



# 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 - FINAL \*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, September 13, 2018

10:45 AM

City Council Chamber, 3rd Floor

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***The Oakland City Council Rules And Legislation Committee convened at 11:10 A.M.,  
with Council President Reid presiding as Chairperson.***

### Roll Call / Call To Order

**Excused** 1 - Annie Campbell Washington

**Present** 3 - Lynette McElhaney, Abel J. Guillén, and Laurence E. Reid

### 1 Determinations Of Closed Session

[18-0805](#)

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

***There will be a Closed Session on September 17, 2018 at 1 pm in Hearing Room 4***

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

**Excused:** 1 - Campbell Washington

**Aye:** 3 - McElhaney, Guillén, and Reid

**NO VOTE:** 0

### 2 Approval Of The Draft Minutes From The Committee Meeting Of July 19, 2018

[18-0806](#)

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

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

**Excused:** 1 - Campbell Washington

**Aye:** 3 - McElhaney, Guillén, and Reid

**NO VOTE:** 0

3 Determination Of Schedule Of Outstanding Committee Items

[18-0807](#)

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

*No Changes were made to the pending list.*

A motion was made that this matter be Accepted. The motion carried by the following vote:

**Excused:** 1 - Campbell Washington

**Aye:** 3 - McElhaney, Guillén, and Reid

**NO VOTE:** 0

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

[18-0808](#)

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

*There were two speakers on this item.*

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

**Excused:** 1 - Campbell Washington

**Aye:** 3 - McElhaney, Guillén, and Reid

**NO VOTE:** 0

- 4.1 Subject: Settlement Agreement-Reyes Briones, Et Al. 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 Reyes Briones, Et Al. V. City Of Oakland, Alameda County Superior Court Case No. RG16810031, City Attorney's File No. 31072, In The Amount Of Thirty Thousand Dollars And Zero Cents (\$30,000.00) (Public Works - Nuisance)

[18-0899](#)

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

[87340 CMS](#)

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 9/17/2018

- 4.2** Subject: The Healthy Development Guidelines  
From: Vice Mayor Campbell Washington, Councilmembers Kaplan, Brooks And President Pro Tem Guillen  
Recommendation: Adopt A Resolution Commending The Community Engagement Work Of Causa Justa::Just Cause, Communities For A Better Environment, East Bay Housing Organizations, East Oakland Building Healthy Communities, Hope Collaborative And Alameda County Public Health Department To Develop The Healthy Development Guidelines, A Framework To Promote Health And Equity For New Development, And Commending The Collaborative Partnership With The Planning And Building Department

[NEW TITLE]

[18-0764](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 9-14-2018](#)  
[87327 CMS](#)

**As Ceremonial**  
**President Pro Tem Guillen request to be added as a cosponsor.**

**This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 9/17/2018**

- 4.3** Subject: Extension Of The Moratorium On Substantial Rehabilitation Exemptions  
From: Councilmembers Kaplan And Kalb  
Recommendation: Adopt An Ordinance Extending By Up To 180-Days Ordinances No. 13481 C.M.S. And 13465 C.M.S. That Imposed A Temporary Moratorium On Substantial Rehabilitation Exemptions From The Residential Rent Adjustment Ordinance (O.M.C. Section 8.22.030.B.2.)

[18-0874](#)

**Attachments:** [View Report](#)  
[13503 CMS](#)

**Non Consent**

**This Ordinance be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 9/17/2018**

- 4.4** Subject: Medical Director Contract One-Year Extension  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To: Extend The Existing Contract With Dr.Herbert Gene Hern Doing Business As (Dba) "Emergentt Consulting" To Provide The Services Of Medical Director For The Oakland Fire Department For An Additional One (1) Year Period Beginning October 1, 2018 Through September 30, 2019 In An Amount Not To Exceed Sixty-Five Thousand Two Hundred Thirty-Three Dollars And Thirty-Three Cents (\$65,233.33)  
[18-0861](#)

