quarterly April - June, 2016
From: Finance Department / Revenue Management Bureau
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative 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; Or

[16-0500](#)

Attachments: [View Report](#)

[86541 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

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.

; Or

[16-0512](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative 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

[16-0513](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

- 4.14** Subject: Rockridge BID Annual Report and FY 2017-2018 Levy Approval
From: Economic And Workforce Development
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Annual Report Of The Rockridge Business Improvement District Advisory Board And Levying The Annual Assessment For The Rockridge Business Improvement District For Fiscal Year 2017-2018

[16-0502](#)

Attachments: [View Report](#)
[86540 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

- 4.15** Subject: Appointment Of Debra Mesaros To Housing, Residential Rent And Relocation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Debra Mesaros To The Housing, Residential Rent And Relocation Board As A Tenant Representative

[16-0503](#)

Attachments: [View Report](#)
[86557 CMS](#)

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 12/15/2016

Items Submitted On The Dais

- S1** Subject: Honoring Susan Shelton Upon Her Retirement
From: Vice Mayor Campbell Washington, President Pro Tempore Reid And President Gibson McElhaney
Recommendation: Adopt A Resolution Commending And Honoring Ms. Susan Rene Shelton For 31 Years Of Devoted And Dedicated Service For The City Of Oakland And Congratulating Her On Her Retirement
[16-0514](#)

Attachments: [View Supplemental Report](#)
[86508 CMS](#)

Council President Gibson McElhaney asked to be a co-sponsor on this item.

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

- 5** A Review Of The Draft Agendas For The Council Committee Meetings Of December 13, 2016 And The Rules And Legislation Committee Of December 15, 2016
[16-0448](#)

Attachments: [View Report](#)

A motion was made by Larry Reid, seconded by Abel J. Guillén, that this matter be Accepted. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and McElhaney

NO VOTE: 0

Open Forum (Total Time Available: 15 Minutes)

There were no speakers on the Open Forum.

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.