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Meeting Minutes - DRAFT

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

*Rules & Legislation Committee

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

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

Thursday, December 1, 2016

10:45 AM

City Council Chamber, 3rd Floor

Roll Call / Call To Order

The Oakland City Council Rules and Legislation Committee convened at 10:56 a.m., with Council President Gibson McElhaneay presiding as Chairperson.

Present 3 - Abel J. Guillén, Laurence E. Reid, and Lynette Gibson McElhaneay

Absent 1 - Dan Kalb

1 Determinations Of Closed Session

16-0373

Attachments: [View Report](#)

There will be a Special Closed Session on December 7, 2016 at 12:30 p.m. and on December 13, 2016 at 2 p.m.

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

Aye: 3 - Guillén, Reid, and Gibson McElhaneay

Absent: 1 - Kalb

2 Approval Of The Draft Minutes From The Committee Meeting Of October 27, November 3, 2016, And The November 17, 2016

16-0374

Attachments: [View Report](#)

[View Report](#)

Minutes from November 17, 2017 will be presented at the following Rules and Legislation Committee meeting.

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

Aye: 3 - Guillén, Reid, and Gibson McElhaneay

Absent: 1 - Kalb

3 Determination Of Schedule Of Outstanding Committee Items

16-0484

Attachments: [View Report](#)

[View Supplemental Report](#)

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

Aye: 3 - Guillén, Reid, and Gibson McElhaney

Absent: 1 - Kalb

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

16-0447

There was 1 speaker on this item.

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

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

Subject: License Agreement For Use Of Building L-118 At Oakland International Airport
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute An Amendment To A License And Concession Agreement With The Port Of Oakland For The City's Use Of Port Building L-118 At The Oakland Airport For Office Use And Maintenance Of City Helicopters: (1) Extending The Agreement By Five Years, With Five (5) One Year Options; And (2) Setting Rent At Sixteen Thousand Four Hundred Seventeen Dollars And Five Cents (\$16,417.05) Monthly, Such Rent To Be Offset By The Equivalent Value Of Services Provided By The Oakland Police Department At The Airport; And Making Certain California Environmental Quality Act Exemptions
16-0420

Sponsors: Economic & Workforce Development Department

Attachments: [View Report](#)

*Staff requested to change the title for the Special Community and Economic Development Committee meeting on 12/06/2016 item 10 to read as follows:
"Adopt An Ordinance Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute An Amendment To A License And Concession Agreement With The Port Of Oakland For The City's Use Of Port Building L-118 At The Oakland Airport For Office Use And Maintenance Of City Helicopters: (1) Extending The Agreement By Five Years, With Five (5) One Year Options; And (2) Setting Rent At Sixteen Thousand Four Hundred Seventeen Dollars And Five Cents (\$16,417.05) Monthly, Such Rent To Be Offset By The Equivalent Value Of Services Provided By The Oakland Police Department At The Airport; And Making Certain California Environmental Quality Act Exemptions"*

Subject: Affordable Housing On The Oak To Ninth Project
From: Gene Hazzard / Member Of The Public
Recommendation: An Informational Report Related To The April 4, 2016 And The May 16, 2016 Letters From The State Department Of Finance Denying The City's Request For The Enforceable Obligation Of The Use Of \$4,000,000.00 For The Construction Of Affordable Housing On The Oak To Ninth Project Also Provide The Percentage Of Ownership In The Project Of Oakland Harbor Partners (AKA Signature Properties) And Zarison. Include ,The Current Status Of The Funds On Hand For The Construction Of Affordable Housing On The Oak To 9th Project
16-0273

Sponsors: Member(s) of the Public

Attachments: [View Report](#)

Staff requested to remove Item 3 on the Special Community and Economic Development Committee meeting regarding Affordable Housing On The Oak To Ninth Project.

