



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 - SUPPLEMENTAL

*Rules and Legislation Committee - CANCELLED

Thursday, June 14, 2018

10:45 AM

City Council Chamber, 3rd Floor

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

[18-0604](#)

Attachments: [View Report](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of May 24, 2018

[18-0543](#)

Attachments: [View Report](#)

3 Determination Of Schedule Of Outstanding Committee Items

[18-0606](#)

Attachments: [View Report](#)

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

[18-0608](#)

Attachments: [View Report](#)

- 4.1 Subject: Settlement Agreement -Elliott Van Fleet V. 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 Elliott Van Fleet V. City Of Oakland, Alameda County Superior Court Case No. RG17864375, City Attorney's File No. 31295, In The Amount Of Twelve Million Dollars And Zero Cents (\$12,000,000.00) (Oakland Police Department - Motor Vehicle Accident); On The June 19, 2018 City Council Agenda As A Consent Item
18-0667
- 4.2 Subject: Shelter Crisis Emergency
From: Councilmember Brooks
Recommendation: Adopt An Ordinance Amending Ordinance No 13456 C.M.S. Declaring A Shelter Crisis Emergency; On The July 3, 2018 City Council Agenda
18-0650
- 4.3 Subject: Travel Authorization - Councilmember Kalb
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing Councilmember Dan Kalb To Travel To Sacramento California To Attend The League Of California Cities Housing And Community Development Committee Meeting On June 8, 2018, And Be Reimbursed For Necessary Expenses; On The July 3, 2018, City Council Agenda As Consent Item
18-0668
- 4.4 Subject: Real Estate Transfer Tax Tiered Rates Measure
From: Councilmembers Kalb
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The General Municipal Election On November 6, 2018, A Proposed Ordinance (1) Amending Oakland Municipal Code Section 4.20.020 Of The Real Property Transfer Tax To Establish Tiered Rates Based On Value Of Consideration; (2) Amending Section 4.20.080 To Reduce The Real Property Transfer Tax By .5% For "Low And Moderate Income First-Time Homebuyers"; (3) Adding Section 4.20.220 To Reduce The Real Property Transfer Tax By Up To One Third For Seismic Retrofit Expenses Incurred By "Low And Moderate Income Homebuyers"; And, (4) Directing The City Clerk To Fix The Date For Submission Of Arguments, Provide For Notice And Publication In Accordance, And Take Any And All Actions Necessary Under Law To Prepare For And Conduct The November 6, 2018 General Municipal Election; On The June 26, 2018, Finance And Management Committee Agenda And On The June 28, 2018, Rules And Legislation Committee Agenda
18-0670

- 4.5** Subject: Award Of Measure FF Support Services Contract
From: Office Of The City Administrators
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Professional Services Agreement To Centro Legal De La Raza In An Amount Not To Exceed \$480,000 To Provide Minimum Wage Education, Outreach And Enforcement Support Services For Measure FF, Oakland's Minimum Wage Law; On The June 26, 2018 Finance And Management Committee Agenda
18-0662
- 4.6** Subject: Resolution To Award Emergency Contracts
From: Transportation Department
Recommendation: Adopt A Resolution, Waiving Further Advertising And Competitive Bidding Authorizing The City Administrator, Or Designee, To Negotiate, Award And Execute Construction Contracts In An Amount Not To Exceed Two Million Nine Hundred And Thirty-Six Thousand, Three Hundred and Eighty-Four Dollars (\$2,936,384), Without Returning To Council, In The Open Market For Permanent Roadway Repair Work At Sixteen Winter Storm Landslide Sites; On The June 26, 2018 Public Works Committee Agenda
18-0655
- 4.7** Subject: Waterfront Trails Project Change Order Capacity Increase
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Increase The Construction Change Order Capacity Limit For The Embarcadero Cove And Livingston Pier Waterfront Trails Project (Number 1000683) With D-Line Constructors, Inc From Approximately Seven Percent (7%) To Twenty-Five Percent (25%) For A Total Change Order Limit Amount Of Fifty-Eight Thousand Four Hundred Dollars (\$58,400.00); On The June 26, 2018 Public Works Committee Agenda
18-0654
- 4.8** Subject: HYA On-Call Architecture Contract Increase
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal/Qualification ("RFP/Q") Requirement And Authorizing The City Administrator To Increase The On-Call Architectural Services Agreement With Hibser Yamauchi Architects (HYA) By An Amount Not-To-Exceed Seventy-Five Thousand Dollars (\$75,000.00), Bringing The Total Contract Amount From One Hundred Fifty Thousand Dollars (\$150,000.00) To Two Hundred Twenty-Five Thousand Dollars (\$225,000.00).; On The June 26, 2018 Public Works Committee Agenda
18-0653

