



City of Oakland Meeting Minutes

*Rules & Legislation Committee

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

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

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

Thursday, February 06, 2014

10:45 AM

City Council Chambers - 3rd Floor

Present: Vice Mayor Reid, Council President Kernighan, Member Schaaf and Member Kalb

The Oakland City Council Rules & Legislation Committee convened at 10:59 a.m., with Council President Kernighan presiding as Chairperson.

Roll Call / Call To Order

1 Determinations Of Closed Session

**A motion was made by Vice Mayor Reid, seconded by Member Schaaf, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

There will be a Closed Session on February 18, 2014 from 2:00-5:30pm

2 Approval Of The Draft Minutes From The Committee Meeting Of January 23, 2014

**A motion was made by Vice Mayor Reid, seconded by Member Kalb, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

3 Determination Of Schedule Of Outstanding Committee Items

**A motion was made by Vice Mayor Reid, seconded by Member Schaaf, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

[rules020614item3](#)

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

A motion was made by Vice Mayor Reid, seconded by Member Kalb, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

S-4.1 Subject: Affiliation Agreement With Peralta Community College
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into An Agreement With The Peralta Community College District (Peralta Community College) To Affiliate Public Safety Training Courses With The Oakland Police Department (OPD) And To 1) Accept And Appropriate Funds In An Estimated Amount Of Two Hundred Thousand, Three Hundred Forty-Eight Dollars (\$200,348) For The Purposes Of Additional Training Of OPD Personnel; And 2) The Development Of A Public Safety Training Facility; And To 3) Accept Future Funds If Additional Academies Are Approved
[13-0332](#)

Scheduled to *Public Safety Committee on 2/25/2014

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S-4.2 Subject: Citizens Options For Public Safety (COPS) Grant FY Year 2013-2015
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Accept And Appropriate A Fiscal Years (FY) 2013-2015 State Of California Citizens Options For Public Safety Grant (COPS Grant FY 2013-2015) In An Amount Up To Six Hundred Thirty-Five Thousand And Seven Hundred Twenty-One Dollars (\$635,721) To Fund Equipment Purchase, Equipment Repair And Maintenance For The Oakland Police Department In Accordance With The Spending Plan
[13-0336](#)

Scheduled to *Public Safety Committee on 2/25/2014

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S-4.3 Subject: Balancing The Remaining Fiscal Year 2013-14 Budget
From: Office Of The City Administrator
Recommendation: Resolution Authorizing The City Administrator To Balance The Remaining Fiscal Year 2013-14 Budget, (1) Increase Revenue In The General Purpose Fund Projection By \$18,122,435; (2) Appropriate Additional Expenditures In An Amount Not To Exceed \$7,428,824; (3) Increase General Purpose Fund Reserve In An Amount Of \$613,093; And (4) Direct Staff To Report Back With Cost Containment Strategies In May 2014 For The FY 2014-15 Budget; And Bring A Balanced Budget By The Mid-Cycle Budget Process In June 2014
[13-0314](#)

Scheduled to *Finance & Management Committee on 2/25/2014

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S-4.4 Subject: Comprehensive Annual Financial Report And Management Letter
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Regarding The Comprehensive Annual Financial Report And Management Letter For Fiscal Year 2012-2013
[13-0333](#)

Scheduled to *Finance & Management Committee on 3/11/2014

- [View Report.pdf](#)

S-4.5 Subject: Wildfire Prevention Assessment District Audit Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Regarding Wildfire Prevention Assessment District Audit Report For The Year Ended June 30, 2013
[13-0335](#)

Scheduled to *Public Safety Committee on 2/25/2014

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S-4.6 Subject: Settlement Agreement- Wanning Qian 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 Wanning Qian v. City Of Oakland, Alameda County Superior Court Case No. RG13-676548, In The Amount Of Two Million Dollars And No Cents (\$2,000,000.00) As A Result Of An Accident At 14th And Franklin Streets Where A Vehicle Driven By A City Employee Struck And Injured Wanning Qian (Public Works Agency)
[13-0343](#)

