



# 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 - FINAL

### \*Rules & Legislation Committee

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

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

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Thursday, September 21, 2017

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:**

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

[17-0067](#)

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

2 There Are No Minutes For Approval

[17-0068](#)

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

[17-0069](#)

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

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

[17-0070](#)

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

**4.1** Subject: Major Encroachment Permits at 344 13th Street

From: Department Of Transportation

Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Harrison Menlo Preservation, L.P. To Allow Existing Basement and Structural Sidewalk At 344 13th Street To Encroach Into The Public Right-Of-Way On Webster Street, Major Encroachment Permit ENMJ17058; On The October 10, 2017 Public Works Committee Meeting

**17-0157**

**4.2** Subject: Measure To Tax Transportation Network Companies (TNC's) In The City Of Oakland

From: Councilmember Kaplan

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Proposed Ordinance: (1) To Authorize The City Of Oakland To Collect A Tax On The Provision Of Ride-Share Services/Transportation Network Companies (TNC's); (2) To Authorize The Creation Of A Per-Pickup Charge, And To Adopt A Requirement That Ride-Share Platforms (TNC's) Providing Service In The City Of Oakland Must Collect Such Charge From The Customers And Remit It To The City Of Oakland; And (3) Requiring That Any Intermediary, Including One Who Provides Matching Services Online, Who Collects Funds For The Provision Of Goods Or Services In The City Of Oakland By Its Members/Subscribers (E.G. Drivers, Hosts), Shall Be Jointly And Severally Liable For Any Taxes Owed To The City Of Oakland For Such Goods/Services; And

**17-0148**

2) A Resolution, On The City Council's Own Motion, Submitting This Item To The Voters At The 2018 Election; On The December 5, 2017 Public Works Committee Agenda

**17-0149**

**4.3** Subject: Ordinance To Enact The Uniform Residential Tenant Relocation Ordinance  
From: Councilmember Kaplan  
Recommendation: Adopt An Ordinance To Enact The Uniform Residential Tenant Relocation Ordinance To: 1) Establish A Uniform Schedule Of Relocation Payments; 2) To Extend Relocation Payments To Tenants Displaced By Owner Move-In Evictions; 3) To Extend Relocation Payments To Tenants Displaced By Condominium Conversions; And 4) Conform Existing Ellis Act And Code Compliance Relocation Amounts To Those In The Uniform Schedule; On The October 10, 2017 Community And Economic Development Committee Agenda

**17-0111**

**4.4** Subject: MOU And Infrastructure Funding Agreements  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing A Memoranda Of Understanding (MOU) And Infrastructure Funding Agreements With The America's Job Center Of California One-Stop Partners As Required Under The Workforce Innovation And Opportunity Act And Approved By The Oakland Workforce Development Board Without Returning To Council; On The October 10, 2017 Community And Economic Development Committee Agenda

**17-0112**

**4.5** Subject: Brooklyn Basin Affordable Housing Agreements  
From: Housing And Community Development Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance (1) Authorizing A Master Housing Agreement With The Oakland Housing Authority and MidPen Housing Corporation, Or Affiliated Entities, For Development of Affordable Housing At Brooklyn Basin, (2) Authorizing Lease Disposition and Development Agreements With MidPen Housing Corporation And The Oakland Housing Authority, Or Affiliated Entities, For The Long-Term Ground Lease Of Parcel F At Brooklyn Basin For The First Phases Of Development, And (3) Making CEQA Findings For This Action; And

**17-0150**

2) A Resolution (1) Authorizing An Unsecured Predevelopment Loan In The Amount Of \$2,067,000 To MidPen Housing Corporation, Or Affiliated Entities, To Support The Development Of Affordable Housing On Parcels A And F At Brooklyn Basin, (2) Authorizing A Secured Affordable Housing Development Loan In An Amount Not To Exceed \$15,243,000, To MidPen Housing Corporation, Or Affiliated Entities, To Support The Development of Affordable Housing On Parcel F at Brooklyn Basin, And (3) Making CEQA Findings For This Action; On The October 10, 2017 Community And Economic Development Committee Agenda

**17-0151**

**4.6** Subject: Extend Term Of An ENA For Development At 2100 Telegraph Avenue  
From: Economic & Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing An Amendment To The Exclusive Negotiation Agreement (“ENA”) With W/L Telegraph Owner, LLC, Or An Affiliate For Development Of A Mixed-Use Project On City-Owned Property Located At 2100 Telegraph Avenue (Assessor’s Parcel Number: 008-0648-016-03) To: (1) Extend The Term By Twelve Months From October 21, 2017 To October 21, 2018, With An Additional Six-Month Administrative Extension Option, And (2) Extend Performance Deadlines, Relying On A California Environmental Quality Act (CEQA) Exemption Pursuant To Sections 15262, 15306 And Section 15061(B)(3) Of The CEQA Guidelines; On The October 10, 2017 Community And Economic Development Committee Agenda  
**17-0152**

**4.7** Subject: Fox Theater Loan Assignment  
From: Economic And Workforce Development Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Oakland Redevelopment Successor Agency (“ORSA”) Resolution Authorizing The Assignment To The City Of Oakland Of Approximately \$47.5 Million In Loans Made To Fox Oakland Theater, Inc., For Renovation Of The Fox Theater, Contingent On The City Agreeing To Pay 30% Of The Loan Repayments To ORSA; And  
**17-0153**

2) A City Council Resolution Authorizing The Assumption From the Oakland Redevelopment Successor Agency (“ORSA”) Of Approximately \$47.5 Million In Loans Made by ORSA To Fox Oakland Theater, Inc., For The Renovation Of The Fox Theater, And Authorizing A Compensation Agreement With ORSA To Pay 30% Of Loan Repayments; On The October 10, 2017 Community And Economic Development Committee Agenda  
**17-0154**

