



# City of Oakland

## Meeting Agenda

### \*Rules & Legislation Committee

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

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

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

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Thursday, April 7, 2016

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:**

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

1 Determinations Of Closed Session

[15-0797](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of March 24, 2016

[15-0798](#)

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

**3** Determination Of Schedule Of Outstanding Committee Items

[15-0799](#)

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

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

[15-0800](#)

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

**4.1** Subject: Protect Oakland Renters Act Ballot Measure

From: Members Of The Public

Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The November 2016 Statewide General Election, A Proposed Ordinance To Create The "Protect Oakland Renters Act" By Establishing The Composition And Functions Of The Rent Board; Establishing Rent Adjustments For Certain Units And Establishing Procedures For Governance Of Rental Units In The City Of Oakland

[15-0827](#)

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

**4.2** Subject: Consultant Contract

From: Office Of The City Administrator

Recommendation: Adopt A Resolution (A) Waiving Advertising, Competitive Bidding, And Request For Proposals/Qualification ("RFP/Q") Competitive Selection Requirements And (B) Authorizing The City Administrator Or Her Designee To Enter Into A Professional Services Contract With Environmental Science Associates In The Amount Of \$ 120,000 For The Analysis Of Potential Health And Safety Effects Of Certain Commodities Proposed At The Oakland Bulk And Oversized Terminal At The Oakland Army Base West Gateway Site As Required Without Returning To City Council From Undesignated General Purpose Fund Balance; On The April 19, 2016 City Council Agenda

[15-0877](#)

**4.3** Subject: 90 Day Status Report

From: Department Of Race And Equity

Recommendation: Receive An Informational Report On The Activities Of The Department Of Race And Equity's First 90 Days; On The April 19, 2016 City Council Agenda

Justification: Staff recommends that the item be scheduled directly to the City Council meeting because the subject matter pertains to the full Council and does not fall under any specific Committee.

[15-0863](#)

- 4.4** Subject: Supplement No. 6 To Master Agreement Between Raiders/Coliseum Authority  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Approving and Authorizing The Execution Of Supplement No. 6 To The Master Agreement and Exhibits To The Master Agreement Between The Oakland Raiders And The Oakland-Alameda County Coliseum Authority; On The April 19, 2016 City Council Agenda  
[15-0867](#)
- 4.5** Subject: Arbor Day 2016  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Proclaiming Friday, April 29, 2016 To Be Oakland Arbor Day 2016 And Authorizing An Official Tree Planting Ceremony At Garfield School; On The April 19, 2016 City Council Agenda As A Consent Item  
[15-0862](#)
- 4.6** Subject: Settlement Agreement - Monique Miles 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 Monique Miles, Et Al. V. City Of Oakland, United Stated District Court, Northern District Of California Court Case No. 15-01799, City Attorney's File No. 29608, In The Amount Of Twenty-Two Thousand Dollars And No Cents (\$22,000.00) (Oakland Police Department - Civil Rights); On The April 19, 2016 City Council Agenda As A Consent Item  
[15-0868](#)
- 4.7** Subject: Settlement Agreement - Squethia Gidden 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 Squethia Gidden V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG14748541, City Attorney's File No. 29614, In The Amount Of Nineteen Thousand Three Hundred Twenty Dollars And No Cents (\$19,320.00) (Oakland Public Works - Motor Vehicle Accident); On The April 19, 2016 City Council Agenda As A Consent Item  
[15-0869](#)
- 4.8** Subject: Settlement Agreement - Ava Whitmire 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 Ava Whitmire V. City Of Oakland, Alameda County Superior Court Case No. RG13704223, City Attorney's File No. 30115, In The Amount Of One Hundred Thirty-Five Thousand Dollars And No Cents (\$135,000.00) (Oakland Public Works - Dangerous Condition); On The April 26, 2016 City Council Agenda As A Consent Item  
[15-0870](#)

