



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 - SUPPLEMENTAL

*Rules & Legislation Committee

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

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

Thursday, March 8, 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

[18-0168](#)

Attachments: [View Report](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of February 8, 2018

[18-0169](#)

Attachments: [View Report](#)

3 Determination Of Schedule Of Outstanding Committee Items

[18-0170](#)

Attachments: [View Report](#)

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

[18-0171](#)

Attachments: [View Report](#)

4.1 Subject: American Red Cross Month

From: Council President Reid And Councilmember Kalb

Recommendation: Adopt A Resolution Recognizing The Month Of March 2018 As American Red Cross Month; On The March 20, 2018 City Council Agenda As A Ceremonial Item

18-0215

4.2 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

2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Cost Of Living Adjustments To The Salaries Of Certain Miscellaneous Employees Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional & Technical Engineers Local 21; The Cost Of Living Adjustments Shall Be As Follows: Increase Of 4% Effective July 1, 2017; Increase Of 1% Effective The First Pay Period In January 2019; On The March 20, 2018 City Council Agenda

18-0219

4.3 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; On The March 20, 2018 City Council Agenda As A Ceremonial Item

18-0220

- 4.4** 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.); On The March 20, 2018 City Council Agenda As A Non-Consent Item
18-0221
- 4.5** 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; On The March 20, 2018 City Council Agenda As A Non-Consent Item
18-0224

- 4.6** 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

 2. Adopt 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 [OLD TITLE]

 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](#)

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>		

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
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There was 1 speaker on this item

2/15/18	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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Staff requested this item be forwarded to the February 20, 2018 full council as a consent item.

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](#)

Legislative History

1/25/18	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
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This item will only be heard at the Finance and Management Committee.

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

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
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The committee approved staffs title change read into record; “2) ... Council On Tuesday, April 17, 2018”

2/15/18	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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Staff request that this item be forwarded to the February 20, 2018 full council as a consent item.

3) A 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 Thereto [NEW TITLE]; On The March 20, 2018 City Council Agenda As A Non Consent Item

18-0243

4.7 Subject: Adding Cannabis Permitting Staff
 From: Office Of The City Administrator
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Appropriate Three Hundred And 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; On The March 20, 2018 City Council Agenda

18-0240

4.8 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; On The March 20, 2018 City Council Agenda As A Consent Item

18-0242

4.9 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; On The March 20, 2018 City Council Agenda As An Consent Item

[17-0415](#)

Attachments: [View Report](#)
[View Supplemental 1-19-2018](#)

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	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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There were 4 speakers for this item

The Staff read into record the following amendments:

1) a title change, to strike VI and change it "VII" and change in Section 1 page 3 from VI to "VII".

2) Section 3 page 14 strike effective thirty (30) days after adoption and add "on May 1, 2018"

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
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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
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4.10 Subject: Information Report On Measure LL
 From: Member Of The Public
 Recommendation: Receive An Informational Report From The Office Of The City Attorney To Determine Whether Or Not If There Is A Conflict In The Oakland City Charter Between Sections 305(E) Mayors Function, Duties And Powers And Section 604(B) (10)/AKA Measure LL Regarding The Hiring And Termination Of Oakland's Police Chief And Possible Corrective Action; As Soon As Possible On The City Council Agenda
18-0246

4.11 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](#)

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

The Committee Approved the Recommendation of Staff to have this item forwarded to City Council to be heard as a Public Hearing

2/6/18	* 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>	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <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

4.12 Subject: Status Of Affordable Housing And Infrastructure Bond Public Oversight Committee
 From: Council President Larry E. Reid
 Recommendation: Receive An Informational Report From The City Administrator's Office On The Status Of The Affordable Housing And Infrastructure Bond Public Oversight Committee (Measure Kk); On The April 10, 2018 Finance And Management Committee Agenda
18-0223

4.13 Subject: Status Update Clay Street Garage
 From: Council President Reid
 Recommendation: Approve A Report And Recommendation Directing the City Administrator On The Development Of The Clay Street Garage Site With A Feasibility Analysis Detailing Several Development Alternatives; Previously Scheduled To Public Works Committee March 13, 2018 And Now Be Rescheduled April 10, 2018 To The Community And Economic Development Committee Agenda
 [TITLE CHANGE]
[17-0300](#)

Legislative History

10/26/17	*Rules & Legislation Committee <i>This item was scheduled to a committee meeting in February 2018.</i>	Scheduled to the *Public Works Committee
2/15/18	*Rules & Legislation Committee	Rescheduled to the *Public Works Committee
2/27/18	*Special Public Works Committee	Scheduled to the *Public Works Committee

4.14 Subject: Resolution Allowing And Supporting Expanded Housing Options
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Allowing And Supporting Expanded Housing Options, Including For Non-Profits, Faith-Based Organizations, Private Property Owners, And Service Providers Working On Private Land, To Provide Housing And Sanitary Facilities For The Homeless Through Strategies Including "Small Homes," Shipping Container Conversion Homes, Recreational Vehicles, Unattached Trailers, Restroom Structures, And Other Options To Provide Dignity, Privacy, And Disease Control; On The April 10, 2018 Life Enrichment Committee Agenda
18-0193

4.15 Subject: Human Trafficking
From: Councilmembers Brooks
Recommendation: Approve A Report And Recommendation Regarding Human Trafficking In Oakland From A Provider's Perspective; Review Of OPD Protocols; And Exploration Of Best Practices; As Soon As Possible On The Public Safety Committee Agenda
18-0245

4.16 Subject: Resolution In Support Of Assembly Bill 2020
From: Councilmember Kaplan
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2020 (Quirk), Which Would Allow Local Governments To Decide Where And How To Authorize Cannabis Sales And Consumption At Special Events; On The April 12, 2018 Rules And Legislation Committee Agenda
18-0244

5 A Review Of The Draft Agendas For The City Council Meeting Of March 20, 2018 And The Rules And Legislation Committee Of March 22, 2018
[18-0172](#)

Attachments: [View Report](#)

6 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](#)

Pursuant to Rule 28(a) (Council) of Resolution 86034 C.M.S., this item was added to this agenda.

7 Subject: New California State Laws
 From: Councilmember Desley Brooks
 Recommendation: Receive An Informational Report And Briefing From The City Attorney's Office On All New California State Laws Which Become Effective In 2017
[17-0413](#)

Attachments: [View Report](#)

Pursuant to Rule 28(a) (Council) of Resolution 86034 C.M.S., this item was added to this agenda.

Legislative History

11/16/17	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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8 Subject: Extend Temporary Protected Status (TPS) And Urging Permanent Residency
 From: Council President Pro Tempore Guillén
 Recommendation: Adopt A Resolution Demanding The Federal Government To Extend Temporary Protected Status (TPS) For The Current Beneficiaries Of Countries Designated In The TPS Program By No Less Than Eighteen Months (18 Months) And Urging State And Federal Governments To Legislate A Pathway To Permanent Residency For TPS Beneficiaries
[18-0195](#)

Pursuant to Rule 28(a) (Council) of Resolution 86034 C.M.S., this item was added to this agenda.

Open Forum (Total Time Available: 15 Minutes)

Adjournment

Americans With Disabilities Act

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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.**