



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, July 9, 2015

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

[14-1112](#)

Attachments: [View Report.pdf](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of June 25, 2015

[14-1113](#)

Attachments: [View Report.pdf](#)

3 Determination Of Schedule Of Outstanding Committee Items

[14-1114](#)

Attachments: [View Report.pdf](#)

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

[14-1115](#)

Attachments: [View Report.pdf](#)

4.1 Subject: Tract No. 8217 Subdivision Map, 3235 Louise Street
From: Planning And Building Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving A Final Map For Tract No. 8217 Located At 3235 Louise Street For A Six Lot Residential Subdivision For Sebco Properties LLC;
And

[14-1165](#)

2) Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Subdivision Improvement Agreement With Sebco Properties LLC For Deferred Construction Of Public Infrastructure Improvements As A Condition To Final Map Approval For Tract No. 8217 Located At 3235 Louise Street; On The July 21, 2015 City Council Agenda

[14-1166](#)

4.2 Subject: Amendment To Ordinance Regulating Maximum Service Rates

From: Oakland Public Works Department

Recommendation: Adopt An Ordinance Adding Rates For Garbage Compactor Bin Collection, Commercial Cart Push Service, Roll-Off Organics Tipping Services, And Roll-Off Ancillary Services, By Amending Ordinance No. 13258 C.M.S., Which Amended Ordinance No. 13253 C.M.S. To Among Other Things, Grant A Franchise For Mixed Materials And Organics Collection Services To Waste Management Of Alameda County And Approve Maximum Service Rates For Mixed Materials And Organics Collection, Residential Recycling And Disposal Services; On The July 21, 2015 City Council Meeting As A Public Hearing

[14-1169](#)

- 4.3** Subject: Anti-Graffiti Grant To EBALDC / Old Oakland Neighbors
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Of \$600 From Council President Lynette Gibson McElhaney's Graffiti Abatement Mural And Green Wall Funds For A Mosaic Trash Can Project At 7th And Washington Streets To East Bay Asian Local Development Corporation ("EBALDC"), As Fiscal Sponsor For Old Oakland Neighbors; On The July 21, 2015 City Council Agenda As A Consent Item
[14-1135](#)
- 4.4** Subject: Mosquito Abatement District Appointment
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Appointing Jan Washburn As The City of Oakland's Trustee To The Alameda County Mosquito Abatement District Board; On The July 21, 2015 City Council Agenda As A Consent Item
[14-1168](#)
- 4.5** Subject: Recognizing Fred Booker And Mary Thiessen
From: Councilmember Annie Campbell Washington
Recommendation: Adopt A Resolution To Recognize Fred Booker and Mary Thiessen For Their Service On and Dedication To the Wildfire Prevention Assessment District Board As Board Chair And Secretary, Respectively; On The July 21, 2015 City Council Agenda As A Ceremonial Item
[14-1181](#)
- 4.6** Subject: Settlement Agreement - Nicolson 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 William Scott Nicolson V. City Of Oakland Alameda County Superior Court Case No. RG14711286 City Attorney's File No. 29640, In The Amount Of Eighty-Seven Thousand Five Hundred Dollars And No Cents (\$87,500.00) (Oakland Public Works--Dangerous Condition); On The July 21, 2015 City Council Agenda As A Consent Item
[14-1182](#)
- 4.7** Subject: Settlement Agreement - Claim Of Benner Enrique Lopez Ventura
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Benner Enrique Lopez Ventura, In The Amount Of Seven Thousand Five Hundred And No Cents (\$7,500.00) As The Result Of Injuries Sustained In A Vehicle Vs. Pedestrian Accident On June 30, 2014 (Oakland Police Department Parking Enforcement - City Vehicle V. Pedestrian Collision) ; On The July 21, 2015 City Council Agenda As A Consent Item
[14-1183](#)

