



# 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, June 18, 2015

10:45 AM

City Council Chamber, 3rd Floor

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*The Oakland City Council Rules And Legislation Committee convened at 11:05 a.m., with Council President Gibson McElhane 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

[14-1037](#)

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

*Special Closed Sessions have been scheduled for the following days: Monday, June 22, 2015; Monday, June 29, 2015; and Tuesday, June 30, 2015*

A motion was made by Reid, seconded by Guillén, that this matter be . The motion carried by the following vote:

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

#### 2 Approval Of The Draft Minutes From The Committee Meeting Of June 4, 2015

[14-1038](#)

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

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

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

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

[14-1039](#)

**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

**4** Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)  
[14-1040](#)

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

**A motion was made by Reid, seconded by Guillén, 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: Fruitvale Transit Village Phase II  
From: Economic Workforce And Development Department  
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Lease Disposition And Development Agreement, A Sixty-Six (66) Year Ground Lease And Related Documents (Collectively "LDDA") Between The City Of Oakland And The Spanish Speaking Unity Council Of Alameda County, Inc. And L & M Development Partners, Inc. For Development Of Mixed-Income Housing Located On APN 033-2177-021 At 35th Avenue And East 12th Street; On The June 22, 2015 Special City Council Agenda  
[14-0959](#)

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

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**4.2** Subject: Municipal Code Amendments For Zero Waste Implementation  
From: Oakland Public Works Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 8.28 ("Solid Waste Collection And Disposal And Recycling"), To Implement The Zero Waste System Design And Zero Waste Collection Services Franchise Contracts, By: 1) Establishing A Nuisance Abatement Process To Address Failures To Ensure Proper Handling Of Solid Waste; 2) Restricting Collection Of Commercial Organic Materials To Authorized Collectors; 3) Changing Definitions And Other Provisions To Allow For Regulation Of Commercial Recyclers And Non-Exclusive Franchise Haulers Of Construction And Demolition Debris, And 4) Conforming The New Zero Waste System To The Zero Waste Collection Services Franchises Awarded By City Council, Services To Begin July 1, 2015; And

[14-0961](#)

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

**This Ordinance was Scheduled to the \* Special Meeting of the Oakland City Council to be heard 6/22/2015**

2) An Ordinance Amending Oakland Municipal Code Chapter 15.34 (“Construction And Demolition Debris Waste Reduction And Recycling Requirements”) To Establish A Non-Exclusive Franchise Agreement System For The Hauling Of Such Debris To Become Effective July 1, 2015; And Authorizing The City Administrator To Execute Such Non-Exclusive Franchise Agreements; On The June 22, 2015 Special City Council Agenda

[14-0962](#)

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

**This Ordinance was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 6/22/2015**

**4.3** Subject: FY 2015-16 Measure Q Tax Adjustment  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2015-16 Increase To A Special Tax Imposed For Library Services, In Accordance With The Consumer Price Index, And Pursuant To The Library Services Retention And Enhancement Act Of 2004 (Measure Q); On The June 22, 2015 Special City Council Agenda

[14-0970](#)

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

**This Ordinance was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 6/22/2015**

**4.4** Subject: FY 2015-16 Measure M Tax Adjustment  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2015-16 Increase To A Special Tax Imposed For Emergency Medical Services, In Accordance With The Consumer Price Index, And Pursuant To The Emergency Medical Services Retention Act Of 1997 (Measure M); On The June 22, 2015 Special City Council Agenda

[14-0971](#)

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

**This Ordinance was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 6/22/2015**

**4.5** Subject: FY 2015-16 Measure N Tax Adjustment  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2015-16 Increase To A Special Tax Imposed For Paramedic Emergency Services, In Accordance With The Consumer Price Index, And Pursuant To The 1997 Paramedic Services Act (Measure N); On The June 22, 2015 Special City Council Agenda

[14-0973](#)

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

**This Ordinance was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 6/22/2015**

**4.6** Subject: FY 2015-2017 Proposed Policy Budget Presentation  
From: Office Of The City Administrator  
Recommendation: 1) Receive A Report Presenting The Fiscal Year 2015-2017 Proposed Policy Budget In Accordance With The Consolidated Fiscal Policy; And [14-0844](#)

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

**This Informational Report was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 6/22/2015**

2) Receive The Council President's Budget Presentation  
[14-1099](#)

- Attachments:** [View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[Gallo Supplemental Report.pdf](#)  
[Brooks Supplemental Report.pdf](#)  
[Guillen Supplemental report.pdf](#)

**This Informational Report was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 6/22/2015**

**4.7** Subject: Creating The Department Of Race And Equity  
From: Councilmember Desley Brooks  
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled, "City Agencies, Departments And Offices", Which Established The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of The City Charter Section 600, To Create The Department Of Race And Equity By December 2015, That Will Report Directly To The City Administrator; Establishing Definitions And Implementation Steps Related To A Citywide Strategy Of A Fair And Just City; And Receive An Informational Report Identifying The Timeline And All Steps Necessary To Implement The Department By December 2015 [TITLE CHANGE]

[14-0457](#)

- Attachments:** [View Finance Committee Report.pdf](#)  
[View Life Enrichment Committee Report.pdf](#)  
[View Finance Supplemental Report.pdf](#)  
[View Life Enrichment Supplemental Report.pdf](#)  
[View Supplemental Report.pdf](#)  
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[View Supplemental Report.pdf](#)

