



# 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, July 7, 2016

10:45 AM

City Council Chamber, 3rd Floor

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#### Roll Call / Call To Order

*The Oakland City Council Rules And Legislation Committee convened at 11:04 a.m, with Council President Gibson McElhaney presiding as Chairperson.*

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

#### COMMITTEE MEMBERSHIP:

1 Determinations Of Closed Session

[15-1139](#)

*There will be a special closed session on July 19, 2016 2pm-5pm*

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

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

2 Approval Of The Draft Minutes From The Committee Meeting Of June 23, 2016

[15-1140](#)

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

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

3 Determination Of Schedule Of Outstanding Committee Items

[15-1141](#)

**A motion was made by Reid, seconded by Kalb, that this matter be Received and Filed. The motion carried by the following vote:**

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

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

[15-1142](#)

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

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

- 4.1 Subject: Honoring And Recognizing Annette Fontaine  
From: Councilmember Brooks  
Recommendation: Adopt A Resolution Recognizing And Honoring Fire Communications Supervisor Annette Fontaine For 30 Years Of Dedicated Service To The Residents Of Oakland And The Oakland Fire Department  
[15-1292](#)

**This City Resolution was Scheduled.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016**

- 4.2 Subject: Designating The City Clerk To Keep Minutes In Closed Session  
From: Council President Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution Pursuant To Government Code Section 54957.2. (A) Designating The City Clerk To Attend City Council Closed Sessions To Keep And Enter In A Confidential Minute Book A Record Of Topics Discussed And Decisions Made At The Meeting  
[15-1282](#)

**This City Resolution was Scheduled.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016**

- 4.3 Subject: Settlement Agreement of David Addams 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 David Addams V. City Of Oakland, Alameda County Superior Court Case No. G15761677, City Attorney's File No. 30202, In The Amount Of One Hundred And Thirty-Five Thousand Dollars And Zero Cents (\$135,000.00) (Public Works - Dangerous Condition)  
[15-1283](#)

**This City Resolution was Scheduled.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016 as a consent calendar item.**

- 4.4 Subject: Claim of Kenneth Meislin  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Kenneth Meislin/ First Class Lodi LLC, Claim No. C30693, In The Amount Of Twenty Five Thousand Dollars And No Cents (\$25,000.00) (Public Works - Dangerous Condition)  
[15-1284](#)

**This City Resolution was Scheduled.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016 as a consent calendar item.**

- 4.5** Subject: Karen L. Harris Retirement  
From: Councilmember Brooks And President Pro Tem Reid  
Recommendation: Adopt A Resolution Commending Karen L. Harris For More Than 19 Years Of Exemplary And Dedicated Service To The City Of Oakland And Congratulating Her On Her Retirement And Bidding Her Farewell  
[15-1286](#)

**This City Resolution was Scheduled.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016**

*At 11:06 a.m., Pro Tempore Reid made a motion, seconded by Council member Kalb, to adjourn as the Rules and Legislation Committee and reconvene as the Special City Council, hearing no objections the motion passed by 4 Ayes - Guillen, Kalb, Reid, and Gibson McElhaney.*

- 4.6** Subject: Ordinances .Amending Chapters 5.80 and 5.81 - Cannabis  
From: The Oakland Diversity And Equity Cannabis Coalition  
Recommendation: Adopt The Following Pieces Of Legislation:

1) Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.80, Medical Cannabis Dispensary Permits, To Refine The Equity Permit Program; And  
[15-1285](#)

**This City Resolution was Scheduled.to the \*Public Safety Committee to be heard 9/27/2016**

2) Ordinance Amending Oakland Municipal Code Chapter 5.81, Medical Cannabis Cultivation Facility Permits, To Refine The Equity Permit Program;  
[15-1291](#)

**This City Resolution was Scheduled.to the \*Public Safety Committee to be heard 9/27/2016**

- 4.7** Subject: Fruitvale Transit Village 2A - Removal of Development Partner  
From: Economic And Workforce Development  
Recommendation: Adopt An Emergency Ordinance Pursuant To Charter Section 213 Amending Ordinance No. 13346 C.M.S. And Approving (1) The Removal Of L & M Development Partners, Inc. From The Development Team Of The Fruitvale Transit Village Phase IIA, A Mixed Income Housing Project ("Project"), And As A Party To All Related Documents And (2) Retaining The Spanish Speaking Unity Council Of Alameda County, Inc. And The East Bay Asian Local Development Corporation, Or Any Related Entity, As The Development Team Of The Project And As Parties To All Related Documents And Authorizing The City Administrator Or Designee To Negotiate, Amend And Execute All Necessary Documents, And Adopting CEQA Exemptions  
[15-1293](#)

*Reason for Urgency: EBALSE and the Spanish Speaking Unity Council need to submit the application by the end of this month for tax credits.*

