



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, January 26, 2017

10:45 AM

City Council Chamber, 3rd Floor

*The Oakland City Council Rules and Legislation Committee convened at 11:16 a.m.,
with Council President Reid presiding as Chairperson.*

Roll Call / Call To Order

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

- 2** Approval Of The Draft Minutes From The Committee Meeting Of January 12, 2017
16-0591

A motion was made by Lynette Gibson McElhaney, seconded by Abel J. Guillén, that this matter be Accepted. The motion carried by the following vote:

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

- 3** Determination Of Schedule Of Outstanding Committee Items
16-0592

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

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

- 4** Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas
(SUPPLEMENTAL)
16-0593

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

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

- 4.1** Subject: Honorarium For Gregory Chan Of EBMUD
From: President Pro Tem Guillén, Council President Reid, Councilmember Kalb And Mayor Schaaf
Recommendation: Adopt A Resolution Honoring Gregory L. Chan For Exemplary Service To The Oakland Community

16-0628

Councilmember Kalb requested to be added as a sponsor for this item. Council President Reid will also be listed as a sponsor.

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/7/2017

- 4.2** Subject: Cash Management Report For The Quarter Ended December 30, 2016
From: Treasury Bureau
Recommendation: Receive The Cash Management Report For The Quarter Ended December 31, 2016.

16-0652

This City Resolution be Scheduled.to go before the *Finance & Management Committee to be heard 2/14/2017

- 4.3** Subject: Major Encroachment Permits at 3765-3767 Fruitvale Avenue
From: Department of Transportation
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Ivy Bay, LLC To Allow Portions Of The Existing Garage Building, Retaining Walls, And Concrete Stairs At 3765-3767 Fruitvale Avenue To Encroach Into The Public Right-Of-Way Along Fruitvale Avenue, Major Encroachment Permit ENMJ16071.

16-0653

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 2/14/2017

- 4.4** Subject: Major Encroachment Permits At 201 Broadway
From: Department Of Transportation
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To 201 BW, LLC To Allow Proposed Bay Windows And Balconies At 201 Broadway To Encroach Into The Public Right-Of-Way Along Broadway And 2nd Street, Major Encroachment Permit ENMJ16067.

16-0642

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 2/14/2017

- 4.5** Subject: Assignment Of 1100 Broadway Project Agreements
From: Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing Assignment Of (1) An Owner Participation Agreement For The Development Of 1100 Broadway, And (2) A Purchase And Sale Agreement For The Purchase Of The City's Condominium Interest In The University Of California Office Of The President Garage At 1111 Franklin Street, From SKS Broadway, LLC, To 1100 Broadway Owner, LLC, A Joint Venture Between Ellis Partners And Intercontinental Real Estate Company, Or An Affiliated Entity

16-0643

This City Resolution be Scheduled.to go before the *Community & Economic Development Committee to be heard 2/14/2017

- 4.6** Subject: Saturday Farmer's Market At Splash Pad Park By Agricultural Institute Of Marin
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing City Administrator Or Designee, Without Returning To Council, To Negotiate And Execute A License Agreement With Agricultural Institute Of Marin To Operate A Farmers Market Every Saturday On A Portion Of The Property Commonly Known As "Grand Lake Splash Pad Park," Located At 484 Lake Park Avenue, For A Term Of Five Years With Mutually Agreed Upon Five, One-Year Renewal Options And Adopting California Environmental Quality Act Exemption Findings

16-0646

This Ordinance be Scheduled.to go before the *Community & Economic Development Committee to be heard 2/14/2017

- 4.7** Subject: Economic Development Strategy Information Report And Study Session
From: Economic and Workforce Development Department
Recommendation: Receive An Informational Report And Provide Feedback On A Draft Economic Development Strategy; On The February 14, 2017 Community And Economic Development Committee Agenda

16-0645

This Informational Report be Withdrawn with No New Date.

