



# 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 - 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, January 11, 2018

10:45 AM

City Council Chamber, 3rd Floor

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#### **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**

[17-0485](#)

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

#### **2 Approval Of The Draft Minutes From The Committee Meeting Of December 14, 2017**

[17-0486](#)

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

3 Determination Of Schedule Of Outstanding Committee Items

[17-0487](#)

Attachments: [View Report](#)

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

[17-0488](#)

Attachments: [View Report](#)

4.1 Subject: Legislation To Place A Library Parcel Tax Measure On The June 5, 2018 Ballot  
From: Oakland Public Library  
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The June 5, 2018 Statewide Primary Election, A Proposed Ordinance To Adopt A Special Parcel Tax To Maintain, Protect And Improve City Of Oakland Direct Library Services; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The June 5, 2018 Statewide General Election; On The January 23, 2018 Finance And Management And Life Enrichment Committee Agenda

**18-0035**

Sponsors: Oakland Public Library

4.2 Subject: Proposed Ballot Measure To Tax Vacant Properties

From: Councilmember Kaplan

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Proposed Ordinance To Authorize The City Of Oakland To Collect A Tax On Vacant Properties; And

**17-0453**

Legislative History

12/14/17 \*Rules & Legislation Committee Scheduled to the \*Finance & Management Committee

*This Item will also be heard the Community And Economic Development.*

2) A Resolution, On The City Council's Own Motion, Submitting This Item To The Voters At The 2018 Election; On The March 13, 2017 Finance And Management Committee Agenda

**17-0454**

Legislative History

12/14/17 \*Rules & Legislation Committee Scheduled to the \*Finance & Management Committee

*This Item will also be heard the Community And Economic Development.*

- 4.3** Subject: Rezoning Of 4432-4434 And 4444 Telegraph Avenue  
From: Planning And Building Department  
Recommendation: Adopt An Ordinance To Rezone Portions Of Two Parcels Located At 4432-4434 And 4444 Telegraph Avenue From The RM-1 Mixed Housing Type Residential Zone To The CN-2 Neighborhood Center Zone And Adopting Related CEQA Findings; On The January 23, 2018 Community And Economic Development Committee Agenda And The Febuary 6, 2018 City Council Meeting Agenda As A Public Hearing

**18-0040**

Sponsors: Planning & Building Department

- 4.4** Subject: Ordinance Re: Betti Ono And Pro Arts Galleries  
From: Economic And Workforce Development  
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute Below Market Rent Leases For The Betti Ono And Pro Arts Galleries Located At 150 Frank H. Ogawa Plaza For The Term Of Five Year Term In Exchange For In-Kind Services And Cultural Benefits As Authorized By O.M.C. Section 2.42.110; On The January 23, 2018 Community And Economic Development Committee Agenda

**18-0037**

Sponsors: Economic & Workforce Development Department

- 4.5** Subject: On-Call Plan Check Services  
From: Planning And Building  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To: Award, Negotiate, And Execute Professional Services Agreements For Two-Year Terms For On-Call Plan Check Services With 4leaf, Inc., And West Coast Code Consultants, Inc. In The Amount Of One Million Five Hundred Thousand Dollars (\$1,500,000) For Each Agreement; And, Amend The Term And Amount For Existing Professional Services Agreements With CSG Consultants, Inc., And TRB + Associates, Inc. To Add An Additional Two-Years To The Term For Each Firm In The Amount Of One Million Five Hundred Thousand Dollars (\$1,500,000) For Each Agreement; On The January 23, 2018 Community And Economic Development Committee Agenda

**18-0041**

Sponsors: Planning & Building Department

- 4.6** Subject: Adjustment to FY 2017-18 Appropriations  
From: Planning And Building  
Recommendation: Adopt A Resolution Amending Resolution No. 86179 C.M.S. To Authorize The City Administrator To (A) Transfer Federal Emergency Management Agency (FEMA) Appropriations From The Housing And Community Development Department (HCDD) To The Planning And Building Department (PBD); And To (B) Fund The Addition Of 3.0 FTEs To PBD FY 2017-18 Adopted Budget To Support The Two FEMA Grant-Funded Seismic Retrofit Programs For The City Of Oakland; On The January 23, 2018 Community And Economic Development Committee Agenda

**18-0042**

Sponsors: Planning & Building Department

**4.7** Subject: FY 2017-2018 And 2018-2019 Moving To Work Local Housing Assistance Program  
 From: Human Services Department  
 Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Enter Into A Fifteen-Year Agreement With The Oakland Housing Authority (OHA) To Implement The Moving To Work Local Housing Assistance Program (LHAP), And Accept Funds In An Amount Not To Exceed \$965,400 Each Year For Fiscal Year (FY) 2017-2018 And 2018-2019; And Appropriate Said Funds; 2) Enter Into Grant Agreements With East Oakland Community Project In An Amount Not To Exceed \$318,120 And Bay Area Community Services In An Amount Not To Exceed \$647,280 For The Provision Of Transitional Housing Services For The LHAP Each Year For FY 2017-18 And 2018-2019; And 3) Accept And Appropriate Additional Funds That Become Available From OHA In FY 2017-2018 And 2018-2019 And Amend The Grant Agreements To Adjust The Grant Amounts Without Returning To Council; On The January 23, 2018 Life Enrichment Committee Agenda