**This City Resolution was Scheduled.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016 as a Public Hearing**

- 4.8** Subject: Resolution To Approve Revised Oakland Area GHAD Plan Of Control For The Siena Hill Development (No. 10)  
From: Geologic Hazard Abatement District (GHAD)  
Recommendation: Adopt A Resolution To Approve The Revised Oakland Area GHAD Plan Of Control For The Siena Hill Development (No. 10) Declare The GHAD's Intent To Order A Revised Assessment For The Siena Hill Development And Set A Date For A Public Hearing To Consider The Proposed Assessment And Any Protests Thereto (No. 11).  
[15-1295](#)

**This City Resolution was Scheduled.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016 as non-consent item.**

**ITEMS SUBMITTED ON THE DIAS**

- Subject: Amending Ordinance No. 13320 C.M.S. (The 2015-16 Master Fee Schedule)  
From: Councilmember Rebecca Kaplan  
Recommendation: Adopt An Ordinance (1) Amending Ordinance No. 13320 C.M.S. (The 2015-16 Master Fee Schedule) To Add A One-Time Supplemental Rent Program Increase Fee Of \$36 Per Unit; And (2) Authorizing The Issuance And Collection Of Such Supplemental Fee For The Current Fiscal Year.  
[15-1297](#)

**This City Resolution was Scheduled.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016**

Subject: RAP Fee Increase  
From: Council President Gobson McElhaney, President Pro Tem Reid and Vice Mayor Campbell Washington  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13320 C.M.S. (The 2015-16 Master Fee Schedule) To Increase The Rent Program Service Fee From \$30 Per Unit To \$68 Per Unit  
[15-1299](#)

**This Ordinance was Scheduled.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016**

Subject: East Bay Economic Development Alliance Appointments  
From: Council President Gibson McElhaney  
Recommendation: Adopt A Resolution Reappointing Council President Lynette Gibson McElhaney To The Executive Committee Of The East Bay Economic Development Alliance For A Term Beginning July 1, 2016 And Ending June 30, 2017, And Appointing President Pro Tempore Larry Reid As Alternate Member Of The Executive Committee Of The East Bay Economic Development Alliance For A Term Beginning July 1, 2016 And Ending June 30, 2017  
[15-1300](#)

**This City Resolution was Scheduled.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016**

Subject: Requesting The Federal Aviation Administration Address Increased Aircraft Noise in Oakland, California  
From: Vice Mayor Annie Campbell Washington  
Recommendation: Adopt A Resolution Of The Oakland City Council Requesting The Federal Aviation Administration Address Increased Aircraft Noise in Oakland, California  
[15-1298](#)

**This City Resolution was Scheduled.to the \*Rules & Legislation Committee to be heard 7/21/2016**

**ITEMS ON THE COMMITTEE PENDING LISTS**

- 5 A Review Of The Draft Agendas For The City Council Meeting Of July 19, 2016 And The Rules And Legislation Committee Of July 21, 2016  
[15-1143](#)

**A motion was made by Reid, seconded by Kalb, that this matter be Accepted as Amended to reflect the changes made below and based on previous items on this agenda. The motion carried by the following vote:**

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

Subject: Resolution Honoring and Recognizing Crystal Roza  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution Honoring and Recognizing Crystal Roza Upon Her Retirement From The City Of Oakland After 18 Years of Dedicated Service  
[15-1239](#)

**This City Resolution was Rescheduled.to the \* Special Meeting of the Oakland City Council to be heard 7/26/2016**

Subject: Councilmember Rebecca Kaplan  
From: Honoring Dexter English  
Recommendation: Adopt A Resolution Honoring Dexter English for 30 Years Of Exemplary Service To Oakland Public Works Department And Congratulating him On His Retirement  
[15-1231](#)

**This City Resolution was Approve the Recommendation of Staff, and Forward.to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/4/2016**

Subject: Adoption Of Legislation To Place An Infrastructure Bond On The November 2016 Ballot  
From: Office of City Administrator  
Recommendation: 1) Adopt A Resolution On The City Council's Own Motion Submitting To The November 8, 2016 Statewide General Election, A Proposed Ordinance To Authorize Issuance Of \$600 Million General Obligation Bonds To Fund Various City Infrastructure And Affordable Housing Projects; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 8, 2016 Statewide General Election; Action Taken In Reliance On Previously Certified Environmental Impact Reports And CEQA Exemptions Without Limitation, CEQA Guidelines 15162,15183,15183.3 And 15378 [TITLE CHANGE]  
[15-1174](#)

***The City Admnistrator proposed an amendment to the title of the resolution to add addition language as read into into the record as follows: ..."direct the city administration to prepare an affordable housing law ordinance; and direct the city administrator to complete the analysis of the capital improvement program by October 14 to assess opportunities for doing additional work with city employees."***

**This City Resolution was Approve the Recommendation of Staff, and Forward.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016**

- 6 Subject: Mayor's Reappointments to the Board of Port Commissioners  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of  
Andreas Ferreira Cluver And Arabella Martinez To The Board Of Port Commissioners  
[15-1238](#)

*As a consent calendar item*

A motion was made by Reid, seconded by Kalb, that this matter be . The motion carried by the following vote:

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

**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.**