- 4.8** Subject: Settlement Agreement - Claim Of Amy Marks
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Amy Marks, In The Amount Of Ten Thousand Dollars And No Cents (\$10,000.00) Which Resulted In Property Damage Due To A Failed Sewer Main On December 5, 2012 (Public Works - Failed Sewer Main); On The July 21, 2015 City Council Agenda As A Consent Item
[14-1184](#)
- 4.9** Subject: Settlement Agreement - Claims Of Darryl Carter II & III, Rasheeda Garrett
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claims Of Darryl Carter II, Rasheeda Garrett, Rasheeda Garrett As Mother And Natural Guardian Of Darryl Carter III, A Minor, (Claim No. C30136), In The Amount Of Thirty-Two Thousand Five Hundred Dollars And No Cents (\$32,500.00) As The Result Of Injuries Sustained In An Incident On January 4, 2014 (Parks And Recreation - Missing Child); On The July 21, 2015 City Council Agenda As A Consent Item
[14-1185](#)
- 4.10** Subject: Settlement Agreement - James Williams 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 Williams V. City Of Oakland, Alameda County Superior Court Case No. RG14734547, City Attorney's File No. X04044, In The Amount Of Thirty-Two Thousand, Four Hundred Twenty-Five Dollars And Ninety-Six Cents (\$32,425.96) (Oakland Fire Department/City Administrator's Office-Leave/Benefits); On The July 21, 2015 City Council Agenda As A Consent Item
[14-1186](#)
- 4.11** Subject: Peralta Hacienda Historical Park Phase 4 - Museum Grant
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Apply For, Accept, And Appropriate Grant Funds Up To Two Hundred Fifty Thousand Dollars (\$250,000) From The California Cultural And Historic Endowment (CCHE) - Museum Grant Program For The Peralta Hacienda Historic Park Phase 4 - Historic Core Project (Project); On The July 28, 2015 Public Works Committee Agenda
[14-1173](#)
- 4.12** Subject: 440 59th Street Major Encroachment Permit
From: Planning And Building Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To James Brickley And Tia Hunnicutt To Allow An Existing Building To Encroach Less Than Six Inches (6") Into The Public Right-Of-Way Along The Building's Frontage On Howell Street At 440 59th Street; On The July 28, 2015 Public Works Committee Agenda
[14-1175](#)

4.13 Subject: Property Assessed Clean Energy (PACE) Provider Authorizations
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Of Oakland Joining The Western Riverside Council Of Governments (WRCOG) As An Associate Member, (2) WRCOG To Administer The Hero Property Assessed Clean Energy (PACE) Program In The City, And (3) The City Administrator To Execute Necessary Agreements To Support The Launch Of The Hero PACE Program; And

[14-1176](#)

2) A Resolution Authorizing The City Of Oakland Joining The Figtree PACE Program For Alameda County, Authorizing The California Enterprise Development Authority (CEDA) To Administer The PACE Program In The City, And Authorizing The City Administrator To Execute Necessary Agreements To Support The Launch Of The Figtree PACE Program; And

[14-1177](#)

3) A Resolution Authorizing The City Of Oakland Joining The California Home Finance (CHF) Authority As An Associate Member, Authorizing CHF To Administer The Ygrene PACE Program In The City, And Authorizing The City Administrator To Execute Necessary Agreements To Support The Launch Of The Ygrene PACE Program; And

[14-1178](#)

4) A Resolution Authorizing The City Of Oakland Joining The Ygrene PACE Program, Authorizing The California Home Finance (CHF) Authority To Administer The Ygrene PACE Program In The City, And Authorizing The City Administrator To Execute Necessary Agreements To Support The Launch Of The Ygrene PACE Program; And

[14-1179](#)

5) A Resolution Authorizing The City of Oakland Joining The Open PACE Program, Authorizing AllianceNRG, Through The California Statewide Communities Development Authority (CSCDA), To Administer The Open PACE Program In The City, And Authorizing The City Administrator To Execute Necessary Agreements To Support The Launch Of The Open PACE Program; On The July 28, 2015 Public Works Committee Agenda

[14-1180](#)

- 4.14** Subject: Grant To Develop Building Code Changes For Vehicle Charging Stations
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Apply For, Accept And Appropriate A California Energy Commission (CEC) Alternative And Renewable Fuel Vehicle And Technology Program (ARFVTP) Grant Award Of One Hundred Seventy Thousand Three Hundred Twenty-Four Dollars (\$170,324.00) From The State Of California Other Fund (2159) To Prepare Building Code Amendments Which Will Increase The Number Of Plug-In Electric Vehicle (PEV) Charging Stations In Oakland, The City And County Of San Francisco, And The Town Of Tiburon; And [14-1170](#)

2) A Resolution Waiving The Request For Proposal/Qualifications (“RFP/Q”) Requirement And Authorizing The City Administrator, Or Her Designee, To Execute A Professional Services Contract With Energy Solutions In An Amount Of One Hundred Fifty-Two Thousand Six-Hundred Nineteen Dollars (\$152,619.00) For A Term Of Twenty Six (26) Months To Assist Oakland, The City And County Of San Francisco, And The Town Of Tiburon To Prepare Building Code Amendments Which Will Increase The Number Of Plug-In Electric Vehicle (PEV) Charging Systems Within These Jurisdictions; On The July 28, 2015 Community & Economic Development Committee Agenda [14-1171](#)