**4.8** Subject: Economic Development Strategy  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution Adopting An Economic Development Strategy for 2018-2020; On The September 26, 2017 Community And Economic Development Committee Agenda  
**17-0156**

**4.7** Subject: Outdoor Navigation Center  
From: Vice Mayor Campbell Washington  
Recommendation: Receive Report Authorizing A Non-Profit Organization To Administer An Outdoor Navigation Center On A Specified Parcel; On The October 24, 2017 Life Enrichment Committee Agenda  
**17-0158**

Sponsors: Campbell Washington

- 4.8** Subject: Update On State Of The City Report  
From: Office Of The Mayor  
Recommendation: Receive An Oral Update From Mayor Libby Schaaf Providing A Digest Of The Upcoming State Of The City Address; On The October 3, 2017 City Council Agenda  
**17-0144**
- 4.9** Subject: Recognizing And Honoring The Oakland Builders Alliance  
From: Council President Reid  
Recommendation: Adopt A Resolution Recognizing And Honoring The Oakland Builders Alliance On Their 10th Year Anniversary; On The October 3, 2017 City Council Agenda As A Ceremonial  
**17-0145**
- 4.10** Subject: Police Commission Appointments  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Accepting The Selection Panel's Slate Of Four Police Commissioners And One Alternate To Serve On The City Of Oakland Police Commission; On The October 3, 2017 City Council Agenda As A Non-Consent Item  
**17-0147**
- 4.11** Subject: Re- Appointing To The Executive Committee Of The East Bay Economic Development Alliance  
From: Council President Reid  
Recommendations: Adopt A Resolution Re- Appointing Council Member Lynette Gibson Mcelhaney To The Executive Committee Of The East Bay Economic Development Alliance And Re-Appointing Council President Reid As The Alternate Member For A One (1) Year Term (Commencing From July 1, 2017 Through June 30, 2018); On The October 3, 2017 City Council Agedna  
**17-0155**
- 4.12** Subject: The Research Foundation Of The City University Of New York Grant  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept Grant Funds On Behalf Of The City Of Oakland In The Amount Of One Hundred Forty Thousand Dollars (\$140,000) From The Research Foundation Of The City University Of New York To Fund The Development Of Equity Indicators For The City Of Oakland; On The October 3, 2017 City Council Agenda  
**17-0160**
- 4.13** Subject: Domestic Violence Awareness Month  
From: Annie Campbell Washington  
Recommendation: Adopt A Resolution Proclaiming October 2017 Domestic Violence Awareness Month In The City Of Oakland; On The October 3, 2017 City Council Agenda As A Ceremonial Item  
**17-0161**

**4.14** Subject: Brooklyn Basin Community Facilities District (CFD)  
 From: Planning And Building  
 Recommendation: Adopt A Resolution Of Intention Of The City Of Oakland To Establish City Of Oakland Community Facilities District No. 2017-1 (Brooklyn Basin Public Services); Schedule A Public Hearing; Levy A Special Tax To Finance The Maintenance Of Certain Public Improvements; And Approving A Proposed Boundary Map For Community Facilities District No. 2017-1 Pursuant To The Mello-Roos Community Facilities Act Of 1982; On The October 3, 2017 City Council Agenda [16-1088](#)

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

**Legislative History**

5/4/17	*Rules & Legislation Committee <i>This item wil go before the May 23, 2017 Community and Economic Development before it is heard at the full City Council Meeting on June 6, 2017.</i>	Scheduled to the *Community & Economic Development Committee
5/23/17	*Special Community & Economic Development Committee  <i>There was 1 speaker on this item.</i>	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
6/6/17	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Withdrawn and Rescheduled
6/19/17	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council  <i>There were 5 speakers on this item</i>	Withdrawn with No New Date
6/29/17	*Rules & Legislation Committee  <i>Public Hearing</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

**4.15** Subject: Opposition HR 38  
 From: Councilmembers Brooks, Gallo, And Kaplan  
 Recommendation: Adopt A Resolution In Opposition Of House Resolution 38, Known As The Concealed Carry Reciprocity Act Of 2017 And S446 Known As The Constitutional Concealed Carry Reciprocity Act Of 2017, Which Would Force Every State To Recognize Concealed Carry Permits By Every Other State, Regardless Of The Permitting Standards, Or Lack Thereof, Of That State; On The October 5, 2017 Rules And Legislation Committee Agenda  
**17-0146**

**4.16** Subject: Ban On Drilling, Fracking In Waters Off The California Coast  
From: Councilmember Kalb  
Recommendation: Adopt A Resolution In Support Of (1) A Ban On New Drilling, Fracking, And Other Well Stimulation In Federal And State Waters Off The California Coast, (2) A Ban On New Federal Oil And Gas Leases In The Pacific, Atlantic, Arctic Oceans And The Eastern Gulf Of Mexico-Areas Currently Protected From New Leases; And 3) A Rapid Phase-Out Of All Oil And Gas Extraction Off The California Coast On A Rapid Schedule Sufficient To Respond To The Climate Crisis; On The October 5, 2017 Rules And Legislation Committee Agenda  
**17-0162**

**5** A Review Of The Draft Agendas For The City Council Of October 3, 2017 And The Rules And Legislation Committee Of October 5, 2017  
[17-0071](#)

Attachments: [View Report](#)

**Open Forum (Total Time Available: 15 Minutes)**

### **Adjournment**

### **Americans With Disabilities Act**

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### **Office of the City Clerk - Agenda Management Unit**

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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.**