



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

*Rules & Legislation Committee

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

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

Thursday, September 15, 2016

10:45 AM

City Council Chamber, 3rd Floor

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: Abel J. Guillén, District 2; Dan Kalb, District 1; President Pro Tempore Larry Reid, District 7; Chairperson: Council President Lynette Gibson McElhaney, District 3

1 Determinations Of Closed Session

[16-0075](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of July 14, 2016

[16-0076](#)

Attachments: [View Report](#)

3 Determination Of Schedule Of Outstanding Committee Items

[16-0077](#)

Attachments: [View Report](#)

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

[16-0078](#)

Attachments: [View Report](#)

4.1 Subject: Councilmember Guillen Travel Authorization

From: Councilmember Abel J Guillen

Recommendation: Adopt A Resolution Authorizing Councilmember Abel Guillen To Travel To Long Beach, CA To Attend The Annual League Of California Cities Conference From October 5-7, 2016; On The September 20, 2016 City Council Agenda.

16-0148

4.2 Subject: Honoring Usana Hopkins

From: President Pro Tem Larry Reid

Recommendation: Adopt A Resolution Honoring Usana Hopkins, Early Childhood And Family Services Manager, Upon Her Retirement After 24 Years Of Dedicated Public Service To The City Of Oakland; On The September 20, 2016 City Council Agenda

16-0108

4.3 Subject: Acceptance Of Grant Funds From The Kenneth Rainin Foundation

From: Office Of The Mayor

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Grant Funds From The Kenneth Rainin Foundation In The Total Amount Of Four Hundred Seventeen Thousand Six Hundred Dollars (\$417,600), With The First Half, Two Hundred Eight Thousand Eight Hundred Dollars (\$208,800), To Be Paid Upon The Foundation's Receipt Of The Signed Grant Agreement, And The Balance To Be Paid In August 2017, To Be Used To Fully Fund A Part Time (80 Percent) Position As The Mayor's Policy Director For Art Spaces For A Two-Year Period On The September 27, 2016 Finance And Management Committee Agenda; On The September 20, 2016 Finance And Management Committee Agenda

16-0153

4.4 Subject: Compromise And Settle The Case Of Fu Ming Zhang 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 Fu Ming Zhang V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG15779485, City Attorney's File No. 30611, In The Amount Of Sixty Thousand Dollars (\$60,000.00) (Public Works - Motor Vehicle Collision); On The September 20, 2016 City Council Agenda

16-0155

- 4.5** Subject: Elba Becerra V. City Of Oakland, Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Elba Becerra V. City Of Oakland, ET AL., Alameda County Superior Court Case No. Rg15-772706, In The Amount Of Seventy Five Thousand Dollars And No Cents (\$75,000.00) As A Result Of A Trip And Fall Accident On April 2, 2012 (Public Works - Dangerous Condition); On The September 20, 2016 City Council Agenda
16-0156
- 4.6** Subject: James Barrett 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 James Barrett V. City Of Oakland, Alameda County Superior Court Case No. Rg15777910, City Attorney's File No. 30502, In The Amount Of Thirty Five Thousand Dollars (\$35,000.00) (Public Works - Dangerous Condition); On The September 20, 2016 City Council Agenda
16-0157
- 4.7** Subject: Resolution Opposing Closure of Alta Bates Hospital
From: Councilmembers Gibson McElhaney, Reid, Kaplan And City Attorney Barbara Parker
Recommendation: Adopt A Resolution (1) Opposing The Closure Of Alta Bates Hospital, (2) Directing The City Administrator To Work With The City's Lobbyist And All Relevant Government Agencies To Ensure A Continuity Of High Quality Medical Services For Oaklanders, And (3) Directing The City Administrator To Consult With The City Attorney And Prepare A Confidential Opinion For City Council With Legal Options To Prevent The Closure; On The September 20, 2016 City Council Agenda
16-0119
- 4.8** Subject: Acceptance Of Grant Funds From The Oakland Public Education Fund
From: Office Of The Mayor
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Grant Funds From The Oakland Public Education Fund In The Total Amount Of Two Hundred Seven Thousand Dollars (\$207, 000) To Be Used To Provide Full Funding For The Mayor's Director Of Education For The Remainder Of Fiscal Year 2017 (November 2016-June 2017) On The September 27, 2016 Finance And Management Committee Agenda.
16-0150
- 4.9** Subject: Fire And Police Trainees
From: Hunman Resources Managemnet Department
Recommendation: Adopt A Resolution Recommending To The Civil Service Board The Exception Of The Following Classifications From The Operations Of Civil Services: Fire Fighter Trainee, Fire Fighter Paramedic Trainee, And Police Officer Trainee; On The September 27, 2016 Finance And Management Committee Agenda
16-0141