**This Ordinance was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 6/22/2015**

**4.9** Subject: Amending Ordinance 13238 FY 2014-2015 Master Fee Schedule  
From: Revenue Management Bureau  
Recommendation: Adopt An Ordinance Amending Ordinance 13238 C.M.S. (The FY 2014-15 Master Fee Schedule, Or "MSF"), To Establish, Modify And Delete Fees And Penalties Assessed By All Offices, Departments, Bureaus, And Agencies Of The City Of Oakland

[14-0923](#)

- Attachments:** [View Report Part A.pdf](#)  
[View Report Part B.pdf](#)  
[View Report Part C.pdf](#)  
[View Supplemental Report.pdf](#)  
[View Supplemental Report.pdf](#)

**This Ordinance was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 6/22/2015**

- 4.10** Subject: Appropriations Limit For Fiscal Years 2015-2016  
From: Finance Department  
Recommendation: Adopt A Resolution Establishing As Appropriations Limit For Fiscal Years 2015-2016 Pursuant To Article XIII B Of The California Constitution  
[14-0988](#)

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

**This City Resolution was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 6/30/2015**

- 4.11** Subject: Adoption Of The FY 2015-2017 Biennial Budget  
From: Office Of The City Administrator  
Recommendation: Receive A Second Errata To The Proposed Budget And Adopt A Resolution Authorizing The Fiscal Year ("FY") 2015-2017 Biennial Budget And Appropriating Certain Funds To Provide For The Expenditures Proposed By Said Budget  
[14-0925](#)

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

**This Informational Report was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 6/22/2015**

- 4.12** Subject: Travel Authorization For Councilmember Guillen  
From: Councilmember Abel Guillen  
Recommendation: Adopt A Resolution Authorizing Councilmember Abel Guillen To Travel To Las Vegas, Nevada To Attend The National Association Of Latino Elected Officials 32nd Annual Conference June 17-19, 2015; On The June 22, 2015 Special City Council Agenda  
[14-1105](#)

**This City Resolution was Withdrawn with No New Date.**

- 4.13** Subject: Oakland Tourism Business Improvement District 2015  
From: Economic & Workforce Development Department  
Recommendation: Conduct A Public Hearing To Satisfy The Public Meeting Requirement Regarding The Proposed Formation Of An Oakland Tourism Business Improvement District 2015 (OTBID) And Pursuant To California Streets And Highways Code Section 36623 And Government Code Section 54954.6; On The July 7, 2015 And July 21, 2015 City Council Agenda As A Public Hearing  
[14-0748](#)

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

**This Informational Report was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015 and July 21, 2015 As Public Hearings**

**4.14** Subject: Amendments To Truck Routes And Prohibitions In East Oakland  
From: Oakland Public Works Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Sections 10.52.060, 10.52.070, 10.52.080, And 10.52.120 Of The Oakland Municipal Code (O.M.C.) To Modify The Existing Truck-Prohibited Streets, Through Truck Routes, And Local Truck Routes In East Oakland; On The July 7, 2015 City Council Agenda  
[14-1012](#)

Attachments: [View Report.pdf](#)

**This Ordinance was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015 as a Public Hearing**

**4.15** Subject: Assessment Of Liens For Delinquent Real Property Transfer Taxes  
From: Finance Department  
Recommendation: Conduct A Public Hearing On The Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[14-1019](#)

Attachments: [View Report.pdf](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or

[14-1020](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; On The July 7, 2015 City Council Agenda

[14-1021](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

**4.16** Subject: Assessment Of Liens For Delinquent Garbage Fees  
From: Finance Department

Recommendation: Conduct A Public Hearing On Delinquent Garbage Fees For July/August/September 2014 Monthly Accounts And October -December 2014 Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[14-1022](#)

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

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code; Or

[14-1023](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**



3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; On The July 7, 2015 City Council Agenda

[14-1024](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

- 4.17** Subject: Assessment Of Liens For Delinquent Business Taxes  
From: Finance Department  
Recommendation: Conduct A Public Hearing On The Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; Or

[14-1025](#)

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

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

2) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code; Or

[14-1026](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

3) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City Administrator On The Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; On The July 7, 2015 City Council Agenda

[14-1027](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

**4.18** Subject: Assessment Of Liens For Delinquent Transient Occupancy Taxes  
From: Finance Department  
Recommendation: Conduct A Public Hearing On The Assessment Of Liens For Delinquent Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[14-1028](#)

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

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Transient Occupancy Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code; Or  
[14-1029](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; On The July 7, 2015 City Council Agenda  
[14-1030](#)

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

- 4.19** Subject: Priscilla Helmes v. Douglas Parking, LLC, 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 Priscilla Helmes V. Douglas Parking, LLC, City Of Oakland, Alameda County Superior Court Case No. Rg11-598739, In The Amount Of Nineteen Thousand Dollars And No Cents (\$19,000.00) As A Result Of A Trip And Fall Accident On Or About June 24, 2010 (Public Works Agency) (1642307); On The July 7, 2015 City Council Agenda  
**14-1106**

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

- 4.20** Subject: Claim of Jerome Matthews  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Jerome Matthews (Claim No. C30225), In The Amount Of Ten Thousand And No Cents Dollars (\$10,000.00) Payable To Jerome Matthews As The Result Of Injuries Sustained In A Motor Vehicle Incident On May 23, 2014 (Public Works Agency - Dangerous Condition/Streets); On The July 7, 2015 City Council Agenda  
**14-1107**

**This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015**

- 5** A Review Of The Draft Agendas For The Special City Council Meeting Of June 30, 2015 And The Rules And Legislation Committee Of July 2, 2015  
[14-1041](#)

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

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

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

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

*There was 1 Open Forum speaker.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules And Legislation Committee adjourned the meeting at 11:33 p.m.*

### **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.**

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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.**