**Attachments:** [View Report](#)  
[87349 CMS](#)

***Non-Consent***

**This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 9/17/2018**

- 4.5** Subject: Update On State Of The City  
From: Office Of The Mayor  
Recommendation: Receive An Oral Update From Mayor Libby Schaaf Regarding State Of The City  
[18-0891](#)

**This Informational Report be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/2/2018**

- 4.6** Subject: Clean Air Day Resolution  
From: Councilmember Kalb And Councilmember McElhane  
Recommendation: Adopt A Resolution Supporting California's First Clean Air Day And Recognizing October 3, 2018 As Clean Air Day In The City Of Oakland  
[18-0895](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 9/27/2018](#)  
[87354 CMS](#)

***As a Ceremonial***

***Councilmember McElhane request to be added as a cosponsor.***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/2/2018**

**4.7** Subject: Rose Foundation For Communities & The Environment's 25th Anniversary  
From: Councilmember Dan Kalb  
Recommendation: Adopt A Resolution Celebrating The Rose Foundation For Communities And The Environment's Twenty-Five Years In Oakland  
[18-0898](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 9/28/2018](#)  
[87351 CMS](#)

***As a Ceremonial***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/2/2018**

**4.8** Subject: Status Of Required Audits  
From: Department Of Transportation  
Recommendation: Receive An Informational Report From The City Auditor On The Status Of Required Audits: DOT's Response To City Auditor Citation Void Report; On The October 23, 2018 Finance And Management Committee Agenda  
[18-0889](#)

**This Informational Report be Scheduled.to go before the \*Finance & Management Committee to be heard 10/23/2018**

**4.9** Subject: Acceptance Of California Active Transportation Grants  
From: Department Of Transportation  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator Or Her Designee To Accept And Appropriate Ten Million Five Hundred Seventy-Eight Thousand Dollars (\$10,578,000.00) In Active Transportation Program Funds Assigned To The California Transportation Commission For The 14th Street Safe Routes In The City Project, And; Commit Matching Funds Of Up To Three Million Four Hundred Fifty-Four Thousand Dollars (\$3,454,000.00); And  
[18-0893](#)

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

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 9/25/2018**

2) A Resolution Authorizing The City Administrator Or Her Designee To Accept And Appropriate Five Million Eight Hundred Fifty Thousand Dollars (\$5,850,000.00) In Active Transportation Program Funds Assigned To The California Transportation Commission For The Fruitvale Alive Gap Closure Project, And; Commit Matching Funds Of Up To Two Million Four Hundred Forty-One Thousand Dollars (\$2,441,000.00)

[18-0894](#)

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

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 9/25/2018**

**4.10** Subject: Update On Illegal Dumping  
From: Oakland Public Works  
Recommendation: Receive An Informational Report Providing An Update On Oakland Public Works' Efforts To Address Illegal Dumping In The City, Including An Evaluation Of Oakland Public Works' Proactive Illegal Dumping Pickup Program

[18-0864](#)

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

[View Supplemental Report 10/5/2018](#)

**This Informational Report be Scheduled.to go before the \*Public Works Committee to be heard 9/25/2018**

**4.11** Subject: Sheriff Work Alternative Program  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Execute An Agreement With Alameda County For The City's Participation In The Sheriff's Office Work Alternative Program (SWAP) Through The Oakland Public Works Department (OPW) For A Term Of Five (5) Years, With Three (3) Two (2) Year Options To Extend Without Returning To Council, And 2) Add Individuals Participating In The Swap To The City's Self-Administered And Excess Workers' Compensation Programs

[18-0863](#)

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

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 9/25/2018**

**4.12** Subject: Capital Improvement Program Prioritization Process Update  
From: Oakland Public Works  
Recommendation: Adopt A Resolution To Approve The Updated Capital Improvement Program Prioritization Process, Adopt The Weighting System And Authorize The City Administrator To Implement The Process Beginning Budget Cycle FY2019-21  
[18-0857](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 9-21-2018](#)