**18-0045**

**4.8** Subject: Resolution To Clarify The Use Of The Sugar-Sweetened Beverage Tax Funds  
 From: Vice Mayor Campbell Washington And Council Member Kaplan  
 Recommendation: Adopt A Resolution To 1) Establish A New Fund For Revenue Generated From The Oakland Sugar-Sweetened Beverage Tax, And 2) Affirming The Authority Of The Community Advisory Board To Vote On The Use Of Such Funds Prior To Appropriation By The Oakland City Council, And Clarifying That Such Funds Remain Set-Aside Until The Appropriation Process Is Complete; On The February 13, 2018 Life Enrichment Committee Agenda

**18-0038**

Sponsors: Campbell Washington and Kaplan

**4.9** Subject: Avoid Requiring Increased Off-Street Parking For Change Of Use  
 From: Councilmember Kaplan  
 Recommendation: Adopt A Resolution Requesting The Oakland Planning Commission To Review And Return To Council With Options For Action, To Reduce Or Eliminate The Requirement To Add Additional Off-Street Parking When Changing The Use Of A Pre-Existing Building; On The February 13, 2018 Community And Economic Development Committee Agenda

**17-0458**

Legislative History

12/14/17	*Rules & Legislation Committee	No Action Taken
	<i>The City Administrator requested that this item not be scheduled until further analysis was done.</i>	

- 4.10** Subject: Remove The 4-Person Limit From The The Planning Code  
From: Councilmember Kaplan  
Recommendation: Adopt A Resolution Requesting The Oakland Planning Commission To Review The Option Of Removing The 4-Person Limit In Oakland Planning Code Section 17.102.190 - Joint Living And Work Quarters, And To Return To Council With Options For Action; On The February 13, 2018 Community And Economic Development Committee Agenda  
**17-0459**

Legislative History

12/14/17      \*Rules & Legislation      No Action Taken  
Committee  
*The City Administrator requested that this item not be scheduled until further analysis was done.*

- 4.11** Subject: OPD 9-1-1 Call Operations Audit Report  
From: Office Of The City Auditor  
Recommendation: Receive A Presentation From The City Auditor Regarding The Performance Audit Of The City Of Oakland Police Department Communications Division 9-1-1 Call Operations Audit Report; On The January 23, 2018 Public Safety Committee Agenda  
**18-0036**

Sponsors: Office Of The City Auditor

Attachments: View Report

- 4.12** Subject: Operational Agreement Between City Of Oakland And Alameda County  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Enter Into An Operational Area Agreement With Alameda County To Create An Intermediate Level Of The State Emergency Services Organization That Will Comply With The State Of California Standardized Emergency Management System (SEMS) For The Period From May 10, 2016 Through December 31, 2025; On The January 23, 2018 Public Safety Committee Agenda  
**18-0039**

Sponsors: Oakland Fire Department and

**4.13** Subject: FY 2016 Federal Emergency Management Agency, Urban Search And Rescue  
From: Oakland Fire Department  
Recommendation: Adopt A Resoluitiom Amending Resolution No. 86490 C.M.S. Which Authorized The City Administrator, Or Her Designee, Among Other Things, To Enter Into An Agreement To Accept, Appropriate And Administer FY 2016 Urban Search And Rescue (US&R) Grant Funds, To Accept, Appropriate And Administer Supplemental Fiscal Year (FY) 2016 US&R Grant Funds In An Amount Not To Exceed One Hundred Sixteen Thousand Nine Hundred and Eleven Dollars (\$116,911) For A Cumulative FY 2016 US&R Grant Award Allocation In An Amount Not To Exceed One Million Three Hundred And Eighty-Six Thousand Four Hundred And Ninety-Three Dollars (\$1,386,493) And Appropriate Said Funds To The US&R Task Force; On The January 23, 2018 Public Safety Committee Agenda

**18-0043**

Sponsors: Oakland Fire Department and

**4.14** Subject: Oakland Unite Year 1 Strategy Report  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report Of The First Evaluation By Mathematica Policy Research Of The Oakland Unite Services Funded Through The Safety And Services Act Of 2014 (Measure Z); On The January 23, 2018 Public Safety Committee Agenda

**18-0044**

Sponsors: Office Of The City Administrator

**4.15** Subject: Amending Oakland Municipal Code Chapter 5.81  
From: Councilmember Kaplan  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.81 To Specify The Process For Determination When An Applicant Requests An Alternate Location; On The February 13, 2018 Public Safety Committee Agenda

**18-0047**

**4.16** Subject: Resolution in Support Of SB 824 - Wildfire Safety & Recovery Act  
From: Councilmember Kalb & Vice Mayor Campbell Washington  
Recommendation: Adopt A Resolution In Support Of Senate Bill 824 (Lara) That Would Prevent Insurance Companies From Canceling Or Not Renewing An Insurance Policy Following A Wildfire Disaster, Require Insurance Companies To Offer Mitigation Discounts And Continued Coverage For Homeowners Who Make Investments In Wildfire Safety, And Require Approval By The Department Of Insurance Before Insurance Companies Can Reduce The Volume Of Policies In High-Risk Areas; On The February 8, 2018 Rules And Legislation Committee Agenda

**18-0046**

- 5 A Review Of The Council Committees' Actions From January 9, 2018 And Determination Of Scheduling To The City Council Meeting Of January 16, 2018

[17-0489](#)

Attachments: [View Report](#)

- 6 A Review Of The Draft Agendas For The Council Committee Meetings Of January 23, 2018 And The Rules And Legislation Committee Of January 25, 2018

[17-0490](#)

Attachments: [View Report](#)

**Open Forum (Total Time Available: 15 Minutes)**

### **Adjournment**

#### **Americans With Disabilities Act**

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 5 days prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

#### **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.