



City of Oakland

Office of the City Clerk
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Oakland, California 94612
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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>

Thursday, March 8, 2018

10:45 AM

City Council Chamber, 3rd Floor

***The Oakland City Council Rules And Legislation Committee convened at 10:50 A.M.,
with Council President Reid presiding as Chairperson.***

Roll Call / Call To Order

Excused 1 - Lynette McElhaney

Present 3 - Abel J. Guillén, Laurence E. Reid, and Annie Campbell Washington

1 Determinations Of Closed Session

[18-0168](#)

Attachments: [View Report](#)

There will be a Closed Session on Tuesday March 20, 2018 at 3:30 P.M.

A motion was made by Abel J. Guillén, seconded by Annie Campbell Washington, that this matter be Accepted. The motion carried by the following vote:

Excused: 1 - McElhaney

Aye: 3 - Guillén, Reid, and Campbell Washington

NO VOTE: 0

2 Approval Of The Draft Minutes From The Committee Meeting Of February 8, 2018

[18-0169](#)

Attachments: [View Report](#)

A motion was made by Abel J. Guillén, seconded by Annie Campbell Washington, that this matter be Accepted. The motion carried by the following vote:

Excused: 1 - McElhaney

Aye: 3 - Guillén, Reid, and Campbell Washington

NO VOTE: 0

3 Determination Of Schedule Of Outstanding Committee Items
[18-0170](#)

Attachments: [View Report](#)

There were no changes made to the pending list.

A motion was made by Abel J. Guillén, seconded by Annie Campbell Washington, that this matter be Accepted. The motion carried by the following vote:

Excused: 1 - McElhanev

Aye: 3 - Guillén, Reid, and Campbell Washington

NO VOTE: 0

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[18-0171](#)

Attachments: [View Report](#)

There were 3 speakers on this item.

A motion was made by Abel J. Guillén, seconded by Annie Campbell Washington, that this matter be Accepted as Amended. The motion carried by the following vote:

Excused: 1 - McElhanev

Aye: 3 - Guillén, Reid, and Campbell Washington

NO VOTE: 0

4.1 Subject: American Red Cross Month
From: Council President Reid And Councilmember Kalb
Recommendation: Adopt A Resolution Declaring March 2018 As American Red Cross Month
[18-0215](#)

Attachments: [View Report](#)

[View Supplemental Report 3-16-2018](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

4.2 Subject: MOU With International Federation Of Professional & Technical Engineers
From: Department Of Human Resource Management
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional & Technical Engineers ("IFPTE"), Local 21, Representing Employees In Representation Units TA1, TF1, TM2, TW1, UH1, UM1, UM2, TM1, And U41, Covering The Period From Of July 1,2017 Through June 30,2019;
And

[18-0218](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Wage Increases To Represented Employees Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional & Technical Engineers, Local 21; The Wage Increases Shall Be As Follows: Increase Of 4% Effective July 1,2017; Increase Of 1% Effective The First Pay Period In January 2019; Additional Increase Of 2% For Select Listed Classifications Effective January 1, 2018; And Additional Increase Of 2% For Select Listed Classifications Effective July 1, 2018

[18-0219](#)

Attachments: [View Report](#)

A Title change was read into record.

This Ordinance be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

4.3 Subject: Honoring Betty Soskin
From: Councilmember Brooks
Recommendation: Adopt A Resolution Celebrating And Honoring Betty Reid Soskin For Her Courageous, Innovative, Groundbreaking Work; Which Is Truly Inspirational; Has Promoted Positive Change, And Has Uplifted The Residents Of The City Of Oakland And The Nation In The Areas Of Social Justice, Advocacy, Arts And Culture, Business And Faith

[18-0220](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

- 4.4** Subject: Moratorium Extension On Substantial Rehabilitation Exemption
From: Councilmember Kalb And Councilmember Kaplan
Recommendation: Adopt An Ordinance Extending By 180-Days Ordinance No. 13465 C.M.S. That Imposed A 180- Day Moratorium On Substantial Rehabilitation Exemptions Of Chapter 8.22, Article 1, "Residential Rent Adjustment Program" (O.M.C. Section 8.22.030.B.2.)
[18-0221](#)

Attachments: [View Report](#)