- 4.10** Subject: On-Call Construction Contract Amendment For DC Construction
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Authorizing The City Administrator, Or Designee, To Amend The On-Call Construction Contract With DC Construction Increasing The Total Contract Amount From Six Hundred Thousand Dollars (\$600,000.00) To Seven Hundred Twenty-Five Thousand Dollars (\$725,000.00); On The September 27, 2016 Public Safety Committee Agenda
16-0132
- 4.11** Subject: Salary Ordinance Amendment
From: Human Resources Management
Recommendation: Adopt A Ordinance Amending The Salary Schedule Of Ordinance Recommendation: ("Salary Ordinance") To Change The Titles Of Information Systems Supervisor And Information Systems Manager To Information Systems Manager I And Information Systems Manager II, Respectively; And To Increase The Salary Rate To Information Systems Manager I; On The September 27, 2016 Finance And Management Committee Agenda
16-0137
- 4.12** Subject: Equal Access To Services Annual Compliance Report
From: Human Resources Management
Recommendation: Receive An Informational Report Regarding The Annual Equal Access To Services Ordinance Compliance Report For Fiscal Year 2015-2016; On The September 27, 2016 Finance And Management Committee Agenda
16-0138
- 4.13** Subject: Salary Ordinance Amendment
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Permanent Part-Time Classifications Of Early Head Start Instructor, PPT, Head Start Instructor, PPT, And Van Driver, PPT; Reactivate And Amend The Title Of Curator Of History, Chief, To Curator Of African American Museum & Library At Oakland (AAMLO), Chief; Correct The Salary Rates For Cable TV Production & Operations Manager, Environmental Services Analyst, Assistant, And Capital Improvement Project Coordinator, Assistant; Adjust The Title Of Police Program And Performance Auditor To Police Program And Performance Audit Supervisor; And Adjust The Title Of Americans With Disabilities Act (Ada) Projects Coordinator To Disability Access Coordinator: On The September 27, 2016 Finance And Management Committee Agenda
16-0140

4.14 Subject: State Youth Soccer Grant
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Apply For, Accept, And Appropriate Grant Funds From The California Youth Soccer And Recreation Development Program For The Rainbow Recreation Center Renovation Project In An Amount Not-To-Exceed Six Hundred Thousand Dollars (\$600,000.00) And For The Raimondi Park Phase Two Synthetic Field In An Amount Not-To-Exceed One Million Dollars (\$1,000,000.00).: On The September 27, 2016 Public Works Committee Agenda

16-0133

4.15 Subject: Rehabilitation Of Sanitary Sewers
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes Construction, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Campus Drive, Mountain Boulevard, Knoll Avenue And Rusting Avenue (Project No.C329147) And With Contractor's Bid In The Amount Of Two Million Seven Hundred One Thousand One Hundred Eighty-Two Dollars (\$2,701,182.00) On The Septembers 27, Public Works Committee Agenda

16-0134

4.16 Subject: Encroachment Permit
From: Oakland Public Works
Recommendation: Adopt The Following Pieces Of Legislation:

1) Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permits To Center For Elders' Independence To Allow Portion Of The Building Below Sidewalk At 510 17th Street To Encroach Into Public Right-Of-Way Along 17th Street, Major Encroachment Permit ENMJ16058; And

16-0129

2) Resolution Granting A Conditional And Revocable Major Encroachment Permit To Bay Devre, LLC To Allow Portion Of Existing Building Above Sidewalk At 3139 To 3149 West Street To Encroach Into The Public Right-Of-Way Along West Street And 32nd Street, Encroachment Permit ENMJ16059: And

16-0130

3) Resolution Granting A Conditional And Revocable Major Encroachment Permit To Jean W. Seto, Trustee Of The Jean W. Seto Living Trust, To Allow Architectural Features Above Sidewalk At 580 Grand Avenue To Encroach Into Public Right-Of-Way Along Burk Street And Grand Avenue, Encroachment Permit ENMJ16061;On The September 27, 2016 Public Works Committee Agenda

16-0131

- 4.17** Subject: East Bay Economic Development Alliance Presentation
From: City Council
Recommendation: Receive A Presentation From The East Bay Economic Development Alliance On The September 27th 2016 Community And Economic Development Committee Agenda
16-0147