- 4.8** Subject: BRT Business Assistance Fund Resolution Amendment
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Amending Resolution No. 85286 C.M.S. To Allow Businesses Along The Bus Rapid Transit (BRT) Route To Apply For Business Assistance Fund Grants Prior To Experiencing Adverse Permanent Impacts From BRT Infrastructure Changes

16-0644

This City Resolution be Scheduled.to go before the *Community & Economic Development Committee to be heard 2/14/2017

- 4.9** Subject: Continuum Of Care (COC) Program 2017-2018
From: Human Services Department/Community Housing Services Division
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Apply For, Accept, And Appropriate Funds From The U.S. Department Of Housing And Urban Development (HUD) In The Amount Of \$5,203,425 Each Year For Fiscal Years (FY) 2017- 2018 And 2018-2019 To Fund HUD Continuum Of Care Supportive Housing Programs; 2) Enter Into Grant Agreements For The Provision Of Transitional And Permanent Housing And Support Services Under HUD'S Continuum Of Care Program; 3) Accept And Appropriate Additional Funds That Become Available From HUD For FY 2017-2018 And 2018-2019 And Amend The Grant Agreements To Adjust The Grant Amounts Without Returning To Council; And 4) Authorize A Contribution From The General Purpose Fund For The Central Services Overhead Charges In An Estimated Amount Of \$38,275 For FY 2017-2018 And \$36,692 For 2018-2019

16-0647

Staff provided for a revision to the title read into record as follows:

Adopt A Resolution Authorizing The City Administrator To: 1) Apply For, Accept, And Appropriate Funds From The U.S. Department Of Housing And Urban Development (HUD) In The Amount Of \$5,203,425 Each Year For Fiscal Years (FY) 2017- 2018 And 2018-2019 To Fund HUD Continuum Of Care Supportive Housing Programs; 2) Enter Into Grant Agreements For The Provision Of Transitional And Permanent Housing And Support Services Under HUD'S Continuum Of Care Program; 3) Accept And Appropriate Additional Funds That Become Available From HUD For FY 2017-2018 And 2018-2019 And Amend The Grant Agreements To Adjust The Grant Amounts Without Returning To Council; And 4) Authorize A Contribution From The General Purpose Fund For The Central Services Overhead Charges In An Estimated Amount Of \$38,275 For FY 2017-2018 And \$36,692 For 2018-2019

This City Resolution be Scheduled.to go before the *Life Enrichment Committee to be heard 2/14/2017

- 4.11** Subject: North County Homeless Youth Rapid Rehousing Program 2016-2017
From: Human Services Department/Community Housing Services Division
Recommendation: Adopt A Resolution Authorizing The City Administrator To:
1. Accept And Appropriate Funds From The U.S. Department Of Housing And Urban Development (HUD) In An Amount Not To Exceed \$1,075,206 For The Period Of December 23, 2016 To December 22, 2017, To Implement The North County Homeless Youth Rapid Re-Housing Program (NCHYRRH); 2. Enter Into Grant Agreements With Covenant House Of California In An Amount Of Up To \$531,546, East Oakland Community Project (EOCP) In An Amount Up To \$240,034, And First Place For Youth In An Amount Up To \$266,126 To Provide Housing Placement Assistance, Rental Subsidies And Supportive Services For The NCHYRRH Program; 3. Authorize A Contribution From The General Purpose Fund For The Central Services Overhead Charges In An Estimated Amount Of \$6,803 For The Period Of December 23,2016 To December 22,2017; And 4. Accept And Appropriate Any Additional NCHYRRH Funding From HUD Within The Grant Term And Amend The Grant Agreements To Increase The Grant Amount For The Period Of December 23, 2016 To December 22, 2017 Without Returning To City Council

16-0650

Staff requested a title change read into records as follows:

Adopt A Resolution Authorizing The City Administrator To: 1) Accept And Appropriate Funds From The U.S. Department Of Housing And Urban Development (HUD) In An Amount Not To Exceed \$1,075,206 For The Period Of December 23, 2016 To December 22, 2017, To Implement The North County Homeless Youth Rapid Re-Housing Program (NCHYRRH); 2) Enter Into Grant Agreements With Covenant House Of California In An Amount Of Up To \$531,546, East Oakland Community Project (EOCP) In An Amount Up To \$240,034, And First Place For Youth In An Amount Up To \$266,126 To Provide Housing Placement Assistance, Rental Subsidies And Supportive Services For The NCHYRRH Program; 3) Authorize A Contribution From The General Purpose Fund For The Central Services Overhead Charges In An Estimated Amount Of \$6,803 For The Period Of December 23,2016 To December 22,2017; And 4) Accept And Appropriate Any Additional NCHYRRH Funding From HUD Within The Grant Term And Amend The Grant Agreements To Increase The Grant Amount For The Period Of December 23, 2016 To December 22, 2017 Without Returning To City Council

This City Resolution be Scheduled.to go before the *Life Enrichment Committee to be heard 2/14/2017