Scheduled to Meeting of the Oakland City Council on 2/18/2014

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S-4.7 Subject: Follow-Up Reports Issued In 2013 By The City Auditor
From: Office Of The City Auditor
Recommendation: Receive The Office Of The City Auditor Follow-Up Reports Issued In
2013: PWA-IDAP Accounts Receivable Recommendation Follow-Up, And Accounts Payable
Duplicative Payments Recommendation Follow-Up [TITLE CHANGE]
[13-0326](#)

Scheduled to *Finance & Management Committee on 3/11/2014

*The Police Technology portion of this report will be going to the February 25,
2014 Public Safety Committee Meeting and the remainder be scheduled to the
March 11, 2014 Finance and Management Committee.*

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Subject: Follow-Up Report Issued In 2013 By The City Auditor
From: Office Of The City Auditor
Recommendation: Receive The Office Of The City Auditor Follow-Up Report Issued In 2013:
Oakland Police Department Technology Recommendation Follow-Up
[13-0326-1](#)

Scheduled to *Public Safety Committee on 2/25/2014

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S-4.8 Subject: Affordable Housing NOFA Funds
From: Department Of Housing And Community Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Appropriating \$1,078,483 From Fund Balance In The Low And Moderate
Income Housing Asset Fund For Housing Development Activities; And
[13-0339](#)

**Scheduled to *Community & Economic Development Committee on
2/25/2014**

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2) A Resolution Increasing The Amount Of An Affordable Housing Preservation And
Rehabilitation Loan To East Bay Asian Local Development Corporation For The Marcus
Garvey Commons Affordable Housing Development Located At 1769 Goss Street And 1766
7th Street By \$200,000 For A Total Loan Amount Of \$934,000 And Authorizing Loan
Extensions And/Or Changes In Terms For Existing Loans For The Project; And
[13-0339-1](#)

[84856 CMS.pdf](#)

3) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To
Exceed \$1,575,000 To Meta Housing Corporation For The Civic Center 14 TOD Rental Project
Located At 632 14th Street; And
[13-0339-2](#)

[84857 CMS.pdf](#)

4) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$2,750,000 To East Bay Asian Local Development Corporation For The 11th And Jackson Apartments Rental Project Located At 1110 Jackson Street; And

[13-0339-3](#)

[84858 CMS.pdf](#)

5) A Resolution Increasing The Amount Of An Affordable Housing Loan To Related Companies Of California And Acts Community Development Corporation For The 94th And International Affordable Housing Development Located At 94th Avenue And International Boulevard By \$2,150,000 For A Total Loan Amount Of \$7,747,000; And

[13-0339-4](#)

[84859 CMS.pdf](#)

6) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$750,000 To Habitat For Humanity East Bay/Silicon Valley For The Oakland Home Renovation Program; And

[13-0339-5](#)

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7) A Resolution Increasing The Amount Of An Affordable Housing Loan To California Hotel Oakland, LP, For The California Hotel Affordable Housing Development Located At 3501 San Pablo Boulevard By \$210,000 For A Total Loan Amount Of \$8,631,000

[13-0339-6](#)

[84861 CMS.pdf](#)

S-4.9

Subject: Amendments To Capital Improvement Regulations
From: Department Of Housing And Community Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving An Amendment To The Rent Adjustment Program Regulations Revising Regulation 10.2.3 (2)(3) (Appendix A) To Allow Amortization Periods Up To 20 Years, To Impose A 10 Percent Cap On Any Capital Improvement Pass Through In A 12-Month Period, And To Require That Owners File A Petition For A Capital Improvement Rent Increase; And

[13-0341](#)

**Scheduled to *Community & Economic Development Committee on
2/25/2014**

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2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. 8.22.090B) To Require Property Owners Seeking Rent Increases Based On Capital Improvements To File Owner Petitions

13-0341-1

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S-4.10

Subject: Amendments To Debt Service Regulations
From: Department Of Housing And Community Development
Recommendation:

A. Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting Amendments To The Rent Adjustment Regulations, Appendix A, Section 10.4 To Require That Debt Service Increases For Newly Purchases Rental Properties Not Exceed Debt Service Calculated On A Standard Financing Model, To Limit Debt Service Rent Increases To A One-Time Cap Of Seven Percent Over The Current Allowable Rent Increase, To Require A Rent Increase Based On Debt Service Be Filed Within Three (3) Years Of The Date Of Closing On The Purchase And To Adopt A Grandparent Clause; And

