



City of Oakland

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

Meeting Minutes - FINAL *Rules & Legislation Committee

*Oakland City Hall, 1 Frank H. Ogawa Plaza,
Oakland, California, 94612*

City of Oakland Website: <http://www.oaklandnet.com>

Thursday, April 11, 2019

10:45 AM

City Council Chamber, 3rd Floor

The Rules & Legislation Committee convened at 10:58 A.M. with Councilmember Thao presiding as Chairperson.

Roll Call / Call To Order

Excused 1 - Lynette McElhaney

Present 3 - Dan Kalb, Rebecca Kaplan, and Sheng Thao

1 Determinations Of Closed Session

[18-1571](#)

Attachments: [View Report](#)

There will be a Closed Session held on April 16, 2019 at 1:30 p.m.

There was 1 speaker on this item

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

Excused: 1 - McElhaney

Aye: 3 - Kalb, Kaplan, and Thao

NO VOTE: 0

2 Approval Of The Draft Minutes From The Committee Meeting Of March 7, 2019

[18-1569](#)

Attachments: [View Report](#)

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

Excused: 1 - McElhaney

Aye: 3 - Kalb, Kaplan, and Thao

NO VOTE: 0

3 Determination Of Schedule Of Outstanding Committee Items

[18-1570](#)

Attachments: [View Report](#)

There were 3 speakers on this item

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

Excused: 1 - McElhanev

Aye: 3 - Kalb, Kaplan, and Thao

NO VOTE: 0

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

[18-1572](#)

Attachments: [View Report](#)

Council President Kaplan Motioned to change the April 16, 2019 City Council Agenda time to 5:00 p.m., to schedule a Special City Council meeting for April 30, 2019 at 4:30 p.m. and Change the Special Joint Meeting scheduled, to 6:00 p.m. from 5:30 p.m.

There were 5 speakers on this item

This Report and Recommendation be Accepted as Amended.

4.1 Subject: San Francisco Foundation Grant Funds
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Grant Funds From The San Francisco Foundation In The Total Amount Of Ten Thousand Dollars (\$10,000.00), For The Oakland City Attorney To Develop Infrastructure And Outreach For City Enforcement Of The Tenant Protection Ordinance

[NEW TITLE]

[18-1596](#)

Attachments: [View Report](#)

[View Supplemental Report 4/12/2019](#)

[87616 CMS](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/16/2019

- 4.2** Subject: Illegal Procedure Of Action Taken By City Council On April 2, 2019
From: Member Of The Public: Gene Hazzard
Recommendation: Receive A Report From The City Attorney On The Outcome Of The Original And Substitute Motions On April 2, 2019 Taken By The City Council: Resolution To Waive Competitive Bidding Process And Enter Into A Professional Services Agreement With Michael Palmertree To Provide Behavior Service And Consultation And Training Service To Oakland Police Department (File ID 18-1445) See Roberts Rules on Motions; As Soon As Possible On The City Council Agenda
[18-1659](#)

This Informational Report be Continued.to go before the *Rules & Legislation Committee to be heard 4/18/2019

- 4.3** Subject: Budget Outlook Message And Calendar.
From: Finance Department
Recommendation: Receive An Informational Report On The City Administrator's Budget Outlook Message And Calendar Pursuant To The Consolidated Fiscal Policy (Ordinance No. 13487 C.M.S.)
[18-1660](#)

Attachments: [View Report](#)

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/16/2019

- 4.4** Subject: Funding Restorative Justice And Libraries For Our Youth
From: Council President Kaplan, Councilmember Bas,Thao And Gallo
Recommendation: Adopt A Resolution Authorizing The Use Of One-Time Revenues In Excess Real Estate Transfer Tax In The Amount Of \$1,200,000 From Fiscal Year 2018-2019 To Restore Library, Restorative Justice Programs, And Foster Youth Case Managers As A Grant To The Oakland Unified School District (OUSD)
[18-1673](#)

Attachments: [View Report](#)

[87633 CMS](#)

[87633 CMS Red Line](#)

A Title Change was read into record and was noted to be a Non-Consent item

Councilmember Gallo requested to be added as co-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 4/16/2019

4.5 Subject: Inspector General Job Description
From: Council President Kaplan, Councilmember Bas And Gallo
Recommendation: Adopt A Resolution Requesting That The City Administrator Expedite The Process To Obtain Civil Service Board Approval Of And Post The Job Description For The Position Of Inspector General To Support The Police Commission And Bring A Report To The Council Regarding The Anticipated Time Frame
[18-1676](#)