4.12 Subject: Golden State Works Transitional Employment/Job Placement 2017-2020
From: Human Services Department/Oakland Unite
Recommendation: Adopt A Resolution To Authorize The City Administrator To:

(1) Enter Into A Two-Year Agreement With California Department Of Corrections And Rehabilitation (CDCR) And Accept And Appropriate Up To \$3,268,720 Annually To Implement Golden State Works Transitional Employment And Job Placement Services For Oakland Residents On Parole From July 1, 2017 Through June 30, 2019; And Enter Into A Renewal Agreement Pending Available Funding And Accept And Appropriate Up To \$3,300,000 For A Third Year Of Funding For Fiscal Year (FY) 2019-2020; And

(2) Enter Into A Two-Year Grant Agreement With The Successful Respondent Following A Request For Proposal Process In An Annual Amount Not To Exceed \$3,121,000 And A Total Amount Not To Exceed \$6,242,000 For Two Years To Provide Job Placement Services For The Period July 1, 2017 Through June 30, 2019, And Amend The Grant Agreement For A Third Year Of Funding In An Amount Not To Exceed \$3,300,000 Through June 30, 2020 Pending Available Funding From CDCR; And

(3) Accept And Appropriate Any Additional Funds That Become Available From CDCR Within The Grant Term Of July 1, 2017 Through June 30, 2020, And Amend The Grant Agreement With The Service Provider To Increase The Grant Amount

16-0648

Staff requested a title change as read into record accordingly:

Resolution To Authorize The City Administrator To:

(1) Enter Into A Two-Year Agreement With California Department Of Corrections And Rehabilitation (CDCR) And Accept And Appropriate Up To \$3,268,720 Annually To Implement Golden State Works Transitional Employment And Job Placement Services For Oakland Residents On Parole From July 1, 2017 Through June 30, 2019; And Enter Into A Renewal Agreement Pending Available Funding And Accept And Appropriate Up To \$3,300,000 For A Third Year Of Funding For Fiscal Year (FY) 2019-2020; And

(2) Enter Into A Two-Year Grant Agreement With The Successful Respondent Following A Request For Proposal Process In An Annual Amount Not To Exceed \$3,121,000 And A Total Amount Not To Exceed \$6,242,000 For Two Years To Provide Job Placement Services For The Period July 1, 2017 Through June 30, 2019, And Amend The Grant Agreement For A Third Year Of Funding In An Amount Not To Exceed \$3,300,000 Through June 30, 2020 Pending Available Funding From CDCR; And

(3) Accept And Appropriate Any Additional Funds That Become Available From CDCR Within The Grant Term Of July 1, 2017 Through June 30, 2020, And Amend The Grant Agreement With The Service Provider To Increase The Grant Amount

This City Resolution be Scheduled.to go before the *Public Safety Committee

- 4.13** Subject: Programmatic Agreement With SHPO Relating To The Hotel Menlo/Empyrean Towers
From: Bureau Of Planning
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Negotiate And Execute A Programmatic Agreement, Pursuant To Section 106 Of The National Historic Preservation Act, With The California State Historic Preservation Officer Regarding The Rehabilitation Of The Hotel Menlo/ Empyrean Towers Located At 340-344 13th Street, Oakland, California, Without Returning To The City Council

16-0627

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/7/2017

- 4.14** Subject: Council President Appointments To Council Committees For 2017-2019
From: Council President Reid
Recommendation: Adopt A Resolution Pursuant To The Council's Rules Of Procedure (Resolution No. 86034 C.M.S.) To Confirm The City Council President's Appointments Of The Members And Chairpersons Of The Public Works, Finance And Management, Community And Economic Development, Life Enrichment, Public Safety, Rules And Legislation, And Education Partnership Committees Of The City Council; TBD

16-0600

as a scheduling item.

This City Resolution be * Withdrawn and Rescheduled.to go before the *Rules & Legislation Committee to be heard 2/2/2017

- 4.15** Subject: Review Of Draft Agenda For The January 31, 2017 Special Council Meeting
From: Office Of The City Clerk
Recommendation: Review Of The Draft Agenda For January 31, 2017 The Special City Council Meeting

16-0655

This City Resolution be Approve the Recommendation of Staff, and Forward.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 1/31/2017

- 4.16** Subject: City Administrator Contract Authority Report, FY 2015-16
From: Finance Department
Recommendation: Receive An Informational Report On All Purchases And Contracts Authorized By The City Administrator Or Designee, Within The City Administrator's Contract Authority During Fiscal Year 2015-16, In Accordance WithThe Oakland Municipal Code Section 2.04.020.D.