- 4.18** Subject: Actions To Preserve Residential Hotels For Low Income Oaklanders
From: City Council
Recommendation: Adopt A Resolution (1) Requesting The City Planning Commission Amend Zoning Regulations To Preserve Residential Hotels For Very Low And Low Income Residents And (2) Strengthen Tenants Protections And (3) Directing The City Administrator To Prepare Options To Preserve Oakland's Existing Supply Of Residential Hotels Available For Very Low And Low Income Residents On The September 27, 2016 Community And Economic Development Committee Agenda
16-0144

- 4.19** Subject: State Of CSE (Commercial Sexual Exploitation Of Children) Annual Report
From: Vice Mayor Annie Campbell Washington
Recommendation: Receive An Informational Report On The Status Of Commercial Sexual Exploitation Of Children In Oakland From The City Of Oakland CSEC Task Force; On The September 27, 2016 Life Enrichment Committee Agenda
16-0139

- 4.20** Subject: 2016-2017 Unity Council Agreement Amendment
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Grant Agreement With Unity Council For Head Start And Early Head Start Services From July 1, 2016 To June 30, 2017 To Increase The Grant By Up To \$200,199, For A Total Grant Amount Of \$4,689,123; On The September 27, 2016 Life Enrichment Committee Agenda
16-0135

- 4.21** Subject: Declare A State Of Emergency For The Homeless Population Living In Encampments In Oakland And Establishing A Homeless Commission To Address Solutions
From: President Pro Tem Larry Reid
Recommendation: Adopt A Resolution Declaring A State Of Emergency For The Homeless Population And Encampments And Direction To The City Administrator To Establish A Homeless Commission To Address Possible Solutions To Assist The Homeless Population As Soon As Possible On The Life Enrichment Committee Agenda
16-0136

- 4.22** Subject: Police Commission Charter Amendment Enabling Ordinance
From: Councilmembers Dan Kalb And Noel Gallo
Recommendation: Adopt An Ordinance (1) Enabling The City Charter Amendment Creating The Oakland Police Commission And The Community Police Review Agency And (2) Establishing A Civilian Inspector General On The September 27, 2016 Public Safety Committee Agenda
16-0152
- 4.23** Subject: Housing, Residential Rent And Relocation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Tracie Mason To The Housing, Residential Rent And Relocation Board; On The September 29, 2016 Rules And Legislation Committee Agenda
16-0149
- 4.24** Subject: Naming Grove In Defremery Park In Honor Of Bobby Hutton
From: Council President Gibson McElhaney And Pro Tempore Reid
Recommendation: Adopt A Resolution To Name The Grove In Defremery Park As 'Bobby Hutton Grove' In Commemoration Of The 50th Anniversary Of The Founding Of The Black Panther Party On The September 29, 2016 Rules And Legislation Committee Agenda
16-0143
- 4.25** Subject: Ellis Act For Preservation Of Residential Hotels In Oakland
From: Council President Gibson McElhaney And Councilmember Guillen
Recommendation: Resolution Urging The State Legislature And Governor To Amend The Ellis Act (Government Code SEC. 7060 ET SEQ.) To Permit All California Cities To Effectively Regulate Residential Hotels; On The September 29, 2016 Rules & Legislation Committee Agenda
16-0145
- 4.26** Subject: Appeal Of Planning Commission Approval
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying Appeals By Both Oakland Residents Development And Community Coalition Of Over 12 Organizations, Stakeholders And Hundreds Of Oakland Residents And Thus Upholding The Planning Commission's Approval Of A Proposal To Construct 262 Dwelling Units Over Approximately 13,000 Square Feet Of Commercial Located At 226 13th Street, Oakland CA (Projected Case No. PLN15-320), Including Adopting CEQA Exemptions (15183.3 & 15183.3) And Addendum (Relying On The Previously Certified 2014 Lake Merritt Station Area Plan EIR); On The October 4, 2016 City Council Agenda And As A Public Hearing On October 4, 2016.
16-0151

- 5 A Review Of The Council Committees' Actions From September 13, 2016 And Determination Of Scheduling To The City Council Meeting Of September 20, 2016 (MATRIX)

[16-0079](#)

Attachments: [View Report](#)

- 6 A Review Of The Agendas For The Council Committee Meetings Of September 27, 2016 And The Rules And Legislation Committee Of September 29, 2016

[16-0080](#)

Attachments: [View Report](#)

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.