



City of Oakland

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

Meeting Minutes

*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

*The Oakland City Council Rules & Legislation Committee convened at 11:00 a.m.,
with Councilmember Reid presiding as Chairperson.*

Roll Call / Call To Order

Excused 1 - Lynette Gibson McElhaney

Present 3 - Abel J. Guillén, Dan Kalb, and Laurence E. Reid

1 Determinations Of Closed Session

[14-1112](#)

Attachments: [View Report.pdf](#)

A Special Closed Session has been scheduled for July 21, 2015 at 2:00 p.m.

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

Excused: 1 - Gibson McElhaney

Aye: 3 - Guillén, Kalb, and Reid

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

[14-1113](#)

Attachments: [View Report.pdf](#)

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

Excused: 1 - Gibson McElhaney

Aye: 3 - Guillén, Kalb, and Reid

3 Determination Of Schedule Of Outstanding Committee Items

[14-1114](#)

Attachments: [View Report.pdf](#)

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

Excused: 1 - Gibson McElhaney

Aye: 3 - Guillén, Kalb, and Reid

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

[14-1115](#)

Attachments: [View Report.pdf](#)

There were 6 speakers on this item.

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

Excused: 1 - Gibson McElhaney

Aye: 3 - Guillén, Kalb, and Reid

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

1) Resolution Conditionally Approving A Final Map For Tract No. 8217 Located At 3235 Louise Street For A Six Lot Subdivision For Sebco Properties LLC ; And
[14-1165](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

2) A Resolution Authorizing The City Administrator Or 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
[14-1166](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

- 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](#)

This Ordinance was Withdrawn

- 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 To East Bay Asian Local Development Corporation, As Fiscal Sponsor For Old Oakland Neighbors, For A Mosaic Trash Can Project At 7th And Washington Streets
[14-1135](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

- 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
[14-1168](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

4.5 Subject: Recognizing Fred Booker And Mary Thiessen
From: Councilmembers Campbell Washington And Kalb
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Recognizing Mary Thiessen For Her Service On And Dedication To The Wildfire Prevention Assessment District Advisory Committee As Secretary; And [14-1181](#)

Attachments: [View Report.pdf](#)

[View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

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) [14-1182](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

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 (Claim No.C30383) In The Amount Of Seven Thousand Five Hundred Dollars 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) [14-1183](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

- 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)
[14-1184](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

- 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)
[14-1185](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

- 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 And Twenty-Five Dollars And Ninety-Six Cents (\$32,425.96) (Oakland Fire Department/City Administrator's Office-Leave/Benefits)
[14-1186](#)

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[View Supplemental Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

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)
[14-1173](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 7/28/2015

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
[14-1175](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 7/28/2015

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 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](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the *Public Works Committee to be heard 7/28/2015

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](#)

**This City Resolution was Scheduled.to the *Public Works Committee to be heard
7/28/2015**

3) 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](#)

**This City Resolution was Scheduled.to the *Public Works Committee to be heard
7/28/2015**

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](#)

**This City Resolution was Scheduled.to the *Public Works Committee to be heard
7/28/2015**

5) A Resolution Authorizing The City Of Oakland Joining The Open PACE Program, Authorizing Alliancengr, 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

[14-1180](#)

**This City Resolution was Scheduled.to the *Public Works Committee to be heard
7/28/2015**

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) 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](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 7/28/2015

2) A Resolution Waiving The Request For Proposals/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
[14-1171](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 7/28/2015

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
[14-1164](#)

This City Resolution was Scheduled.to the *Life Enrichment Committee to be heard 7/28/2015

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
[14-1167](#)

Attachments: [View Report.pdf](#)

This Informational Report was Scheduled.to the *Life Enrichment Committee to be heard 7/28/2015

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 2015-16 Selective Traffic Enforcement Program (Step) To Be Administered By The Oakland Police Department (OPD); 2) Authorize The General Purpose Fund To Contribute Eleven Thousand Eight Hundred Twelve Dollars (\$11,812) To Cover The CSO Charges; And 3) To 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
[14-1172](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 7/28/2015