- 4.9** Subject: Resolution Establishing Dockless Bike And Scooter Regulations
From: Councilmember Kaplan
Recommendation: Adopt A Resolution To Establish Regulations And Authorize The Terms For Issuance Of Permits For The Operation Of Dockless Bike Share And Scooter Share Businesses Within The City Of Oakland; On The July 10, 2018, Public Works Committee Agenda
[18-0396](#)

Legislative History

4/19/18	*Rules & Legislation Committee	No Action Taken
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- 4.10** Subject: Planning Code Amendments For Transient Habitation Commercial Activities
From: Planning And Building Department
Recommendation: Adopt An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code Regulating Transient Habitation Commercial Activities (Hotels) To: 1) Require A Major Conditional Use Permit For Transient Habitation Commercial Activities, 2) Change The Central Business District - Commercial Zone (CBD-C) And Wood Street District Zone - 8 (D-WS-8) To Require A Conditional Use Permit For Transient Habitation Commercial Activities; And 3) Require The Additional Findings In Planning Code Section 17.103.050 For Several Zoning Districts Where This Was Omitted For Transient Habitation Commercial Activities; On The June 26, 2018 Community And Economic Development Committee Agenda And As A Public Hearing On The July 3, 2018 City Council Agenda
18-0649

- 4.11** Subject: Professional Services Agreement With FUSE Corps
From: Planning And Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To: 1) Negotiate And Execute A Contract Between Fuse Corps And The City In An Amount Not-To-Exceed One Hundred And Fifty Thousand Dollars (\$150,000) To Fund One Executive-Level Fellow For The Planning And Building Department For A Full 12-Month Contract Term 2) Negotiate And Execute A Contract Between Fuse Corps And The City In An Amount Not-To-Exceed One Hundred And Fifty Thousand Dollars (\$150,000) To Fund One Executive-Level Fellow For The Economic And Workforce Development Department For A Full 12-Month Contract Term; 3) Accept And Appropriate One Hundred And Twenty-Five Dollars (\$125,000) From Fuse Corps; And 4) Waive The Competitive Request For Proposals/Qualifications (RFP/Q) Process Requirement For Listed Agreements; On The June 26, 2018 Community And Economic Development Committee Agenda
18-0648

4.12 Subject: Amendment To Centro Legal De La Raza Contract
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing A Second Amendment To The Contract With Centro Legal De La Raza ("CLR") Extending Term For Provision Of Legal Services To Low Income Tenants For A Period Of No More Than Six Months And Increasing The Contract Amount To Cover The Extended Services By \$118,405 Increasing The Current Five-Year Contract To A Total Contract Amount Of \$755,905 Covering July 1, 2013 Through December 31, 2018.; On The June 26, 2018 Community And Economic Development Committee Agenda

18-0651

4.13 Subject: Hardship Payment Schedule For Lower Income Homeowners
From: Councilmember McElhaney And Councilmember Kaplan
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending The Uniform Residential Tenant Relocation Ordinance To Provide An Alternate Means For Low Income And Low Asset Homeowners To Pay Relocation Payments To Tenants Displaced By Owner And Relative Move In Evictions; And

18-0663

2) A Resolution Allocating \$250,000 Of Anti-Displacement Funds To The Hardship Payment Schedule Program; On The June 26, 2018 Community And Economic Development Committee Agenda

18-0664

4.14 Subject: Anti-Displacement Services Program
From: Housing And Community Development Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Negotiate And Enter Into A Contract For Anti-Displacement Services With Centro Legal De La Raza In The Amount Of \$1,900,000 For A Two-Year Term From Fund 1870; 2) Authorizing the City Administrator To Negotiate An Increase To Said Contract By An Amount No Greater Than \$500,000 For A Two-Year Period From Fund 2413 To Cover Legal Services For Tenants Which Are A Component Of The Anti-Displacement Program And Which Are Currently Being Delivered Through The Rent Adjustment Program; And 3) Authorize The Allocation Of \$300,000 From Fund 1870 For A Small Property Owner Relocation Hardship Funding Program; On The July 10, 2018 Community And Economic Development Committee Agenda

18-0665

4.15 Subject: Preparations For 2018 Fourth Of July Fireworks
From: President Pro Tem Guillén
Recommendation: Receive An Informational Report On Police And Fire Department Preparations, Community Outreach/Education And Safety Procedures For 2018 Fourth Of July Fireworks; On The June 26, 2018 Public Safety Committee Agenda