This Ordinance be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

- 4.5** Subject: ORSA Tax Allocation Refunding Bonds, Series 2018-TE/T
From: Finance Department
Recommendation: Adopt A Successor Agency Resolution Authorizing The Issuance And Prescribing The Terms, Conditions And Form Of Not To Exceed \$65,000,000 Combined Aggregate Principal Amount Of The Oakland Redevelopment Successor Agency Subordinated Tax Allocation Refunding Bonds, Series 2018- TE And Oakland Redevelopment Successor Agency Subordinated Tax Allocation Refunding Bonds, Series 2018- T (Federally Taxable), Approving The Form Of And Authorizing The Execution And Delivery Of A First Supplement To Indenture Of Trust And A Purchase Agreement; Approving The Selection And Retention Of A Municipal Advisor And Underwriters; Authorizing Payment Of Costs Of Issuance; And Authorizing And Approving Necessary Actions In Connection Therewith
[18-0224](#)

Attachments: [View Report](#)

This ORSA Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

4.6 Subject: Assessment District No. 2007-232 Piedmont Pines Phase II
From: Department Of Transportation
Recommendation: Adopt The Following Pieces of Legislation:

1) Resolution Of Intention To 1) Order Improvements And To Form The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase II; 2) Accept Indications Of Interest In The Proposed Assessment District By Owners Owning Land Constituting More Than One-Half Of The Area Of The Assessable Lands Within The Proposed Assessment District; 3) Find That The Improvements Are Of More Than Local Or Ordinary Public Benefit, And The Cost And Expenses, Including Incurred City Cost Of District Creation Thereof, Are Made Chargeable Upon The Assessment District; 4) Provide That The Council Intends To Levy A Special Assessment Upon The Land Within The Assessment District; 5) Provide That Bonds Shall Be Issued To Finance A Portion Of The Costs Of Improvements; 6) Appoint Harris & Associates As The Engineer Of Work For The Assessment District; And 7) Direct The Engineer Of Work To Make And File The Engineer's Report With The City Clerk; And
[18-0073](#)

Attachments: [View Report](#)
[View Supplemental Report 3-8-2018](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

2) A Resolution 1) Preliminarily Accepting And Approving The Engineer's Report; 2) Calling For A Public Hearing On The Proposed Assessment District To Be Held By The Council On Tuesday, May 15, 2018 At 6:30 P.M. And An Election For The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase II; And 3) Designating The Engineer Of Work To Assist The City Clerk In Connection With The Mailing And Tabulation Of The Ballots, And To Answer Inquiries Regarding The Protest Proceedings Applicable To The Assessment District
[18-0074](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

3) A A Resolution 1) Directing City Staff To Assist With A Request To The California Public Utilities Commission For Exception To Certain Rules Related To The Funding Of The Undergrounding Of Utilities For The Proposed City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase II; And 2) Making Findings Related Thereto [NEW TITLE]

[18-0243](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

4.7 Subject: Adding Cannabis Permitting Staff
From: Office Of The City Administrator
Recommendation: Adopt A Resolution To Authorize The City Administrator Or Her Designee To Appropriate Three Hundred Seven Thousand And Thirty-Two Dollars (\$307,032) Of Available One-Time Project Funds Generated Through Cannabis Permit Application Fees To Fund One Full-Time City Administrator Analyst And One Full-Time Public Service Representative To Work On Cannabis Regulation And Implement The Cannabis Equity Permit Program Through June 30, 2019

[18-0240](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

4.8 Subject: Adams Point Neighborhood Group Graffiti Abatement Grant
From: Councilmember McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$1,000 From Councilmember McElhaney's Graffiti Abatement Mural And Green Wall Funds To The Oakland Parks And Recreation Foundation For The Adams Point Neighborhood Group's Mosaic Trash Container Project

[18-0242](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

4.9 Subject: Ordinance To Enact The Tenant Move Out Agreement Ordinance
From: Office Of The City Attorney, President Pro Tem Guillén And Councilmember Kalb
Recommendation: Adopt An Ordinance Adding A New Article VI To O.M.C. Chapter 8.22 To (1) Regulate Tenant Move Out Agreements And Negotiations, (2) Create Disclosure And Reporting Requirements For Such Agreements And Negotiations, And (3) Provide Remedies For Violations
[17-0415](#)

Attachments: [View Report](#)
[View Supplemental 1-19-2018](#)
[View Supplemental 3-16-2018](#)

This item will result in a second reading.