- 4.9** Subject: Settlement Agreement - Rochelle Fuller 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 Rochelle Fuller V. City Of Oakland, Alameda County Superior Court Case No. RG15756788, City Attorney's File No. 30200, In The Amount Of Six Thousand Five Hundred Dollars (\$6,500.00) (Oakland Public Works - Trip And Fall); On The April 19, 2016 City Council Agenda As A Consent Item  
[15-0871](#)
- 4.10** Subject: Settlement Agreement - Biggs & Robinson 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 Jeffrey Biggs & Evan Robinson, A Minor V. City Of Oakland, Alameda County Superior Court Case No. RG15-758388, In The Amount Of Fifteen Thousand Dollars And No Cents (\$15,000.00) As A Result Of A Trip And Fall Accident On April 30, 2013 (Public Works - Motor Vehicle Collision) (1874866); On The April 19, 2016 City Council Agenda As A Consent Item  
[15-0872](#)
- 4.11** Subject: Settlement Agreement To Release National Westminster Bank PLC  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Approving Entry Into A Settlement Agreement To Release National Westminster Bank PLC ("NATWEST") From Potential Claims Or Legal Actions By The City Of Oakland Based On The Allegations Of In Re Municipal Derivatives Antitrust Litigation, And Authorizing Acceptance Of Payment From NATWEST Of \$20,000 In Exchange For Release By The City; On The April 19, 2016 City Council Agenda As A Consent Item  
[15-0873](#)
- 4.12** Subject: Appoinment To The Community Policing Advisory Board  
From: Councilmember Rebecca Kaplan  
Recommendation: Adopt A Resolution Appointing Colette Mcpherson To The Community Policing Advisory Board; On The April 19, 2016 City Council Agenda  
[15-0876](#)
- 4.13** Subject: One-Year Contract For Citywide Check Stock  
From: Finance Department - Controller's Bureau  
Recommendation: AThe City Council Authorize The City Administrator Or Designee To Waive Competitive Bidding And Award A One-Year Contract For The Purchase Of Customized E-Z Fold Check Stock Needed For Accounts Payable, Payroll, Retirement, And Successor Redevelopment Agency Payments To CTP Solutions In An Amount Not-To-Exceed Ten-Thousand Dollars (\$10,000); On The April 26, 2016 Finance & Management Committee Agenda  
[15-0861](#)

**4.14** Subject: City Administrator Contract Authority Report, FY 2014-15  
From: Finance Department - Controller's Bureau  
Recommendation: Receive An Informational Report On All Purchases And Contracts Authorized By The City Administrator Or Designee, Within The City Administrator's Contract Authority During Fiscal Year 2014-15, In Accordance With The Oakland Municipal Code Section 2.04.020.D; On The April 26, 2016 Finance & Management Committee Agenda

[15-0875](#)

**4.15** Subject: On-Call Environmental And Hazardous Materials Consulting Contracts  
From: Oakland Public Works Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Authorizing The City Administrator To Enter Into Professional Services Agreements With Eler & Kalinowski, Inc., Haley & Aldrich, Inc., Northgate Environmental, Inc., Rincon Consultants, Inc., SLR International Corp., Terraphase Engineering, TRC Companies, Inc., And Weiss Associates For On-Call Environmental Consulting Services In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) For A Three-Year Period From July 1, 2016, Through June 30, 2019; And

[15-0859](#)

2) A Resolution Authorizing The City Administrator To Enter Into Professional Services Agreements With ACC Environmental Consultants, Ninyo & Moore, SCA Environmental, Inc., And Sensible Environmental Solutions, Inc. For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two Hundred Fifty Thousand Dollars (\$250,000) For A Three-Year Period From July 1, 2016, Through June 30, 2019; On The April 26, 2016 Public Works Committee Agenda

[15-0860](#)