Subject: Final Map For Tract No. 7877 At 466 37th Street
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Approving A Final Map For Tract No. 7877 Located At 466 37th Street For Conversion Of Eight Rental Housing Units To Condominium Ownership For Mosswood Builders, LLC, A California Limited Liability Company
16-0444

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)

[View Supplemental Report](#)

[View Supplemental Report](#)

Staff requested title change to agenda Item 5 on the Special Public Works Committee meeting of 12/06/2013 to read as follows: "Adopt A Resolution Approving A Final Map For Tract No. 7877 Located At 466 37th Street For Conversion Of Eight Rental Housing Units To Condominium Ownership For Mosswood Builders, LLC, A California Limited Liability Company."

Subject: FY 2016-17 Cultural Funding Grants
From: Economic and Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Seventy-One (71) Cultural Services Grant Agreements To Sixty-Four (64) Oakland-Based Individual Artists And Nonprofit Organizations Providing Arts And Cultural Services In Oakland During The Fiscal Year 2016-17, In A Total Amount Not To Exceed \$996,452
16-0425

Sponsors: Economic & Workforce Development Department

Attachments: [View Report](#)

Staff requested to remove agenda Item 6 from the Special Life Enrichment Committee meeting on 12/06/2016 regarding Cultural Funding Grants.

Subject: Abatement And Abandoned Vehicles
From: Mary Maultsby-Jeffrey / Member Of The Public
Recommendation: Request Full Report On Abatement And Abandonment Of Vehicles Left On The Streets Of Oakland For More Than 72 Hours And Cars Being Parked On The Streets Of Oakland By Unlicensed Or Licensed Auto Dealers Who Are Using The Streets Of Oakland To Sell Mass Numbers Of Vehicles (Many Of Them Unoperable). Request Information Regarding Ticketing Of These Vehicles Who Have No License Plates, Are Not Moved On Street Sweeping Day And Are Not Being Ticketed By Any Agency
16-0272

Sponsors: Member(s) of the Public

Attachments: [View Report](#)

Staff requested to move agenda item 3 from the Special Public Safety Committee meeting on 12/06/2016 regarding Abatement and Abandoned Vehicles to January 10, 2017 Public Safety Committee meeting.

Subject: Operating Body Cameras For Oaklands Police Department/Video Tapes
From: Council Member Brooks
Recommendation: Receive An Informational Report And Possible Corrective Actions Of Body Worn Cameras For Oakland Police Officers/Video Tapes Captured/Software Upgrade Report And Reports Of Deleted Videos From 2 Years Ago (2014)
16-0194

Sponsors: Ms. Brooks

Staff requested to bring this item for scheduling at a later date to be heard in Public Safety Committee meeting.

Subject: Data Security With The Oakland Police Department
From: Gene Hazzard
Recommendation: Receive An Informational Report From The City Auditor Or City Administrator Related To The Security And Safe Guard Of Sensitive Data (Body Camera, Etc.) By The Oakland Police Department And Whether Or Not These Safe Guards Are Consistent With The Standards Used By FIPS (Federal Information Processing Systems) Required By The Federal Government And With Appropriate Recommendations For Corrections
16-0195

Sponsors: Member(s) of the Public

Staff requested to bring this item for scheduling at a later date to be heard in Public Safety Committee meeting.

4.1 Subject: OpenCities Website Content Publishing Platform Software As A Service Agreement
From: The Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Enter Into An Agreement With Opencities, Inc. To Provide A Website Content Publishing Platform That Improves Customer Service; Enhances Public Access To The City's Digital Services On Mobile Devices; Improves The Searchability Of Web Content; And Enables Staff To Publish Timely, Accurate, Easily Understood And Multilingual Information To The City's Website, For An Amount Up To \$125,000 In The First Year And \$75,000 Annually For The Following Two Years, For A Total Amount Over The Three-Year Period Not To Exceed \$275,000; And Waiving The Competitive Request For Proposals/Qualifications (RFP/Q) Process
16-0497

Sponsors: Office Of The City Administrator

Attachments: [View Supplemental Report](#)

[86517 CMS](#)

Staff revised the title to read as follows: "Adopt A Resolution Authorizing The City Administrator To 1) Enter Into An Agreement With Opencities, Inc. To Provide A Website Content Publishing Platform That Improves Customer Service; Enhances Public Access To The City's Digital Services On Mobile Devices; Improves The Searchability Of Web Content; And Enables Staff To Publish Timely, Accurate, Easily Understood And Multilingual Information To The City's Website, For An Amount Up To \$125,000 In The First Year And \$75,000 Annually For The Following Two Years, For A Total Amount Over The Three-Year Period Not To Exceed \$275,000; And 2) Waving The Competitive Request For Proposals/Qualifications (RFP/Q) Process"

Roll call was modified to show Councilmember Kalb present at 11:00 a.m.

