



# City of Oakland

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

## Meeting Minutes - DRAFT \*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, March 19, 2015

10:45 AM

City Council Chamber, 3rd Floor

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*The Oakland City Council Rules & Legislation Committee convened at 11:00 a.m.,  
with Council President Gibson McElhaney presiding as Chairperson.*

### Roll Call / Call To Order

**Present** 4 - Abel J. Guillén, Dan Kalb, Laurence E. Reid, and Lynette Gibson McElhaney

#### 1 Determinations Of Closed Session

[14-0608](#)

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

*A Special Closed Session has been scheduled for March 31, 2015 at 2:00 p.m.*

#### 2 Approval Of The Draft Minutes From The Committee Meeting Of March 5, 2015

[14-0610](#)

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

#### 3 Determination Of Schedule Of Outstanding Committee Items

[14-0609](#)

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

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

[14-0611](#)

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

*There were 6 speakers on this item.*

**A motion was made by Reid, seconded by Kalb, that this matter be Received and Filed. The motion carried by the following vote:**

**Aye:** 4 - Guillén, Kalb, Reid, and Gibson McElhaney

- 4.1 Subject: Recognizing Oakland Unified Students  
From: Councilmember Campbell Washington  
Recommendation: Adopt A Resolution Recognizing Oakland Unified School District Students For Their Outstanding Performances And First Place Awards In The 36th Annual Martin Luther King Jr. Oratorical Fest 2015  
[14-0651](#)

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

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/31/2015 as a Ceremonial Item**

- 4.2 Subject: Resolution Recognizing Don Kinhead  
From: Councilmember Dan Kalb  
Recommendation: Adopt Resolution Recognizing Extraordinary Service To His Community By Don Kinhead, Founding Editor Of The Rockridge News And Founding Member Of The Rockridge Community Planning Council  
[14-0689](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/31/2015 as a Consent Item**

- 4.3 Subject: Anti-Graffiti Grant To Adams Point Neighborhood Group  
From: Council President Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$1,590 From Council President Lynette Gibson McElhaney's Graffiti Abatement Mural And Green Wall Funds To Oakland Parks And Recreation Foundation, As Fiscal Sponsor For The Adams Point Neighborhood Group, For Five Mosaic Trash Cans In The Adams Point Neighborhood On MacArthur Boulevard  
[14-0690](#)

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

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/31/2015 as a Consent Item**

- 4.4 Subject: Anti-Graffiti Grant To OneFam  
From: Council President Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2,000 From Council President Lynette Gibson McElhaney's Graffiti Abatement Mural And Green Wall Funds To OneFam For A Mural On 1620 7th Street In West Oakland  
[14-0692](#)

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

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/31/2015 as a Consent Item**

**4.5** Subject: 6239 Elderberry Drive Utility Pole Telecommunications Project Appeal  
From: Planning & Building Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Denying Appeal #A13-233 And Upholding The Decision Of The City Planning Commission To Approve Regular Design Review To Attach A Telecommunications Facility To A New Replacement Utility Pole Located In The Public Right-Of-Way At The Intersection Of Elderberry Drive And Girvin Drive; Or [13-0700](#)

**Attachments:** [View Report Part 1.pdf](#)  
[View Report Part 2.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/31/2015 as a Public Hearing**

2) A Resolution Upholding The Appeal Of Manuel Perez And Dr. Christy Hiebert (Appeal #A13-233), Thereby Reversing The Decision Of The City Planning Commission And Denying Regular Design Review To Attach A Telecommunications Facility To A New Replacement Utility Pole Located In The Public Right-Of-Way At The Intersection Of Elderberry Drive And Girvin Drive  
[14-0231](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/31/2015 as a Public Hearing**

**4.6** Subject: Term Lengths For The Safety And Services Oversight Commission  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Establishing The Membership Terms And Quorum Requirement For The Public Safety And Services Violence Prevention Oversight Commission  
[14-0685](#)

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

**This Ordinance was Scheduled.to the Meeting of the Oakland City Council to be heard 3/31/2015**

- 4.7** Subject: Amendment Of The Ground Lease For The Oakland Marriott  
From: Economic & Workforce Development Department  
Recommendation: Adopt An Ordinance Authorizing The Interim City Administrator, Without Returning To The City Council, To Negotiate And Execute An Amendment To The Oakland Marriott Hotel City Center Ground Lease Between The City Of Oakland And Either The Current Tenant, The CIM Group, Inc. (Or A Related Entity), Or The Prospective Tenant, AGRE DCP Oakland City Center LLC (Or A Related Entity), Clarifying Or Modifying Various Lease Provisions, Including The Terms Of The Ground Tenant's Option To Purchase  
[14-0615](#)

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

**This Ordinance was Scheduled.to the Meeting of the Oakland City Council to be heard 3/31/2015**

- 4.8** Subject: General Obligation 2015 Refunding Bonds  
From: Finance Department  
Recommendation: Adopt An Ordinance Authorizing The Issuance Of Not To Exceed \$140,000,000 Aggregate Principal Amount Of City Of Oakland General Obligation Refunding Bonds (Dedicated Unlimited Ad Valorem Property Tax), Series 2015A, And Authorizing Certain Actions Related Thereto  
[14-0684](#)

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

**This Ordinance was Scheduled.to the Meeting of the Oakland City Council to be heard 3/31/2015**

- 4.9** Subject: Scheduling Of Budget Priorities Meeting  
From: Council President Lynette Gibson McElhaney  
Recommendation: Request To Schedule A Special Budget Hearing To Develop Council Priorities On Thursday, April 2, 2015 From 12:30-4:30 p.m.  
[14-0691](#)

**This City Resolution was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 4/2/2015 at the Jack London Square Aquatic Center**