This Ordinance be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

4.10 Subject: Information Report On Measure LL
From: Member Of The Public
Recommendation: Receive An Informational Report From The Office Of The City Attorney To Determine Whether Or Not If There Is A Conflict In The Oakland City Charter Between Sections 305(E) Mayors Function, Duties And Powers And Section 604(B) (10)/AKA Measure LL Regarding The Hiring And Termination Of Oakland's Police Chief And Possible Corrective Action; As Soon As Possible On The City Council Agenda
18-0246

This Informational Report be No Action Taken.

4.11 Subject: Rezoning Of 4432-4434 And 4444 Telegraph Avenue
From: Planning And Building Department
Recommendation: Adopt An Ordinance, To Rezone Portions Of Two Parcels Located At 4432-4434, And 4444 Telegraph Avenue From The RM-1 Mixed Housing Type Residential Zone To The CN-2 Neighborhood Center Zone And To Adopt Related California Environmental Quality Act (CEQA) Findings
[18-0040](#)

Attachments: [View Report](#)

This Ordinance be No Action Taken.

- 4.12** Subject: Status Of Affordable Housing And Infrastructure Bond Public Oversight Committee
From: Council President Larry E. Reid
Recommendation: Receive An Informational Report From The City Administrator's Office On The Status Of The Affordable Housing And Infrastructure Bond Public Oversight Committee (Measure Kk); On The April 10, 2018 Finance And Management Committee Agenda
18-0223

This Informational Report be Scheduled.to go before the *Finance & Management Committee to be heard 4/10/2018

- 4.13** Subject: Status Update Clay Street Garage
From: Council President Reid
Recommendation: Approve A Report And Recommendation Directing the City Administrator On The Development Of The Clay Street Garage Site With A Feasibility Analysis Detailing Several Development Alternatives; Previously Scheduled To Public Works Committee March 13, 2018 And Now Be Rescheduled April 10, 2018 To The Community And Economic Development Committee Agenda
[TITLE CHANGE]
[17-0300](#)

This item was scheduled to both the Community and Economic Development Committee and Public Works Committee on April 10, 2018.

This Report and Recommendation be Scheduled.to go before the *Community & Economic Development Committee to be heard 4/10/2018

- 4.14** Subject: Resolution Allowing And Supporting Expanded Housing Options
From: Councilmember Kaplan And President Pro Tempore Guillén
Recommendation: Adopt A Resolution Allowing And Supporting Expanded Housing Options, Including For Non-Profits, Faith-Based Organizations, Private Property Owners, And Service Providers Working On Private Land, To Provide Housing And Sanitary Facilities For The Homeless Through Strategies Including "Small Homes," Shipping Container Conversion Homes, Recreational Vehicles, Unattached Trailers, Restroom Structures, And Other Options To Provide Dignity, Privacy, And Disease Control; On The April 10, 2018 Life Enrichment Committee Agenda
18-0193

President Pro Tem Guillen request to be added as a coauthor to this item.

This City Resolution be Scheduled.to go before the *Life Enrichment Committee to be heard 4/10/2018

- 4.15** Subject: Human Trafficking
From: Councilmembers Brooks
Recommendation: Approve A Report And Recommendation Regarding Human Trafficking In Oakland From A Provider's Perspective; Review Of OPD Protocols; And Exploration Of Best Practices; As Soon As Possible On The Public Safety Committee Agenda
18-0245

This Report and Recommendation be Scheduled.to go before the *Public Works Committee

- 4.16** Subject: Resolution In Support Of Assembly Bill 2020
From: Councilmember Kaplan
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2020 (Quirk), Which Would Allow Local Governments To Decide Where And How To Authorize Cannabis Sales And Consumption At Special Events; On The April 12, 2018 Rules And Legislation Committee Agenda
18-0244

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 4/12/2018

ITEMS SUBMITTED UPON THE DIAS

Subject: Agreement With The State Of California Office Of Emergency Services (CAL OES)
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee To Enter Into An Agreement With The State Of California Office Of Emergency Services (Cal OES) To Accept, Appropriate, And Administer Grant Funds In An Amount Not To Exceed Two Hundred Twenty-Eight Six Hundred Eighty-One Dollars And Sixty Cents (\$228,681.60) For A Scheduled Full-Scale Exercise To Meet Personnel And Supply Expenses For The Training Of The Oakland Fire Department's Urban Search And Rescue (US&R) Team
[18-0247](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

