



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, June 27, 2019

10:45 AM

City Council Chamber, 3rd Floor

The Rules & Legislation Committee convened 11:15 p.m., with Councilmember Thao presiding as Chairperson.

Roll Call / Call To Order

Present 4 - Dan Kalb, Rebecca Kaplan, Sheng Thao, and Lynette McElhaney

1 Determinations Of Closed Session

[18-2009](#)

Attachments: [View Report](#)

A Special Closed Session is Scheduled for July 9, 2019 beginning at 11:00 A.M.

A motion was made by Rebecca Kaplan, seconded by Dan Kalb, that this matter be Accepted. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

2 Approval Of The Draft Minutes From The Committee Meeting Of June 13, 2019

[18-2007](#)

Attachments: [View Report](#)

A motion was made by Rebecca Kaplan, seconded by Lynette McElhaney, that this matter be Accepted. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

3 Determination Of Schedule Of Outstanding Committee Items

[18-2008](#)

Attachments: [View Report](#)

A motion was made by Lynette McElhaney, seconded by Rebecca Kaplan, that this matter be Accepted. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[18-2010](#)

Attachments: [View Report](#)
[View July 2, 2019 Draft Specail CED Agenda](#)

There were 4 speakers on this item

A motion was made by Rebecca Kaplan, seconded by Lynette McElhaney, that this matter be Accepted as Amended. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

4.1 Subject: Henry J. Kaiser Convention Center - Lease Disposition And Development Agreement
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing: (A) The City Administrator To Negotiate And Execute A Lease Disposition And Development Agreement, Up To Ninety-Nine Year Lease, And Related Documents Between The City Of Oakland And Oakland Civic, LLC, Or Its Affiliate ("Oakland Civic") For The Henry J. Kaiser Convention Center Located At 10 Tenth Street; (B) Establishment Of An Annual Fund To Be Funded By Tenant From Annual Net Project Income For Use By A To-Be-Formed Nonprofit Calvin Simmons Theatre Operator ("Theatre Nonprofit") To Provide Grants Related To Use Of The Calvin Simmons Theatre; (C) A Grant Up To \$100,000 For Subsurface Hazardous Materials Remediation To Oakland Civic, LLC; And (D) A Grant Of \$3,000,000 To The Theatre Nonprofit For Theatre Rehabilitation Costs
[18-1957](#)

Attachments: [View Report](#)
[View Supplemental Report - Bas 7/12/2019](#)
[13556 CMS](#)

This Ordinance be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/9/2019

- 4.2** Subject: Settlement Agreement - Susanna Oto & Mary Kate Hallock 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 Susanna Oto And Mary Kate Hallock V. The City Of Oakland, Alameda County Superior Court Case No. RG18895256, In The Amount Of Fifty Thousand Dollars And No Cents (\$50,000.00) To Each Plaintiff As A Result Of Alleged Employment Discrimination And Retaliation. (Parks, Recreation, And Youth Development Department - Employment)
[18-2063](#)

Attachments: [View Report](#)
[87799 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/9/2019

- 4.3** Subject: Resolution In Support Of HR.40 - Committee On Reparations
From: Councilmember McElhaney
Recommendation: Adopt A Resolution In Support Of H.R. 40 - Commission To Study And Develop Reparation Proposals For African Americans Act
[18-2058](#)

Attachments: [View Report](#)
[View Supplemental Report 7/12/2019](#)
[87827 CMS](#)

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 7/11/2019

4.4 Subject: Head Start Program Professional Services Agreements - FY 2019-20
From: Human Services Department
Recommendation: Adopt A Resolution 1) Waiving The Competitive Request For Proposals/Qualifications Process, And 2) Authorizing The City Administrator To Amend The Professional Services Agreement With Carolyn Lafayette To Extend The Term For Fiscal Year 2019-2020 To Continue Providing Consulting Services And Increase The Amount By An Amount Not To Exceed \$125,000 For A Total Contract Amount Of \$375,000; And Enter Into A Professional Service Agreement With Childcare Careers In An Amount Not To Exceed \$250,000 To Provide As Needed Teacher Staffing Services For Fiscal Year 2019-2020

[18-2054](#)

Attachments: [View Report](#)

[87816 CMS](#)

The Committee accepted a Title Change read into record

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/16/2019

4.5 Subject OPD Cold Storage Evidence Contract
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To: 1) Waive The Advertising/Bidding And The Request For Proposal/Qualifications Requirements, And 2) Purchase Goods And Services From Schaefer's Cold Storage For Frozen Storage Facility Use And Bins Procurement For The Preservation Of Evidence For Two Years, Plus Two Discretionary One-Year Extensions, At A Cost Of Two Hundred Fifty Thousand Dollars (\$250,000) Per Year For A Total Amount Not To Exceed One Million Dollars (\$1,000,000)