13-0342

**Scheduled to *Community & Economic Development Committee on
2/25/2014**

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2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. 8.22.090B) To Require Property Owners Seeking Rent Increases Based On Debt Service To File Owner Petitions

13-0342-1

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Subject: Amendments To Debt Service Regulations
From: Department Of Housing And Community Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Adopt Amendments To The Rent Adjustment Regulations Appendix A, Section 10.4 To Provide For A Grandparent Clause For Rental Properties With A Purchaser At The Enactment Of Elimination Of Debt Service As A Justification For A Rent Increase; And

13-0342-2

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Subject: Amendments To Debt Service Regulations
From: Department Of Housing And Community Development
Recommendation: Adopt An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. Sections 8.22.020 And 8.22.070) To Eliminate Debt Service As A Justification For A Rent Increase
13-0342-3

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S-4.11 Subject: Salary Ordinance Amendment - Municipal Code Companion
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No 12187 C M S ("Salary Ordinance") To Make Changes, Additions, And Deletions To The Salary Schedule To (1) Change Classification Titles Of Directors For The Agencies/Departments Of Fire, Finance & Management, Public Works Parks & Recreation Community & Economic Development, Planmng & Building, And Development, (2) Increase The Salary Range For Directors Of Housing & Community Development And Budget, (3) Add The Classification Of Equal Employment Opportunity Officer, And (4) Delete Obsolete Or Duplicative Agency/Department Director Classifications
13-0307

Scheduled to *Finance & Management Committee on 2/25/2014

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S-4.12 Subject: Public Works Agency Vacant Budgeted Positions
From: Department Of Human Resources Management
Recommendation: Receive An Informational Report Pertaining To Vacant Budgeted Positions In The Public Works Agency As Of January 22, 2014;
13-0340

Scheduled to *Public Works Committee on 2/25/2014

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S-4.13 Subject: Establishing No Parking Zone On Bancroft Avenue
From: Public Works Agency
Recommendation: Adopt A Resolution To Establish A No Parking Zone On The South Side Of Bancroft Avenue Between 68th Avenue And 73rd Avenue
13-0331

Scheduled to *Public Works Committee on 2/25/2014

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S-4.14 Subject: Establishing A Residential Permit Parking Area "O"
From: Public Works Agency
Recommendation: Adopt A Resolution To Establish Residential Permit Parking Area "O" On Parts Of West Street, 14th Street And 15th Street West Of Interstate 980
13-0334

Scheduled to *Public Works Committee on 2/25/2014

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S-4.15 Subject: Raising The City Of Oakland's Minimum Wage Compensation
From: Vice Mayor Larry Reid
Recommendation: Receive An Informational Report On The Impacts Of Raising The City Of Oakland's Minimum Wage Compensation For Workers From 8.00/Hour To 9.00/Hour In 2015 And Up To 10.00/Hour In 2016; On The March 11, 2014 Community And Economic Development Committee Agenda
[13-0345](#)

***Withdrawn and Rescheduled to *Community & Economic Development Committee on 4/8/2014**

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S-4.16 Subject: Employee Retention Plan For The Oakland Police Department
From: Oakland Police Department
Recommendation: Receive An Informational Report On The Oakland Police Department's Employee Retention Plan
[13-0344](#)

Scheduled to *Public Safety Committee on 2/25/2014

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S-4.17 Subject: West Nile Virus Awareness Week
From: Council President Patricia Kernighan
Recommendation: Receive A Brief Presentation By The Alameda County Mosquito Abatement District Regarding West Nile Virus Awareness Week In Alameda County
[13-0337](#)

Scheduled to Meeting of the Oakland City Council on 4/22/2014

S-4.18 Subject: Hypertension Screening and Education Sunday
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Designating Sunday, February 23, 2014 As Frank E. Staggars, Sr., MD Hypertension Screening And Education Day
[13-0338](#)

Scheduled to Meeting of the Oakland City Council on 2/18/2014

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S-4.19 Subject: Endorsing The Alameda County Transportation Expenditure Plan
From: President Pro Tempore Kaplan And Vice Mayor Reid
Recommendation: Adopt A Resolution To Endorse And Support The Approval Of The Alameda County Transportation Expenditure Plan And Recommend To The Alameda County Board Of Supervisors Placement Of An Extension And Augmentation Of The Existing Transportation Sales Tax On The November 2014 Ballot
[13-0327](#)