Attachments: [View Report](#)
[View Supplemental Report - City Attorney](#)
[View Supplemental Report - City Administrator](#)

As A Non-Consent item

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 4/30/2019

4.6 Subject: Responses To Questions And Costing For The 2019-2021 Budget
From: Council President Kaplan, Councilmember Bas, Taylor And Thao
Recommendation: Receive An Informational Report Providing The Responses To Questions And Costing Of Expenditure Requests Submitted By Councilmembers Under The City's 2019-2021 Biannual Budget Process; On The April 30, 2019 Special City Council Agenda As A Consent Item
[18-1667](#)

This Informational Report be Continued to go before the *Rules & Legislation Committee to be heard 4/18/2019

4.7 Subject: 3Y Paving Plan
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Establishing A Three Year Prioritization Plan For The City Of Oakland's Complete Streets Paving Program (2019-2021); And
[18-1663](#)

Attachments: [View Report](#)
[View Supplemental Report 4/19/2019](#)
[View Supplemental Report 5/3/2019](#)

This City Resolution be Scheduled to go before the *Public Works Committee to be heard 4/23/2019

Subject: 3Y Paving Plan
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Award All Paving And Concrete Construction Contracts That Follow All City Advertising And Competitive Bidding Requirements And Are Awarded In Direct Service Of Delivering The 2019 Three Year Prioritization Plan, Without Return To Council
[18-1664](#)

Attachments: [View Report](#)
[View Supplemental Report 4/19/2019](#)
[View Supplemental Report 5/10/2019](#)

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 4/23/2019

4.8 Subject: Assignment Of Billboard Sublease To Outfront Foster Interstate Oakland LLC
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Issue A Letter That Consents To An Assignment And Assumption Agreement That Assigns All Of The Interests Of Foster Interstate Media, Inc., As Subtenant, Under That Certain Billboard Sublease Agreement Dated October 23, 2012 To Outfront Foster Interstate Oakland LLC
[18-1665](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 4/23/2019

4.9 Subject: Emergency Building Standards Amendments
From: Building And Planning Department
Recommendation: Adopt An Ordinance For Emergency Building Standards Amendments To The 2016 California Building Code Adding Section 15.04.3.2400 To The Oakland Municipal Code Chapter 15.04 (2016 Oakland Building Construction Code) To Incorporate Emergency Building Standards As Recently Adopted By The State Of California For Emergency Housing Buildings And Facilities, With Local Modifications
[18-1666](#)

Attachments: [View Report](#)
[View Supplemental Report 4/19/2019](#)
[View Supplemental Report 5/3/2019](#)

A Title Change was read into record

This item was also scheduled to go before the May 7, 2019 City Council Agenda As a Public Hearing

This Ordinance be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 4/23/2019

4.10 Subject: OFCY 2019-2020 Summer Grant Awards
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Direct Services For Children And Youth During Summer Months In An Amount Not To Exceed \$1,525,610 For Fiscal Year 2019-2020, With An Option To Approve One-Year Grant Renewals In Fiscal Years 2020-2021 And 2021-2022 Pending Council Approval
[18-1662](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Life Enrichment Committee to be heard 4/23/2019

4.11 Subject Encampment Management Policy And Program
From: Councilmember Bas
Recommendation: Approve A Report And Recommendation From The City Administrator On The Encampment Management Policy And Program Due To The Homelessness Crisis Emergency And Multiple Legal Actions Against The City
[18-1669](#)

Attachments: [View Report - Councilmember Bas](#)
[View Report - City Administrator](#)

This Report and Recommendation be Scheduled.to go before the *Life Enrichment Committee to be heard 5/14/2019

4.12 Subject: Status Report And Funding Recommendations To Address Homelessness
From: President Pro Tempore Kalb
Recommendation: Approve A Report And Recommendation Providing A Comprehensive Status Report On The City's Efforts To Address The Challenges And Needs Of The Homeless Individuals Residing In Oakland With Options And Recommendations For Additional Administrative, Legislative And Budgetary Actions, Including, But Not Be Limited To, Updates On Proposals From April And May 2017 Staff Reports On Solutions To Homelessness
[18-1679](#)

This Report and Recommendation be Scheduled.to go before the *Life Enrichment Committee to be heard 5/28/2019