This City Resolution be Scheduled to go before the *Special Finance & Management Committee to be heard 12/6/2016

- 4.2** Subject: Informational Report On Gun Tracing
From: Councilmember Brooks
Recommendation: Receive An Informational Report And Update From The Bureau Of Investigations Of The Oakland Police Department On The Department's Gun Tracing Program. The Report Should Cover The Period From 2015 To Present And Include The Following Information: 1) Total Number Of Firearms Recovered & Traced By Year; 2) Recovery By Year And Weapon Type; 3) Recovery By Year And Crime; 4) Recovery By Year & Caliber; 5) Recovery By State Of Origin; 6) Recovery By Time From Purchase Date To Use In Crime; And 7) Recovery By Age Of Possessor. The Report Should Also Address The Questions Below As Well As The Effectiveness Of The Program That Was Supported By The \$1 Million FY2015 -2017 Budget Allocation: How Many Guns Have Been Taken Off Our Streets? How Many Sting Operations Resulted From This Program's Components? How Many Regulatory Inspections Were Conducted? How Many Criminal Investigations Involving Federal Firearms Licensees? How Many Other Firearms-Related Investigations? How Is The Work With ATF And Other Agencies To Trace Recovered Firearms, Stop Illegal Sales And Close Down Dealers Who Make Illegal Gun Sales Proceeding? On The First Public Safety Meeting Of February 2017
16-0504

Sponsors: Ms. Brooks

Staff was directed to add information in the report regarding the use of innovative technology to track guns.

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

- 4.3** Subject: Honoring R. Craig Strunk
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Honoring Craig Strunk For 19 Years Of Exemplary Service To The City Of Oakland
16-0495

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)

[86511 CMS](#)

Staff requested to have this item placed on Consent Calendar portion of the Special City Council agenda meeting on 12/13/2016.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.4 Subject: Honoring Morrise Johnson
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Honoring Morrise Johnson For 15 Years Of Exemplary Service To The City Of Oakland
16-0494

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)

[86507 CMS](#)

Staff requested to have this item placed on Ceremonial portion of the Special City Council agenda on 12/13/2016.

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.5 Subject: Honoring La'Carolyn Jones
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Honoring La'carolyn M. Jones For 25 Years Of Exemplary Service To The City Of Oakland
16-0493

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)

[86544 CMS](#)

Staff requested to have this item placed on Ceremonial portion of the Special City Council agenda meeting on 12/13/2016.

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.6 Subject: Honoring Richard Illgen
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Honoring Richard Illgen For 17 Years Of Exemplary Service To The City Of Oakland
16-0496

Sponsors: Office Of The City Attorney, Kalb, Gibson McElhaney and Mr. Reid

Staff requested to have this item placed on Ceremonial portion of the Special City Council agenda meeting on 12/13/2016.

Councilmember Kalb, Council President Gibson McElhaney and President Pro Tempore requested to be co-sponsors on this item.