[18-2055](#)

Attachments: [View Report](#)

[87830 CMS](#)

The Committee accepted a Title Change read into record

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/16/2019

- 4.6 Subject: Federal Opportunity Zone Tax Credit And Designation
From: Economic And Workforce Development Department
Recommendation: Receive An Informational Report On The Federal Opportunity Zones Designation, Potential Impacts For Oakland And Related Policy Considerations
[18-2056](#)

Attachments: [View Report](#)

To be heard as a Non-Consent Item

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/16/2019

- 4.7 Subject: 3732 - 3746 39th Avenue Appeal Of Environmental Determination
From: Planning And Building Bureau
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Three Options:

1) A Resolution Denying The Appeal By Lawrence Ellis And Thus Upholding The Planning Commission's Determination That The Approval Of Community Assembly Civic Activities At 3732 - 3746 39th Avenue Is Exempt From The California Environmental Quality Act (CEQA); Or

[18-2057](#)

Attachments: [View Report](#)

[87809 CMS](#)

Approved to be heard on July 9, 2019 Special City Council as a Public Hearing

The Committee Accepted a Title Change read into record

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/9/2019

- 4.8 Subject: Workforce Development Contribution Appropriation
From: Council President Kaplan
Recommendation: Adopt A Resolution Accepting And Appropriating Workforce Development Contributions For An Amount Of Two Million Dollars (\$2,000,000.00) For Workforce Preparedness And Related Services; On The July 16, 2019 City Council Agenda As A Consent Item
[18-2062](#)

This City Resolution be Withdrawn with No New Date.

4.9 Subject: Information On Impact Fees
From: Council President Kaplan
Recommendation: Receive An Informational Report On The Affordable Housing, Transportation, Capital Improvements, And Jobs/Housing Impact Fees And Any Other Fees Not Listed With The Following Information: 1) Current Fund Balance, Revenue, Expenditures, Projected Revenue Per Year In Each Fee Category To Date; 2) For Each Fee Category-Encumbered Amounts Of Fees, Destination Fund, Designated Projects, Remainder Amount; 3) Number And Listing Of Projects Seeking To Provide Housing Onsite And AMI Levels; 4) Projects With Vesting Tentative Maps Or Development Agreements Prior To Sept 1, 2016; And 5) An Accounting Of All The Building Permits Issued, Since The Inception Of Impact Fees With Break Down By Fee Zone; On The September 10, 2019 Community And Economic Development Committee Agenda [18-2061](#)

This Informational Report be Scheduled.to go before the *Community & Economic Development Committee to be heard 9/24/2019

S4.10 A REVIEW OF THE COUNCIL COMMITTEES' ACTIONS FROM THE MEETINGS OF JUNE 25, 2019 AND DETERMINATION OF SCHEDULING TO THE CITY COUNCIL MEETING OF JULY 9, 2019
[18-2060](#)

Attachments: [View Report](#)

CHANGES MADE TO COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE PENDING LIST

Subject: Exotic Animal Ban
From: President Pro Tempore Kalb And Councilmember Gallo
Recommendation: Adopt A Ordinance Amending Oakland Municipal Code Chapter 6.04 And Section 1.28.020 To Prohibit Performances Of Wild Or Exotic Animals For Public Entertainment: On The September 10, 2019 Community And Economic Development Committee Agenda
[18-1927](#)

This Ordinance be Scheduled.to go before the *Community & Economic Development Committee to be heard 10/22/2019

CHANGES MADE TO JUNE 25, 2019 COMMITTEE MATRIX

CHANGES MADE TO COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

Subject: Property BID Annual Reports And Assessment Payment Approval
From: Economic And Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution (A) Approving The Fiscal Year 2018-2019 Annual Reports Of The Fruitvale Property Business Improvement District Of 2011, The Lakeshore/Lake Park Business Improvement Management District Of 2012, The Jack London Improvement District, The Temescal/Telegraph Business Improvement District 2015, The Laurel Business Improvement District 2016, And The Koreatown/Northgate Community Benefit District 2017 Advisory Boards; (B) Confirming The Continuing Annual Assessment For Each Said District For Fiscal Year 2019-2020; And (C) Authorizing Payment Of The City's Cumulative Fiscal Year 2019-2020 Fair Share Assessment In An Approximate Amount Of \$284,441.38 For City-Owned Properties In The Fruitvale District, The Jack London District, The Temescal District The Koreatown District, The Downtown Oakland District And The Lake Merritt-Uptown District; And