- 4.13** Subject: Grant Agreement to Center for Employment Opportunities
From: Human Services Department
Recommendation: Adopt A Resolution To Authorize The City Administrator To: 1) Enter Into A Three-Year Agreement With California Department Of Corrections And Rehabilitation (CDCR) And Accept And Appropriate Up To \$3,658,384 Annually To Implement Golden State Works Transitional Employment And Job Placement Services For Oakland Residents On Parole; And Enter Into A Renewal Agreement And Accept And Appropriate Up To \$3,900,000 For A Fourth Year Of Funding; And 2) Enter Into A Three-Year Grant Agreement With Center For Employment Opportunities (CEO), In An Annual Amount Not To Exceed \$3,488,384 To Provide Job Placement Services, And Pending Available Funding From CDCR Amend The Grant Agreement For A Fourth Year Of Funding In An Amount Not To Exceed \$3,380,000; And 3) Accept And Appropriate Any Additional Funds That Become Available From CDCR Within The Agreement Terms Of July 1,2019 Through June 30,2023, And Amend The Grant Agreement With CEO To Increase The Grant Amount; And 4) Enter Into A Data Sharing Agreement With CDCR To Implement The Automated Reentry Management System
[18-1661](#)

Attachments: [View Report](#)
[View Supplemental Report 5/3/2019](#)

This City Resolution be Scheduled.to go before the *Public Safety Committee to be heard 4/23/2019

- 4.14** Subject: Community Engagement For Cannabis Dispensary Permitting Process
From: Councilmember Bas
Recommendation: Approve A Report And Recommendation On Defining And Improving The City Of Oakland's Community Engagement Procedures For The Cannabis Dispensary Permitting Process; On The April 23, 2019 Public Safety Committee Agenda
[18-1672](#)

This Report and Recommendation be Scheduled.to go before the *Public Safety Committee to be heard 6/11/2019

- 4.15** Subject: Human Trafficking Report
From: Councilmember Gallo
Recommendation: Receive An Informational Report On The Status Of Human Trafficking From The Oakland Police Department
[18-1670](#)

This Informational Report be Scheduled.to go before the *Public Safety Committee to be heard 6/11/2019

- 4.16** Subject: Sideshow Activity In Oakland
From: Councilmember Gallo
Recommendation: Receive An Informational Report On Rules And Procedures For Dealing With Illegal Sideshows And Efforts To Control Sideshow Activity In Oakland From The Oakland Police Department: On The May 28, 2019 Public Safety Committee Agenda [18-1671](#)

This City Resolution be Scheduled.to go before the *Public Safety Committee to be heard 5/28/2019

- 4.17** Subject: Resolution In Support Of SB 54
From: President Pro Tem Dan Kalb
Recommendation: Adopt A Resolution In Support Of Senate Bill 54 (Allen/Skinner) That Would Require The Department Of Resources Recycling And Recovery To Adopt Regulations To Source Reduce And Recycle At Least 75% Of Single-Use Packaging And Products Sold Or Distributed In California By 2030 And Require Manufacturers Of Single-Use Plastics To Demonstrate Certain Recycling Rates By 2022 And 2026 [18-1678](#)

Attachments: [View Report](#)
[View Supplemental Report 4-19-2019](#)

A Title change was read into record

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 4/25/2019

- 4.18** Subject: Resolution In Support Of AB 1763 - Enhanced Affordable Housing Density
From: President Pro Tem Dan Kalb
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1763 (Chiu) That Would Require A City Or County To Provide 100% Affordable Housing Development Projects With Various Density Bonus Law Benefits As Well As Height Increases, If Near A Major Transit Stop Or High-Quality Transit Corridor [18-1677](#)

Attachments: [View Report](#)
[View Supplemental Report 4/26/2019](#)

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 5/2/2019

4.19 Subject: Resolution In Support Of AB 1279 - High-Resource Area Housing Production
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1279 (Bloom) That Would Require Development Sites In High Resource Areas To Allow More Density And Height And To Be Subject To "Use By-Right" Approval With Various Protections Against Displacement
[18-1675](#)

Attachments: [View Report](#)
[View Supplemental Report 4/26/2019](#)

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 5/2/2019

4.20 Subject: Resolution In Support Of AB 36 - Costa Hawkins Reform
From: President Pro Tempore Kalb & Councilmember Bas
Recommendation: Adopt A Resolution In Support Of Assembly Bill 36 (Bloom) That Would Allow Local Jurisdictions To Apply Rent Stabilization To (1) Rental Units That Are More Than Ten Years Old And (2) Single-Family Rentals And Condominiums If The Owner Owns At Least Three Housing Units Within The Jurisdiction Or Is Not A Natural Person
[18-1674](#)