Scheduled to Meeting of the Oakland City Council on 3/4/2014

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S-4.20 Subject: Update Zoning Regulations For Crop Cultivation
From: Councilmembers Kaplan, Kalb And Gibson McElhaney
Recommendation: Request To Reschedule A Previously Scheduled Item From The June 10, 2014 Community & Economic Development Committee To The September 16, 2014 Community & Economic Development Committee Agenda:

Adopt Updated Zoning Regulations For Crop Cultivation Under Urban Agriculture

EXPLANATION: With Existing Resources, Staff Cannot Complete Required Public Outreach And Planning Commission Review Processes In Time To Bring New Regulations To Council In June.

[13-0328](#)

Scheduled to *Community & Economic Development Committee on 6/10/2014

S-4.21 Subject: Revisions To Local Amendments To State Building Code
From: President Pro Tempore Rebecca Kaplan
Recommendation: Adopt Revisions To Local Amendments To State Building Code; On The May 13, 2014 Community & Economic Development Committee Agenda And As A Public Hearing On May 20, 2014

[13-0329](#)

Scheduled to *Community & Economic Development Committee on 5/13/2014

This item will also be added to the Community and Economic Development Committee Pending list

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S-4.22 Subject: Establishing A Registry For Vacant Commercial Properties And Lots
From: President Pro Tempore Kaplan And Councilmember Kalb
Recommendation: Adopt A Resolution Establishing Council Policy To Create A Registry For Vacant Ground Floor Commercial Properties And For Vacant Lots, And Directing Staff To Return To Council Within 90 Days Of Adoption Of This Resolution, With An Implementation System To Accomplish This Goal

[13-0330](#)

Scheduled to *Community & Economic Development Committee on 4/8/2014

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Subject: Support For A 2016 Ballot Proposition To Reform Proposition 13
From: Councilmembers Schaff, Kalb, Kaplan And Gibson McElhane
Recommendation: Adopt A Resolution To Encourage The California State Assembly And Senate To Place On The 2016 Ballot A Proposition That Would Reform Proposition 13 By Splitting The Tax Roll Between Residential And Commercial Properties
[13-0347](#)

Scheduled to *Rules & Legislation Committee on 2/27/2014

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5 A Review Of The Draft Agendas For The City Council Meeting Of February 18, 2014 And The Rules And Legislation Committee Of February 20, 2014

A motion was made by Member Schaaf, seconded by Member Kalb, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

[rules020614item5](#)

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6 Subject: Deadlines For Ballot Initiatives For The November 2014 Ballot
From: Office Of The City Clerk
Recommendation: Receive An Informational Report Providing Deadlines For Placing Initiatives On Ballot For The November 4, 2014 Election
[13-0309](#)

A motion was made by Member Schaaf, seconded by Member Kalb, that this matter be Continued to the *Rules & Legislation Committee, due back on February 20, 2014. The motion carried by the following vote:

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan

City Administrators office and City Attorney's offices will provide outline of dates and The Office of the City Clerk will fill in additional information if needed

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S-7 Subject: Townsend Public Affairs Contracts
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Awarding Two Contracts To Townsend Public Affairs To Serve As The City Of Oakland State Lobbyist From May 1, 2013 To September 30, 2015 For An Amount Not To Exceed \$304,500 And To Serve As The City Of Oakland Federal Lobbyist From June 1, 2013 To September 30, 2015 For An Amount Not To Exceed \$168,000, And Waiving Advertising And The Request For Proposals/Qualifications Process For Each Contract
[13-0317](#)

A motion was made by Vice Mayor Reid, seconded by Member Kalb, that this matter be *Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on February 18, 2014. The motion carried by the following vote:

Votes: Aye; 4 - Vice Mayor Reid, Member Kalb, Member Schaaf and Council President Kernighan
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Open Forum (Total Time Available: 15 Minutes)

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 12:05 p.m.

NOTE: 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 48 hours 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
Phone: (510) 238-6406
Fax: (510) 238-6699
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Telecommunications Display Device: (510) 238-3254
[TTD](#)

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.

City Clerk and Clerk of the Council