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 9/25/2018**

**4.13** Subject: Cal Fire Urban Forestry Grant  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept And Appropriate Nine Hundred Seventy Thousand, One Hundred Thirty Dollars And Eight Cents (970,130.08) From The California Department Of Forestry And Fire Protection (Cal Fire) Urban And Community Forestry Grant Program, As Provided Through The Greenhouse Gas Reduction Fund, For Completion Of A Citywide Street And Urban Park Tree Inventory, Development Of Oakland's Urban Forest Master Plan (UFMP), And The Planting Of Seven Hundred (700) Trees; 2) Waive The Advertising And The Competitive Request For Proposal/Qualification Selection Requirements For Related Community Engagement Services And Award A Contract To Oakland Climate Action Coalition In The Amount Of Forty-Six Thousand Dollars (46,000); And 3) Authorize The City Administrator To Accept And Award A Contract For Citywide Street And Urban Park Tree Inventory And Oakland's Urban Forest Master Plan In An Amount Of Six Hundred Twenty-Five Thousand Dollars (625,000) To The Successful Proposer After Conducting A Competitive Request For Proposal Without Returning To Council  
[18-0856](#)

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

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 9/25/2018**

**4.14** Subject: Update On Let's Bike Oakland  
From: Department Of Transportation  
Recommendation: Receive An Informational Report On The Status Of Let's Bike Oakland, Oakland's Citywide Bike Plan  
[18-0853](#)

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

**This Informational Report be Scheduled.to go before the \*Public Works Committee to be heard 9/25/2018**

- 4.15** Subject: East Bay Bus Rapid Transit (BRT) Update  
From: Councilmember Kaplan  
Recommendation: Receive An Informational Report From The City Administrator Or Her Designee On The Progress Of The East Bay Bus Rapid Transit (BRT) Project; On The October 23, 2018 Public Works Committee Agenda  
[18-0883](#)

**This Informational Report be Scheduled.to go before the \*Public Works Committee to be heard 11/13/2018**

- 4.16** Subject: Climate Emergency Resolution  
From: Councilmembers Kaplan, Kalb, Mayor Schaaf, And City Attorney Parker  
Recommendation: Adopt A Resolution Endorsing The Declaration Of A Climate Emergency And Requesting Regional Collaboration On An Immediate Just Transition And Emergency Mobilization Effort To Restore A Safe Climate  
[18-0882](#)

*No action was taken on this item, it will be scheduled to return as a scheduling item at the next Rules and Legislation committee.*

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 10/23/2018**

- 4.17** Subject: Loan Term Extension For Madison Park Apartments  
From: Housing Development Services  
Recommendation:

[OLD TITLE]

Adopt A Resolution Amending City Council Resolution No. 2011-0015 C.M.S. To Extend The Loan Term Of The Existing Madison Park Apartments Loan To Fifty-Five (55) Years

[NEW TITLE]

Adopt A Resolution Amending City Council Resolution No. 2011-0015 C.M.S. To Extend The Term Of The Existing Madison Park Apartments Loan To The Earlier Of Fifty-Five (55) Years From Permanent Loan Conversion Or December 31, 2076 And To Change The Interest Rate Of The Existing Loan To The Long-Term, Compounding Applicable Federal Rate (AFR); On The October 23, 2018 Community And Economic Development Committee Agenda

[18-0860](#)

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

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 9/25/2018**



**4.18** Subject: Encourage The Development Of Transit-Oriented And Affordable Housing  
From: Councilmember Kaplan  
Recommendation:

[OLD TITLE]

Adopt An Ordinance To Allow For Increased Housing Units (Raising Height And Density Limits, Reducing Parking Requirements) In Specified Transit-Oriented Locations When Affordable And Workforce Housing Conditions Are Met, To Increase The Transit-Accessible Housing Supply For All Income Levels In Oakland

[NEW TITLE]