16-0651

This Informational Report be Scheduled.to go before the *Finance & Management Committee to be heard 2/14/2017

- 4.17** Subject: Honoring 2016 Youth Poet Laureate Azariah Cole-Shephard
From: Councilmember Dan Kalb And Councilmember Gibson McElhaney
Recommendation: Adopt A Ceremonial Resolution Honoring Azariah Cole-Shephard For Receiving 2016 Youth Poet Laureate And For Her Artistic Contributions To The City Of Oakland

16-0657

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/7/2017

- 4.18** Subject: Worker's Compensation Third Party Administrator Agreement Extension (March 1, 2017 Through February 28, 2018)
From: Human Resources Management
Recommendation: Adopt One Of The Following Pieces Of Legislation

1) A Resolution Authorizing The City Administrator To Extend The Professional Services Agreement With JT2 Integrated Resources To Continue Provision Of Worker's Compensation Administration Services For The Period March 1, 2017, Through February 28, 2018, In An Amount Of \$2,511,538.40 For A Total Amount Over The Four Year Term Of The Contract Of \$9,943,374.86; Or

16-0578

The motion was made by Pro Tempore Guillen, seconded by Councilmember X to schedule an alternative to this item to the 2/7/17 City Council meeting

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/7/2017

2) Resolution Authorizing The City Administrator To Extend The Professional Services Agreement With JT2 Integrated Resources To Continue Provision Of Worker's Compensation Administration Services For The Period Of March 1, 2017, Through February 28, 2019, In An Amount Of \$5,058,021.56 For A Total Amount Over The Five Year Term Of The Contract Of \$12,489,858.02

16-0663

This be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/7/2017

4.19 Subject: Contract Agreement For Anne Kirkpatrick As Oakland Police Chief
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces OF Legislation

1. A Resolution Authorizing The City Administrator To Execute An Employment Agreement Between The City Of Oakland And The Chief Of Police, Anne Kirkpatrick, For A Total Annual Compensation Of \$299,675.00 Which Includes An Annual Salary Of \$270,000.00 And Premium Pay Required By The Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Management Association In The Amount Of \$29,675.00; And

16-0660

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/7/2017

2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Increase The Salary For Chief Of Police And The City Administrator

16-0661

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/7/2017

4.20 Subject: Resolution In Support Of AB 71 - Bring California Home Act
From: Councilmember Kalb And President Pro Tem Guillén
Recommendation: Adopt A Resolution In Support Of Assembly Bill 71 (Chiu) That Would Eliminate State Mortgage Interest Deduction On Vacation Homes And Increase The Low Income Housing Tax Credit By \$300 Million Per Year To Fund Affordable Housing

16-0654

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 2/16/2017

REQUESTS SUBMITTED ON THE DIAS

Subject: Peralta College Foundation-Laney Tiny Homes Prototype Purchase
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With Peralta Colleges Foundation In An Amount Not To Exceed \$80,000 For The Design And Production Of Two Tiny Home Prototypes

16-0649

This City Resolution be Scheduled.to go before the *Life Enrichment Committee to be heard 2/14/2017

- 5 A Review Of The Council Committees' Actions From January 24, 2017 And Determination Of Scheduling To The City Council Meeting Of February 7, 2017 (MATRIX)

16-0594

This Report and Recommendation be Accepted.

Excused: 1 - Gibson McElhane

Aye: 3 - Guillén, Kalb, and Reid

- 6 A Review Of The Draft Agendas For The City Council Meeting Of February 7, 2017 And The Rules And Legislation Committee Of February 9, 2017

16-0595

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

Excused: 1 - Gibson McElhane

Aye: 3 - Guillén, Kalb, and Reid

7 The Item Regarding "New California State Laws" Has Been Withdrawn From This Agenda By Rule 28(b) And Rescheduled To The February 23, 2017 Rules And Legislation Committee Agenda

Open Forum

There were 2 speakers under Open Forum.

- 1 Determinations Of Closed Session

16-0590

A motion was made by Abel J. Guillén, seconded by Dan Kalb, that the report of the City Attorney for the scheduling of a special closed session Tuesday, February 7, 2017 to consider various items of pending and anticipated litigation, and real estate matters matter be Accepted. The motion carried by the following vote:

Excused: 1 - Gibson McElhane

Aye: 3 - Guillén, Kalb, and Reid

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 1:11 p.m.

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.