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.7 Subject: Emergency Moratorium On Residential Hotel Conversion Or Demolition
From: Council President Gibson McElhaney, President Pro Tempore Reid,
Councilmember Kaplan, And Guillen
Recommendation: Conduct a Public Hearing And Upon Conclusion Adopt An Interim
Ordinance, Adopted As An Urgency Measure Pursuant To California Government
Code Section 65858, Establishing A Temporary Moratorium On The Conversion,
Demolition, Reconfiguration, And Rehabilitation Of Residential Hotels, To Take Effect
Immediately Upon Adoption
16-0507

Sponsors: Gibson McElhaney

Attachments: [View Report](#)

[View Report](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting
of the Oakland Redevelopment Successor Agency/City Council to be heard
12/13/2016

4.8 Subject: Lamar Green 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 Lamar Green V. City Of Oakland, Alameda
County Superior Court Case No. RG15775898, City Attorney's File No. 30605, In The
Amount Of Twenty-Eight Thousand Dollars And Zero Cents (\$28,000.00) (Oakland
Public Works - Dangerous Condition)
16-0505

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)

[86512 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting
of the Oakland Redevelopment Successor Agency/City Council to be heard
12/13/2016

4.9 Subject: Settle The Claim Of W.S. Wilson
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of W.S. Wilson, In The Amount Of Thirty One Thousand Nine Hundred Two Dollars And 61/100 Cents (\$31,902.61) As The Result Of A Failed Sewer Main On August 12, 2015 (Oakland Public Works - Inverse Condemnation)
16-0506

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)
[86513 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.10 Subject: Mandatory Trash Delinquent Fees April Through June, 2016, And Quarterly July - September , 2016
From: Finance Department/Revenue Management Bureau
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

16-0499

Sponsors: Finance Department

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

2) Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code; Or

16-0508

Sponsors: Finance Department

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection
16-0509

Sponsors: Finance Department

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.11 Subject: Liens for Delinquent Real Estate Property Transfer Taxes
From: Finance Department / Revenue Management Bureau
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection, Or
16-0498

Sponsors: Finance Department

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or
16-0510

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection
16-0511

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard
 12/13/2016

4.12 Subject: Montclair BID Annual Report And FY 2017-2018 Levy Approval
 From: Economic And Workforce Development
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Annual Report Of The Montclair Business Improvement District Advisory Board And Levying The Annual Assessment For The Montclair Business Improvement District For Fiscal Year 2017-2018
16-0501

Sponsors: Economic & Workforce Development Department

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard
 12/13/2016

4.13 Subject: Mandatory Trash Delinquent Fees January Through March, 2016, And Quarterly April - June, 2016
 From: Finance Department / Revenue Management Bureau
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
16-0500

Sponsors: Finance Department

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard
 12/13/2016

2) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Fees And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection.

; Or

16-0512

Sponsors: Finance Department

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection

16-0513

Sponsors: Finance Department

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.14 Subject: Rockridge BID Annual Report and FY 2017-2018 Levy Approval
From: Economic And Workforce Development
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Annual Report Of The Rockridge Business Improvement District Advisory Board And Levying The Annual Assessment For The Rockridge Business Improvement District For Fiscal Year 2017-2018
16-0502

Sponsors: Economic & Workforce Development Department

Attachments: View Report

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

- 4.15 Subject: Appointment Of Debra Mesaros To Housing, Residential Rent And Relocation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Debra Mesaros To The Housing, Residential Rent And Relocation Board As A Tenant Representative
16-0503

Sponsors: Office Of The Mayor

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 12/15/2016

Items Submitted On The Dais

- S1 Subject: Honoring Susan Shelton Upon Her Retirement
From: Vice Mayor Campbell Washington, President Pro Tempore Reid And President Gibson McElhane
Recommendation: Adopt A Resolution Commending And Honoring Ms. Susan Rene Shelton For 31 Years Of Devoted And Dedicated Service For The City Of Oakland And Congratulating Her On Her Retirement
16-0514

Sponsors: Campbell Washington, Mr. Reid and Gibson McElhane

Attachments: [View Supplemental Report](#)

[86508 CMS](#)

Council President Gibson McElhane asked to be a co-sponsor on this item.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

- 5 A Review Of The Draft Agendas For The Council Committee Meetings Of December 13, 2016 And The Rules And Legislation Committee Of December 15, 2016
16-0448

Attachments: [View Report](#)

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

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

Open Forum (Total Time Available: 15 Minutes)

There were no speakers on the Open Forum.

Adjournment

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.