- 4.15** Subject: Decreasing 2014 Raiders Surcharge
From: Oakland Parks & Recreation Department
Recommendation: Adopt A Resolution Decreasing Estimated Revenue And Offsetting Expenditures From The 2014 Raiders Ticket Surcharge To Reflect Actual Revenues Collected And Authorizing A Transfer Of \$162,101.38 Which Is The Actual Revenue Collected, From The Non-Departmental Citywide Activities Budget To The Oakland Parks And Recreation Budget To Benefit Citywide Youth Activities; On the July 28, 2015 Life Enrichment Committee Agenda [14-1164](#)

- 4.16** Subject: OFCY FY 2016-19
From: Department Of Human Services
Recommendation: Receive An Informational Report On The Oakland Fund For Children and Youth Fiscal Year (FY)2016-2019 Strategic Investment Plan; On The July 28, 2015 Life Enrichment Committee Agenda [14-1167](#)

- 4.17** Subject: Office Of Traffic Safety STEP Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept And Appropriate Grant Funds In The Amount Of Two Hundred Ninety Thousand Dollars (\$290,000) From The State Of California, Office Of Traffic Safety (OTS), For The FY 2015-2016 Selective Traffic Enforcement Program (STEP) To Be Administered By The Oakland Police Department (OPD); 2) Authorize The General Purpose Fund To Contribute Fifteen Thousand Eighty-Two Dollars (\$15,082) To Cover The Central Service Overhead (CSO) Charges; And 3) Accept And Appropriate The FY 2016-17 OTS STEP Grant Award In Advance In An Amount Not To Exceed Three Hundred Forty-Eight Thousand Dollars (\$348,000) And Authorize The General Purpose Fund To Cover The Associated CSO Charges; On The July 28, 2015 Public Safety Committee Meeting
[14-1172](#)
- 4.18** Subject: Office Of Traffic Safety STEP Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept And Appropriate Grant Funds In The Amount Of Two Hundred Ninety Thousand Dollars (\$290,000) From The State Of California, Office Of Traffic Safety (OTS), For The FY 2015-2016 Selective Traffic Enforcement Program (STEP) To Be Administered By The Oakland Police Department (OPD); 2) Authorize The General Purpose Fund To Contribute Fifteen Thousand Eighty-Two Dollars (\$15,082) To Cover The Central Service Overhead (CSO) Charges; And 3) Accept And Appropriate The FY 2016-17 OTS STEP Grant Award In Advance In An Amount Not To Exceed Three Hundred Forty-Eight Thousand Dollars (\$348,000) And Authorize The General Purpose Fund To Cover The Associated CSO Charges; On The July 28, 2015 Public Safety Committee Meeting
[14-1172](#)
- 4.19** Subject: FY 2014-2015 State Homeland Security Grant Program
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To 1) Accept And Administer Funds In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) From The Fiscal Year 2014-15 Federal Statewide Homeland Security Grant Program (SHSGP), 2) Approve The Preliminary Spending Plan, And 3) Expend Said Funds In Accordance With The Preliminary Spending Plan Including Purchases Of Equipment And Services; On Then July 28, 2015 Public Safety Committee Agenda
[14-1174](#)
- 4.20** Subject: Special City Council Meeting
From: Council President Gibson McElhaney
Recommendation: Schedule A Special City Council Meeting On July 30, 2015 At 12:00 P.M. To Discuss The Council Rules Of Procedure, Including Discussion Of The Brown Act, The Sunshine Act, And Council And Committee Meeting Protocols
[14-1188](#)

- 4.21 Subject: Information On Coal
From: Michael Kaufman (Member Of The Public)
Recommendation: Receive All Information And References In City Documents And Communications On Coal And A Full, Public City Council Hearing On Coal; Before August 1, 2015
[14-1136](#)
- 5 A Review Of The Draft Agendas For The City Council Meeting Of July 21, 2015 And The Rules And Legislation Committee Of July 23, 2015
[14-1116](#)
Attachments: [View Report.pdf](#)
- 6 Subject: Supporting Seed Saving & Sharing
From: Vice Mayor Rebecca Kaplan
Recommendation: Adopt A Resolution Supporting Seed Saving Within The City Of Oakland And Requesting City Staff To Support Changes In State Seed Law To Allow Seed Sharing Without Cost Or Germination Testing
[14-1127](#)
Attachments: [View Report.pdf](#)

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.