Subject: James Prator V. City Of Oakland, Et Al., Alameda County
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of James Prator V. City Of Oakland, Et Al., Alameda County Superior Court No. RG15792210 In The Amount Of Nine Hundred Thousand Dollars And No Cents (\$900,000.00), As A Result Of Multiple Severe Injuries Arising From A Trip And Fall On A Section Of Uplifted Sidewalk Occurring On January 29, 2015 (Oakland Department Of Transportation - Dangerous Condition)
[18-0248](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

REVISIONS MADE TO THE PREVIOUSLY DISTRIBUTED 10-DAY AGENDAS

CHANGES MADE TO THE MARCH 13, 2018 FINANCE AND MANAGEMENT AND COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AGENDAS

Subject: Proposed Ballot Measure To Tax Vacant Properties
From: Councilmember Kaplan
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Proposed Ordinance To Authorize The City Of Oakland To Collect A Tax On Vacant Properties; And
[17-0453](#)

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

This item will be rescheduled to the Finance and Management Committee And Community and Economic Development Committee on April 10, 2018.

This Ordinance be Scheduled.to go before the *Finance & Management Committee to be heard 4/10/2018

2) A Resolution, On The City Council's Own Motion, Submitting This Item To The Voters At The 2018 Election
[17-0454](#)

This item will be rescheduled to the Finance and Management Committee And Community and Economic Development Committee on April 10, 2018.

This City Resolution be Scheduled.to go before the *Finance & Management Committee to be heard 4/10/2018

- 5 A Review Of The Draft Agendas For The City Council Meeting Of March 20, 2018 And The Rules And Legislation Committee Of March 22, 2018
[18-0172](#)

Attachments: [View Report](#)

A motion was made by Abel J. Guillén, seconded by Annie Campbell Washington, that this matter be Accepted as Amended. The motion carried by the following vote:

Excused: 1 - McElhaney

Aye: 3 - Guillén, Reid, and Campbell Washington

NO VOTE: 0

CHANGES MADE TO THE DRAFT MARCH 20, 2018 CITY COUNCIL AGENDA

Item 5 was modified to only include the draft minutes of March 6, 2018, removing the draft minutes of February 6, and February 20, 2018.

- 6 Subject: Support Of Temporary Protected Status
From: Councilmember Brooks And President Pro Tem Guillen
Recommendation: Adopt A Resolution Calling On The Federal Government To Extend Temporary Protected Status (TPS) For All Nations Currently Under The Program, And To Establish A Pathway To Permanent Residency For Current Beneficiaries
[18-0173](#)

Attachments: [View Report](#)

[View Supplemental Report 3-1-2018](#)

[View Report](#)

A motion was made by Abel J. Guillén, seconded by Annie Campbell Washington, that this matter be Approved the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 3/20/2018. The motion carried by the following vote:

Excused: 1 - McElhaney

Aye: 3 - Guillén, Reid, and Campbell Washington

NO VOTE: 0

- 7 Subject: New California State Laws
From: Councilmember Desley Brooks
Recommendation: Receive An Informational Report And Briefing From The City Attorney's Office On All New California State Laws Which Become Effective In 2017
[17-0413](#)

Attachments: [View Report](#)

There was 1 speaker on this item.

A motion was made by Abel J. Guillén, seconded by Annie Campbell Washington, that this matter be Received and Filed. The motion carried by the following vote:

Excused: 1 - McElhaney

Aye: 3 - Guillén, Reid, and Campbell Washington

NO VOTE: 0

- 8 Subject: Extend Temporary Protected Status (TPS) And Urging Permanent Residency
From: Council President Pro Tempore Guillén
Recommendation: Adopt A Resolution Demanding The Federal Government To Extend Temporary Protected Status (TPS) For The Current Beneficiaries Of Countries Designated In The TPS Program By No Less Than Eighteen Months (18 Months) And Urging State And Federal Governments To Legislate A Pathway To Permanent Residency For TPS Beneficiaries
[18-0195](#)

This City Resolution 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 Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:52 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.