**4.16** Subject: 500 Kirkham DDA With TLC  
From: Economic And Workforce Development Department  
Recommendation: Adopt An Ordinance (1) Authorizing The Purchase Of 500 Kirkham Street In West Oakland (The "Property") From CalTrans, (2) Authorizing A Disposition And Development Agreement With TL Partners V, L.P., Or A Related Entity, For The Sale And Development Of The Property For A Mixed Use Project, And (3) Making CEQA Findings For This Action; On The April 26, 2016 Community And Economic Development Committee Agenda

[15-0864](#)

**4.17** Subject: Lease Agreement For The City-Owned Property At 1226 73rd Avenue  
From: Human Services Department  
Recommendation: Adopt An Ordinance Authorizing A Lease Agreement With East Oakland Community Project For City-Owned Property At 1226 73rd Avenue For Use As A Shelter Plus Care Housing Facility, For A Lease Term Of Five Years Until June 30, 2020; On The April 26, 2016 Life Enrichment Committee Agenda

[15-0865](#)

**4.18** Subject: SMU OPD Information Sharing MOU  
 From: Oakland Police Department  
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (“MOU”) With Samuel Merritt University (“SMU”) And Sutter East Bay Hospitals DBA Alta Bates Summit Medical Center (“ABSMC”) For The Purpose Of Establishing Information Sharing Protocols Related To The Gathering Of Evidence From Sexual Assault, Violence And Hate Crimes; And To Protect Victims’ Confidential Information; On The April 26, 2016 Public Safety Committee Agenda  
[15-0866](#)

**4.19** Subject: Support For AB 1957: Release Of Law Enforcement Body Camera Footage  
 From: Councilmember Desley Brooks  
 Recommendation: Adopt A Resolution To Support California Assembly Bill 1957 (Quirk) Which Requires State Or Local Law Enforcement To Make Available, Upon Request, Footage From Law Enforcement Body-Worn Cameras 60 Days After The Commencement Of An Investigation Into Misconduct That Uses Or Involves That Footage; On The April 21, 2016 Rules And Legislation Committee Agenda  
[15-0878](#)

**5** A Review Of The Draft Agendas For The City Council Meeting Of April 19, 2016 And The Rules And Legislation Committee Of April 21, 2016  
[15-0801](#)

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

**6** Subject: Support For SB 880: Closes The Bullet Button Loophole  
 From: Councilmembers Desley Brooks And Rebecca Kaplan  
 Recommendation: Adopt A Resolution Of Support For SB 880 (Hall/Glazer) That Would Clarify The Definition Of Assault Weapons And Provide The Department Of Justice The Authority To Bring Existing Regulations Into Conformity With The Original Intent Of California’s Assault Weapon Ban  
[15-0782](#)

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**Legislative History**

3/17/16	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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- 7 Subject: Support For SB 1446: Prohibits Possession Of Large Capacity Ammunition Magazines  
From: Councilmembers Desley Brooks And Rebecca Kaplan  
Recommendation: Adopt A Resolution In Support Of SB 1446 (Hancock) That Would Prohibit Possession Of Large Capacity Ammunition Magazines  
[15-0788](#)

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

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**Legislative History**

3/17/16	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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- 8 Subject: Support For AB 2459: Transparency For All Gun Transactions  
From: Councilmembers Desley Brooks And Rebecca Kaplan  
Recommendation: Adopt A Resolution In Support Of AB 2459 (McCarty) That Would Enact Requirements For All Gun Transactions Such As Requiring Gun Retailers To Install And Use Video Recording Equipment, Ban Of Residential Gun Dealers, Require Gun Retailers To Hold Insurance, Grant Authority To Attorney General To Enforce, And Allow Local Jurisdictions To Enact More Stringent Laws If They So Choose  
[15-0789](#)