[18-1970](#)

Attachments: [View Report](#)

[View Supplemental Report 7/12/2019](#)

[87831 CMS](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/16/2019

2) A Successor Agency Resolution Authorizing Payment Of The Oakland Redevelopment Successor Agency's Cumulative Fiscal Year 2019-2020 Fair Share Assessment In An Approximate Amount Of \$4,565.49 For Three Oakland Redevelopment Successor Agency-Owned Properties In The Downtown Oakland Community Benefit District 2018, The Koreatown/Northgate Community Benefit District 2017, And The Lake Merritt-Uptown Community Benefit District 2018

[18-1977](#)

Attachments: [View Report](#)

[2019-003 CMS](#)

This ORSA Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/16/2019

5 A Review Of The Draft Agendas For The City Council Meeting July 9, 2019 And The Rules And Legislation Committee Of July 11, 2019
[18-2011](#)

Attachments: [View Report](#)

A motion was made by Rebecca Kaplan, seconded by Lynette McElhaney, that this matter be Accepted as Amended. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

CHANGES TO THE JULY 9, AND JULY 11, 2019 DRAFT AGENDAS

CHANGES TO THE JULY 9, 2019 4:00 P.M. SPECIAL CITY COUNCIL AGENDA

The Committee made a motion to remove Item Number 3 Oral Report Of Final Decisions Made During Closed Session from the agenda and move Open Forum after Item Number 5

This be Accepted.

DUE TO THE PRESENCE OF VICE MAYOR REID, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND SECONDED TO ADJOURN THE MEETING OF THE RULES AND LEGISLATION COMMITTEE AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 12:08 P.M.

CHANGES TO THE JULY 9, 2019 5:30 P.M. SPECIAL CITY COUNCIL AGENDA

There was a motion made to change the time of July 9, 2019 5:30 p.m. Special City Council Meeting to 3:00 p.m.

This be Accepted.

Subject: Probation And Parole Search Policy
From: Oakland Police Department And The Oakland Police Commission
Recommendation: Adopt One Of The Following Two Pieces Of Legislation:

1) A Resolution Adopting Oakland Police Department General Order R-02, Searches Of Individuals On Supervised Release As Recommended By The Oakland Police Department; Or
[18-2013](#)

Attachments: [View Report - OPD](#)

To be heard as a Non-Consent Item

The Committee Accepted a Title Change read into record

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/9/2019

6 Subject: Naming Parks At Brooklyn Basin
From: Parks, Recreation & Youth Development, Councilmember Bas And McElhaney
Recommendation: Adopt A Resolution Naming Four (4) Parks At The Brooklyn Basin Development Township Commons, Brooklyn Plaza, Mayhew Park, And SII Tka Park
[18-1951](#)

Attachments: [View Report](#)

[View Color Attachment A](#)

[87800 CMS](#)

There was 1 speaker on this item

This City Resolution be Approved the Recommendation of Staff, and Forward to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/9/2019

7 Subject: Redistricting Selection Panel Regulations
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Approving Regulations Establishing Minimum Standards For Outreach Efforts To Recruit A Robust Pool Of Applicants For The Screening Panel For The Independent Redistricting Commission
[18-2012](#)

Attachments: [View Report](#)
[View Supplemental Report 7/3/2019](#)
[87801 CMS](#)

There was 1 speaker on this item

The Committee approved staffs recommendations as amended to the following:

- 1) *strike 501C 4 from Exhibit A page 3 section 2C(c) and re-numbering*
- 2) *Re-naming and fixing grammatical errors*

A motion was made by Rebecca Kaplan, seconded by Dan Kalb, that this matter be Approved as Amended the Recommendation of Staff, and Forward to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 7/9/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

8 Subject: Potential Ballot Measures For The March 3, 2020 Election
From: Council President Kaplan
Recommendation: Receive An Informational Report And Discussion Of Potential Ballot Measures For The March 3, 2020 Election, Including, But Not Limited To, A Potential Park, Open Space, Fire Safety Measure, As A Special Parcel Tax, And A Police Commission Charter Change
[18-2015](#)

Attachments: [View Report](#)

There were 3 speakers on this item

This Informational Report be No Action Taken.

Open Forum (Total Time Available: 15 Minutes)

2 speakers spoke during Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Rules & Legislation Committee adjourned the meeting at 12:51 p.m.

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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.**