- 4.10** Subject: Appropriate Additional JAG Funds  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Additional Funds From FY 2014 Edward J. Byrne Memorial Justice Local Assistance Grant (JAG) Award In An Amount Not To Exceed Forty-One Thousand, Eight Hundred Twenty-Five Dollars And Thirty-Five Cents (\$41,825.35) In Addition To The Five Hundred Thousand, Two Hundred Dollars (\$500,200) Already Accepted And Appropriated As Part Of Resolution 84641 C.M.S., For The 2014 Federal Fiscal Year; On The April 14, 2015 Public Safety Committee Agenda  
[14-0686](#)

**This City Resolution was Scheduled.to the \*Public Safety Committee to be heard 4/14/2015**

- 4.11** Subject: Declaring April 19-26 As Oakland Veg Week  
From: Councilmembers Gibson McElhaney And Brooks  
Recommendation: Adopt A Resolution To Declare The Week Of April 19-26, 2015 As "Oakland Veg Week" In The City Of Oakland And To Encourage Oakland Residents To Take The Veg Pledge To Eat Vegetarian For One Week; On The April 21, 2015 City Council Agenda As A Ceremonial Item  
[14-0683](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 4/21/2015 as a Ceremonial Item**

- 4.12** Subject: Recognizing Captain Ricardo Orozco For 28 Years Of Service  
From: Councilmembers Noel Gallo & Campbell Washington  
Recommendation: Adopt A Resolution Recognizing Captain Ricardo Orozco For 28 Years Of Exemplary And Dedicated Service To The Oakland Police Department And To The Citizens Of Oakland And Congratulating Him On His Retirement And Bidding Him Farewell; On The April 21, 2015 City Council Agenda As A Ceremonial Item  
[14-0687](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 4/21/2015 as a Ceremonial Item**

- 4.13** Subject: Amending The Permanent Vehicular Food Vending Program  
From: Councilmember Noel Gallo  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12579 C.M.S. Which Establishes A Permanent Vehicular Food Vending Program And For Staff To Provide Recommendations On Expanding The Vehicular Food Vending Program Citywide; On The May 12, 2015 Community And Economic Development Committee Agenda  
[14-0688](#)

***This item will be changed to an Informational report only.***

**This Informational Report was Scheduled.to the \*Community & Economic Development Committee to be heard 5/12/2015**

**Items Submitted On The Dais**

**#1** Subject: Execution Of Supplement No. 5 To The Oakland Raiders And OACCA Master Agreement  
From: Finance Department  
Recommendation: Adopt A Resolution Approving And Authorizing The Execution Of Supplement No. 5 To The Master Agreement And Exhibits To The Master Agreement Between The Oakland Raiders And The Oakland Alameda County Coliseum Authority [14-0693](#)

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

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 3/31/2015**

**#2** Subject: EBRCSA/Portable Radios Status Report  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Status Report On The Transition To The East Bay Regional Communications System Authority Network And The Replacement Of The City/Portable Radios; On The April 14, 2015 Finance Committee Agenda [14-0694](#)

**This Informational Report was Scheduled.to the \*Finance & Management Committee to be heard 4/14/2015**

**#3** Subject: OPD's Methods Of Dealing With Mentally Challenged Individuals  
From: President Pro Tempore Reid  
Recommendation: Receive An Informational Report On The Strategies Being Developed And Used On OPD's Methods Of Dealing/Working With Mentally Challenged Individuals In Our Communities [14-0695](#)

**This Informational Report was Scheduled.to the \*Public Safety Committee to be heard 4/14/2015**

**From The March 24, 2015 Community & economic Development Committee Agenda**

**#10** Subject: Execution Of Coliseum Complex Exclusive Negotiating Agreement  
From: Economic & Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With The County Of Alameda And New City Development LLC For Development Of A Project At The Oakland-Alameda County Coliseum Complex And Adjacent City Property [14-0674](#)

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

**This City Resolution was \* Withdrawn and Rescheduled.to the \* Special Meeting of the Oakland City Council to be heard 3/20/2015**

- 5 A Review Of The Draft Agendas For The Special City Council Meeting Of March 31, 2015 And The Rules And Legislation Committee Of April 2, 2015  
[14-0612](#)

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

**A motion was made by Reid, seconded by Kalb, that this matter be Received and Filed. The motion carried by the following vote:**

**Aye:** 4 - Guillén, Kalb, Reid, and Gibson McElhaney

- 6 Subject: Resolution In Support Of AB 65 - Body Worn Camera Fund  
From: Councilmember Dan Kalb  
Recommendation: Adopt A Resolution In Support Of State Assembly Bill (AB) 65 (Alejo) That Would Create A State Fund To Help Local Law Enforcement Agencies Purchase, Implement, And Maintain A Body Worn Camera Program  
[14-0579](#)

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

[View Supplemental Report.pdf](#)

**A motion was made by Kalb, seconded by Reid, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 3/31/2015. The motion carried by the following vote:**

**Aye:** 4 - Guillén, Kalb, Reid, and Gibson McElhaney

- 7 Subject: Support For AB 43: Establish Refundable CA Earned Income Tax Credit  
From: Councilmembers Gibson McElhaney And Campbell Washington  
Recommendation: Adopt A Resolution To Support Assembly Bill 43 Which Establishes A Refundable California Earned Income Tax Credit To Act As A Stimulus For Working Low And Middle-Income Families By Reducing Poverty And Rewarding Work  
[14-0625](#)

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

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

**A motion was made by Gibson McElhaney, seconded by Kalb, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 3/31/2015. The motion carried by the following vote:**

**Aye:** 4 - Guillén, Kalb, Reid, and Gibson McElhaney

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

*There were no Open Forum speakers.*

## **Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:47 a.m.*

## **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.**