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**Legislative History**

3/17/16	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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- 9 Subject: Support For AB 1695: Stop Illegal Gun Sales Act  
From: Councilmembers Desley Brooks, Dan Kalb And Rebecca Kaplan  
Recommendation: Adopt A Resolution In Support Of AB 1695 (Bonta) That Would Inform Potential Purchasers Of Their Rights And Responsibilities Surrounding The Transfer Of Firearms And Create A Legal Mechanism For State Prosecution In The Event Of Falsely Reporting A Firearm Lost Or Stolen  
[15-0790](#)

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**Legislative History**

3/17/16	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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**10** Subject: Support For AB 1674: Caps Firearm Purchases  
 From: Councilmembers Desley Brooks, Dan Kalb And Rebecca Kaplan  
 Recommendation: Adopt A Resolution In Support Of Assembly Bill (AB) 1674 That Would Cap The Amount Of Firearms That May Be Purchased By A Person At One Per Month

[15-0791](#)

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**Legislative History**

3/17/16	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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**11** Subject: Support For AB 1809: Reform Asset Limit For Cal-WORKS Program  
 From: Vice Mayor Campbell Washington  
 Recommendation: Adopt A Resolution In Support Of Assembly Bill 1809 Introduced By Assemblymember Patty Lopez To Reform The Asset Limit For The California Works Opportunity And Responsibility To Kids (Cal-WORKS) Program To Encourage Low-Income Families To Save And Develop Behaviors That Lead To Economic Self-Sufficiency And It Reduces Administrative Inefficiencies

[15-0774](#)

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**Legislative History**

3/17/16	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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**12** Subject: Support For AB 2811: Vehicle Nuisance Abatement  
 From: Councilmember Noel Gallo  
 Recommendation: Adopt A Resolution In Support Of Assembly Bill 2811 (Chavez) Which Amends Section 22659.5 Of The Vehicle Code, Related To Vehicles:Nuisance Abatement, Which Declares A Motor Vehicle To Be A Public Nuisance Subject To Seizure And An Impoundment If The Vehicle Is Used In The Commission Or Attempted Commission Of The Crimes Of Pimping, Pandering, And Soliciting, Or Agreeing To Engage In, Or Engaging In, Any Act Of Prostitution. Ab2811 Will Provide A Real Deterrent That Will Prevent 'Johns' From Seeking To Purchase Sex In The Future

[15-0792](#)

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**Legislative History**

3/17/16	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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**13** Subject: Support Of AB 2031: Affordable Housing Financing For Local Government  
 From: Councilmembers Abel Guillén And Dan Kalb  
 Recommendation: Adopt A Resolution In Support Of AB 2031 (Bonta) That Would Allow Cities And Counties To Redirect Their Net Available Real Property Tax Trust Fund Revenue (“Boomerang Funds”) To An Affordable Housing Special Beneficiary District For Funding Affordable Housing  
[15-0804](#)

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

**Legislative History**

3/24/16	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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**14** Subject: Support Of SB 1282 - Protect Pollinators Act  
 From: Councilmember Dan Kalb  
 Recommendation: Adopt A Resolution In Support Of SB 1282 (Leno) That Would, After July 1, 2017, Require Labeling Of Seeds And Plants Sold At Retail Establishments That Have Been Treated With A Neonicotinoid Pesticide, And, By 2018, Designate Neonicotinoid Pesticides As Restricted Materials Pursuant To State Law  
[15-0822](#)

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**Legislative History**

3/24/16	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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**15** Subject: Tax On Sugar Sweetened Beverages Ballot Measure  
 From: Councilmembers Campbell Washington, Brooks And Kaplan  
 Recommendation: Adopt A Resolution On The City Council’s Own Motion Submitting To The November 2016 Statewide General Election, A Proposed Ordinance To Create An Excise Tax On The Distribution Of Sugar Sweetened Beverage Products And Creating A Sugar Sweetened Beverage Products Distributor’s Tax Advisory Board; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 8, 2016 Statewide General Election  
[15-0825](#)

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**Legislative History**

3/24/16	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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**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.**