Adopt A Resolution Requesting The Planning Commission To Consider Incentives To Encourage Transit-Oriented Housing, Including Affordable Housing, In The City Of Oakland, Such As Allowing Greater Height And Density And Reduced Parking Requirements On Transit Corridors, And To Forward Its Recommendations For Action To The City Council; On The November 13, 2018 Community And Economic Development Committee Agenda

[18-0879](#)

**This Ordinance be Scheduled.to go before the \*Community & Economic Development Committee to be heard 11/13/2018**

**4.19** Subject: Sugar Freedom Project One-Time Grant  
From: Human Service Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With Tigr Transnational Institute For Grassroots Research And Action As The Fiscal Sponsor Of The Sugar Freedom Project In An Amount Not To Exceed \$200,000 For The Sugar Freedom Project To Provide Community-Based Outreach To Oakland Communities Most Impacted By Sugar-Sweetened Drinks From October 1, 2018 Through June 30, 2020

[18-0892](#)

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

[87360 CMS](#)

**This City Resolution be Scheduled.to go before the \*Life Enrichment Committee to be heard 9/25/2018**

**4.20** Subject: African American Museum And Library Procedure And Discarding Protocol  
From: Councilmember Kaplan And Councilmember McElhaney  
Recommendation: Receive An Informational Report From City Administration General Library Procedures For Removing Books From The Oakland Public Library (OPL) Collection, Including Responding To Recent Issue Regarding Numerous Rare African American-Oriented Books Being Discarded

[TITLE BIFURCATED]

[18-0478](#)

Attachments: [View Report](#)

*The Committee bifurcated the item to separate the issues of the hiring of the AAMLO director and the discarding of African American books, scheduling the former to the October 9, 2018 Life Enrichment Committee.*

**This Informational Report be Scheduled.to go before the \*Life Enrichment Committee**

Subject: African American Museum And Library Hiring Status  
From: Councilmember Kaplan And Councilmember McElhaney  
Recommendation: Receive An Informational Report On The Status Of Hiring Of The Chief Curator Position At The African American Museum & Library At Oakland (AAMLO) And The Director Of Library Services Position At The Oakland Public Library (OPL)

[18-0935](#)

Attachments: [View Report](#)

*The Committee bifurcated the item to separate the issues of the hiring of the AAMLO director and the discarding of African American books, scheduling the former to the October 9, 2018 Life Enrichment Committee.*

**This Informational Report be Scheduled.to go before the \*Life Enrichment Committee to be heard 10/9/2018**

**4.21** Subject: Pilot Workforce Development Program For Unsheltered Persons  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With Downtown Streets, Inc. In An Amount Not To Exceed \$85,000 To Provide A Pilot Workforce Development Program For Unsheltered Persons Commencing October 1, 2018 And Ending December 31, 2019, And Amend The Grant Agreement To Increase The Grant Amount Within The Grant Term If Additional Funds Become Available

[18-0866](#)

**Attachments:** [View Report](#)  
[87361 CMS](#)

*A Title change will be made to correct the title.*

**This City Resolution be Scheduled.to go before the \*Life Enrichment Committee to be heard 9/25/2018**

**4.22** Subject: FY 2018-19 Head Start Cost Of Living Allocation  
From: Human Services Department  
Recommendation: Adopt A Resolution To: 1) Authorize The City Administrator To Accept And Appropriate The Head Start /Early Head Start Cost Of Living Adjustment In An Estimated Amount Of \$420,829, And 2) Authorize The Addition Of 3.00 Full Time Equivalent Positions To Provide Early Education Services To Families And Children, And 3) Authorize A General Purpose Fund Contribution In An Estimated Amount Of \$52,767 To Offset Associated Central Services Overhead Charges For Fiscal Year 2018-19

[18-0865](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 9/28/2018](#)  
[87362 CMS](#)