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 Fiscal Year 2014-2015 Grant Funds In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) From The Statewide Homeland Security Grant Program (SHSGP); 2) Appropriate And Administer Said Funds; 3) Approve The Fiscal Year 2014-2015 SHSGP Spending Plan; And 4) Expend Said Funds In Accordance With The Preliminary Spending Plan
[14-1174](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 7/28/2015

- 4.20** Subject: Meeting Protocols
From: Council President Gibson McElhane
Recommendation: Discussion Of, And Possible Recommendations Regarding, Council And Committee Meeting Protocols, The Council Rules Of Procedure, Brown Act And The Sunshine Act Regarding Meeting Rules In Article II
[14-1188](#)

The title was revised as follows: Hold a Special City Council Meeting on Council and Committee Meeting Protocols, Including Discussion of, and Possible Recommendations Regarding, the Council Rules of Procedure, Brown Act and the Sunshine Act According To Meeting Rules In Article II

This Informational Report was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 7/30/2015

- 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](#)

The item was deferred to a future date for scheduling at the request of Council President Gibson McElhane.

Items Submitted On The Dais

- Subject: Grant To Friends Of Golden Gate Library For Jazz On Sundays
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2,000 From Councilmember Kalb's A491410 D1 Murals/Grants/Events Funds To Friends Of Golden Gate Library For The Jazz On Sundays Festival 2015
[14-1191](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

Subject: Amending The Department Of Race & Equity Ordinance To Conform To Council Intent
From: Office Of The City Attorney
Recommendation: Adopt An Ordinance Amending Ordinance No. 13319 C.M.S., Which Amended Oakland Municipal Code Chapter 2.29, City Agencies, Departments And Offices, To Add The Department Of Race And Equity, Section 2.29.160 To The Municipal Code, To Revise Oakland Municipal Code Section 2.29.160.2, Definitions, And Delete Oakland Municipal Code Section 2.29.160.4
[14-1187](#)

Attachments: [View Report.pdf](#)

This Ordinance was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

Subject: Anti-Graffiti Grant For Mosaic Mural Project
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2100 From Councilmember Noel Gallo's Graffiti Abatement Mural And Green Wall Funds To The Unity Council, As Fiscal Sponsor For Girl Scout Troop #31262 And The Radical Monarchs, For 3 Mosaic Trash Cans Project In The Fruitvale Neighborhood
[14-1189](#)

Attachments: [View Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

Subject: Recognizing District 5 Youth Leadership Summer Internship Program
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing Participants Of The Council Office- District 5 Youth Leadership Summer Internship Program (YLSIP) For Their Leadership, Commitment And Civic Engagement Which Contributes To Their Academic Goals, Future Career Endeavors , And To The Overall Well-Being Of Oakland Residents
[14-1190](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/21/2015

From The July 14, 2015 Life Enrichment Committee:

Subject: 2016-2017 HS/EHS Grant Application
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For Funding For Head Start/Early Head Start Grantee City Of Oakland Through The Funding Opportunity Number HHS-2016-ACF-OHS-CH-R09-1085 In An Estimated Amount Of \$18,587,933 Per Year For A Five-Year Period From 2016 Through 2021 From The United States Department Of Health And Human Services Administration For Children And Families, Office Of Head Start
[14-1121](#)

Attachments: [View Report.pdf](#)

This City Resolution was * Withdrawn and Rescheduled.to the *Life Enrichment Committee to be heard 9/15/2015

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](#)

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

Excused: 1 - Gibson McElhaney

Aye: 3 - Guillén, Kalb, and Reid

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](#)
[View Supplemental Report.pdf](#)

There were 2 speakers on this item.

A motion was made by Kalb, seconded by Guillén, that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 7/21/2015. The motion carried by the following vote:

Excused: 1 - Gibson McElhaney

Aye: 3 - Guillén, Kalb, and Reid

Open Forum (Total Time Available: 15 Minutes)

There were 5 Open Forum speakers.

Adjournment

There being no further business, and upon the motion duly made, the Committee adjourned the meeting at 11:46 a.m.

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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.