Attachments: [View Report](#)
[View Supplemental Report 4/26/2019](#)

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 5/2/2019

4.21 Subject: A Resolution In Support Of Kaiser Mental Health Patients And Clinicians
From: Council President Kaplan, President Pro Tem Kalb And Councilmember Bas
Recommendation: Adopt A Resolution Of The Oakland City Council In Support Of Full Parity For Mental Health Patients And Clinicians At Kaiser Permanente
18-1668

Attachments: View Report

President Pro Tempore Kalb And Councilmember Bas requested to be added as co-sponsors

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 4/25/2019

- 5** A Review Of The Council Committees' Actions From Them Specail Meeting Of April 1, 2019 And The Meetings Of April 9, 2019 And Determination Of Scheduling To The City Council Meeting Of April 16, 2019
[18-1573](#)

Attachments: [View Report - April 1, 2019 Matrix](#)
[View Report - April 9, 2019 Matrix](#)

There was 3 speakers on this item

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

Excused: 1 - McElhanev

Aye: 3 - Kalb, Kaplan, and Thao

NO VOTE: 0

- 6** A Review Of The Draft Agenda For The Council Committee Meetings Of April 23, 2019 And The Rules And Legislation Committee Of April 25, 2019
[18-1574](#)

Attachments: [View Report](#)

There were 4 speakers on this item

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

Excused: 1 - McElhanev

Aye: 3 - Kalb, Kaplan, and Thao

NO VOTE: 0

CHANGES MADE TO THE DRAFT AGENDAS FOR COMMITTEE MEETINGS OF APRIL 23, 2019 AND RULES AND LEGISLATION OF APRIL 25, 2019

CHANGES MADE TO THE DRAFT FINANCE AND MANAGEMENT COMMITTEE AGENDA FOR APRIL 23, 2019

Subject: Ordinance Amending Cannabis Business Tax Rates
From: Pro Tempore Kalb And Council President Kaplan
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Title 5, Chapter 5.04, Section 5.04.480 And Section 5.04.481, To Create A Tiered And Category Based Tax Structure For Cannabis Businesses, Merge Medical And Non-Medical Cannabis Business Classifications, And Reduce Tax Rates For Cannabis Businesses
[18-1321](#)

- Attachments:** [View Report](#)
[View City Administrator Report](#)
[View Supplemental Report 5/3/2019](#)
[View Supplemental Finance Report 5/3/2019](#)
[View Supplemental Finance Report 5/10/2019](#)

This Ordinance be Rescheduled.to go before the *Finance & Management Committee to be heard 5/14/2019

CHANGES MADE TO THE DRAFT PUBLIC WORKS COMMITTEE AGENDA FOR APRIL 23, 2019

Subject: Team Oakland Youth Employment Contract
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Two-Year Agreement With Youth Employment Partnership (YEP) To Implement The Team Oakland Program, In An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00), With An Option To Extend The Contract For Two Additional Years, Through June 30,2023 In An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00), Based On Satisfactory Contractor Performance
[18-1622](#)

- Attachments:** [View Report](#)
[View Supplemental Report 4/19/2019](#)
[View Supplemental Report 5/3/2019](#)

A Title Change was read into record

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 4/23/2019

CHANGES MADE TO THE DRAFT COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AGENDA FOR APRIL 23, 2019

A Motion was made to change the time of Community And Economic Developmet Committee to 2:00 p.m.

This be Accepted.

Subject: 2100 Telegraph Avenue ENA
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing A Fourth Amendment To The Exclusive Negotiation Agreement (“ENA”) With W/L Telegraph Owner, LLC, Or An Affiliate, For Development Of A Mixed-Use Project On City-Owned Property Located At 2100 Telegraph Avenue (Assessor’s Parcel Number: 008-0648-016-03), Contingent Upon Payment Of A \$25,000 Extension Fee, To Extend The Term By Up To Six Months From April 21, 2019 To October 21, 2019 To Complete Disposition And Development Agreement Negotiations, Relying On A CEQA Exemption Pursuant To Sections 15262, 15306 And Section 15061(B)(3) Of The CEQA Guidelines
[18-1597](#)

Attachments: [View Report](#)
[View Supplemental Report 4/11/2019](#)
[87634 CMS](#)

A Title Change was read into record

As a Non-Consent Item

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 4/16/2019

Open Forum (Total Time Available: 15 Minutes)

4 speakers spoke during Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Rules & Legislation Committee adjourned the meeting at 12:21 p.m.

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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.**