18-0669

- 4.16** Subject: Extension of First Responder Advanced Life Support (FRALS) Agreement
From: Oakland Fire Department
Recommendation: Adopt A Resolution: 1) Amending Resolution 83558 No. C.M.S., Which Authorized The City Administrator, Among Other Things, To Enter Into A First Responder Advanced Life Support (FRALS) Agreement With The Alameda County Emergency Medical Services District For The Term November 1, 2011 To October 31, 2016; To 2) Authorize The City Administrator To Sign An Amendment To The Agreement That Would: A) Extend The Agreement To June 30, 2019; And B) Eliminate Payment to The City For Services Specified Under the Agreement; On The June 26, 2018 Public Safety Committee Agenda
18-0666
- 4.17** Subject: Professional Services Agreement With Eberhardt Consulting
From: Oakland Police Department
Recommendation: Adopt A Resolution Waiving The Advertising/Bidding And Request For Proposals/Qualifications Requirements And Authorizing An Extension Of Up To Two Years (Through August 31, 2019) Of The Professional Services Agreement Between The City Of Oakland And Eberhardt Consulting For Technical Assistance Services In Delphine Allen V. City Of Oakland, For Two Hundred Fifty One Thousand Dollars (\$251,000) And A Total Contract Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000).; On The June 26, 2018 Public Safety Committee Agenda
18-0652
- 4.18** Subject: Freedom Of City Of Oakland Employees
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Urging The Oakland City Administrator To Work With The Public Sector Unions In The City Of Oakland To Ensure Their Health And Success; And Supporting The Freedom Of City Of Oakland Employees To Participate In Unions Post A United States Supreme Court Decision On Janus Vs. AFSCME; On The June 28, 2018 Rules And Legislation Committee Agenda
18-0635
- 5** A Review Of The Council Committees' Actions From June 12, 2018 And Determination Of Scheduling To The City Council Meeting Of June 19, 2018 (MATRIX)
[18-0609](#)
Attachments: [View Report](#)
- 6** A Review Of The Draft Agendas For The Council Committee Meetings Of The June 26, 2018 And The Rules And Legislation Committee Of June 28, 2018
[18-0614](#)
Attachments: [View Report](#)

- 7 Subject: Measure To Tax Transportation Network Companies (TNC's) In The City Of Oakland
From: Councilmember Kaplan
Recommendation: Adopt A Resolution On The City Council's Own Motions Submitting To The Voters As The General Municipal Election On November 6, 2018, A Proposed Ordinance To Impose A General 50 Cent Per Ride Tax On Passengers Of Transportation Network Companies; And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The November 6, 2018 General Municipal Election
[NEW TITLE]
[17-0148](#)

Attachments: [View Report](#)
[View Supplemental Report 5-11-2018](#)
[View Finance Supplemental Report 5-11-2018](#)

Pursuant to Rule 28(b) of Resolution 87044 C.M.S., this item was added to this agenda.

Legislative History

9/21/17	*Rules & Legislation Committee <i>The Committee approved this item to go before the Finance And Management Committee.</i>	Scheduled to the *Finance & Management Committee
11/9/17	*Rules & Legislation Committee <i>This Item was scheduled to go before the second committee meeting in March.</i>	Scheduled to the *Finance & Management Committee
2/13/18	*Finance & Management Committee	Scheduled to the *Finance & Management Committee
3/29/18	*Rules & Legislation Committee <i>There was a title change read into record.</i>	Scheduled
3/29/18	*Rules & Legislation Committee <i>This item was rescheduled to the April 24, 2018 Finance And Management Meeting Agenda</i>	Rescheduled to the *Finance & Management Committee
4/12/18	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
5/10/18	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
5/22/18	*Special Finance & Management Committee <i>The Committee directed staff to return with a list of all taxes in The City of Oakland</i>	Continued to the *Finance & Management Committee
5/24/18	*Rules & Legislation Committee	No Action Taken

- 8 Subject: City Planning Commission Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of
Amanda Monchamp And The Mayor's Appointments Of Nischit Hegde And Sahar Shirazi
To The City Planning Commission
[18-0621](#)

Attachments: [View Report](#)

Pursuant to Rule 28(b) of Resolution 87044 C.M.S., this item was added to this agenda.

- 9 Subject: Housing, Residential Rent And Relocation Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Tanaiia
Hall And Denise Smith To The Housing, Residential Rent And Relocation Board
[18-0622](#)

Attachments: [View Report](#)

Pursuant to Rule 28(b) of Resolution 87044 C.M.S., this item was added to this agenda.

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.**