**This City Resolution be Scheduled.to go before the \*Life Enrichment Committee to be heard 9/25/2018**

**4.23** Subject: Updates On The Department Of Violence  
From: Office Of The City Administrator  
Recommendation: Receive An Information Report On Updates From The Office Of The City Administrator On The Implementation Of Ordinance Number 13451 C.M.S., Which Established The Department Of Violence Prevention On Ending The Epidemic Of Violent Crime In Oakland And Healing Trauma In Impacted Communities; On Each Life Enrichment Committee Agenda Commencing October 9, 2018

[18-0877](#)

***On Each Life Enrichment Committee Agenda Commencing October 9, 2018***

**This Informational Report be Scheduled.to go before the \*Life Enrichment Committee to be heard 10/9/2018**

**4.24** Subject: Ceasefire Impact Evaluation  
From: Oakland Police Department  
Recommendation: Receive An Informational Report On The Ceasefire Impact Evaluation;  
As Soon As Possible On The Public Safety Committee Agenda  
[18-0859](#)

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

**This Informational Report be Scheduled.to go before the \*Public Safety  
Committee to be heard 9/25/2018**

**4.25** Subject: Unapproved Surveillance Technology Usage  
From: Oakland Police Department  
Recommendation: Receive An Informational Report From The Oakland Police  
Department With Information Regarding Usage of Unapproved Surveillance Technology  
[18-0858](#)

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

**This Informational Report be Scheduled.to go before the \*Public Safety  
Committee to be heard 9/25/2018**

**4.26** Subject: Board Of Port Commissioners Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Appointment Of Yui Hay Lee To  
The Board Of Port Commissioners  
[18-0878](#)

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

[87359 CMS](#)

**This City Resolution be Scheduled.to go before the \*Rules & Legislation  
Committee to be heard 9/27/2018**

**5** A Review Of The Council Committees' Actions From September 11, 2018 And  
Determination Of Scheduling To The City Council Meeting Of September 17, 2018  
[18-0809](#)

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

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

**Excused:** 1 - Campbell Washington

**Aye:** 3 - McElhaney, Guillén, and Reid

**NO VOTE:** 0

**CHANGES MADE TO THE SEPTEMBER 11, 2018 FINANCE AND MANAGEMENT COMMITTEE MATRIX**

Subject: Public Bank Feasibility Study Prepared By Global Investment Company  
From: Finance Department  
Recommendation: Receive An Informational Report On Multi-Jurisdictional Public Bank Feasibility Study Prepared By Global Investment Company (GIC)  
[18-0698](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 9-21-18](#)

**This Informational Report be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/2/2018**

**CHANGES MADE TO THE SEPTEMBER 11, 2018 PUBLIC SAFETY COMMITTEE MATRIX**

Subject: OTS STEP Grant  
From: Oakland Police Deptatment  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In The Amount Of Five Hundred Thousand Dollars (\$500,000) Dollars From The State Of California, Office Of Traffic Safety (OTS), For The Fiscal Year 2018-2019 Selective Traffic Enforcement Program (STEP) To Be Administered By The Oakland Police Department (OPD), And To Authorize The General Purpose Services Fund To Contribute Sixty Five Thousand Eight Hundred And One Dollars (\$65,801) To Cover The Central Services Overhead (CSO) Charges  
[18-0822](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 9/28/2018](#)  
[87363 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 10/2/2018**

**6** A Review Of The Draft Agendas For The Council Committee Meetings Of September 25, 2018 And The Rules And Legislation Committee Of September 27, 2018  
[18-0810](#)

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

*The Committee modified the draft Life Enrichment time to begin at 3 pm*

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

**Excused:** 1 - Campbell Washington

Aye: 3 - McElhaney, Guillén, and Reid

NO VOTE: 0

**CHANGES MADE TO THE DRAFT SEPTEMBER 25, 2018 LIFE ENRICHMENT COMMITTEE AGENDA**

**7 Pursuant to Rule 28b of Resolution 87044 C.M.S., the item regarding "Resolution In Support Of Props 1 & 2" was removed from this agenda.**

**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 12:01 p.m.*

**Americans With Disabilities Act**

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**\* 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.**