



2016 JAN -5 PM 6:29  
Meeting Minutes - DRAFT

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

**\*Rules & Legislation Committee**

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

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

Thursday, December 15, 2016

10:45 AM

City Council Chamber, 3rd Floor

**Roll Call / Call To Order**

*The Oakland City Council Rules and Legislation Committee convened at 11:10 a.m., with Council President Gibson McElhaney presiding as Chairperson.*

**Excused** 1 - Laurence E. Reid

**Present** 3 - Abel J. Guillén, Dan Kalb, and Lynette Gibson McElhaney

**1 Determinations Of Closed Session**

16-0488

*There will be a Special Closed Session on 1/17/2017 at 1:30 p.m.*

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

**Excused:** 1 - Reid

**Aye:** 3 - Guillén, Kalb, and Gibson McElhaney

**2 Approval Of The Draft Minutes From The Committee Meeting Of December 1, 2016**

16-0489

*Meeting minutes from December 1 will be presented at the following Rules and Legislation Committee meeting in January of 2017.*

*This City Resolution be No Action Taken.*

**3 Determination Of Schedule Of Outstanding Committee Items**

16-0490

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

**Excused:** 1 - Reid

**Aye:** 3 - Guillén, Kalb, and Gibson McElhaney

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)  
16-0491

*There were 2 speakers on this item.*

**This Report and Recommendation be Accepted as Amended.**

4.1 Subject: Recognized Obligation Payment Schedule 2017-18  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Approving The Submission Of A Recognized Obligation Payment Schedule And Successor Agency Administrative Budget For July 1, 2017 Through June 30, 2018 To The Oakland Oversight Board, The County And The State  
16-0530

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 1/10/2017**

4.2 Subject: Fiscal Year 2015 FEMA, Urban Search And Rescue Supplemental Funding  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Amending Resolution No. 85941 CM.S. Which Authorized The City Administrator Or Her Designee Among Other Things, To Enter Into An Agreement To Accept, Appropriate And Administer FY 2015 Urban Search And Rescue (US&R) Grant Funds, To Accept, Appropriate And Administer Supplemental FY 2015 US&R Grant Funds In An Amount Not To Exceed Forty-Nine Thousand One Hundred And Fifty-One Dollars (\$49,151) For A Cumulative FY 2015 US&R Grant Award Allocation In An Amount Not To Exceed One Million Two Hundred And Seventy-Eight Thousand Seven Hundred And Thirty-Three Dollars (\$1,278,733) And Appropriate Said Funds To The US&R Task Force  
16-0529

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 1/10/2017**

4.3 Subject: Unity Schools Right Of Entry Agreement  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To Enter Into A Memorandum Of Understanding With Unity Schools For The Period Of October 1, 2016 To September 30, 2017 To Allow The Oakland Police Department (OPD) To Use Unity Schools Premises For Training Purposes  
16-0528

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 1/10/2017**

- 4.4** Subject: FY 2017-19 Budget Priorities  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report To Begin Discussing Mayor And Council Priorities For The FY 2017-19 Budget Based On Preliminary Projected Increases Or Decreases In The Next Budget In Accordance With The Consolidated Fiscal Policy (Ordinance No. 13279 C.M.S.); On The January 31, 2017 Special City Council Meeting Agenda  
16-0525

**This Informational Report be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 1/31/2017**

- 4.5** Subject: Budget Polling Results  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report Presenting The Results Of The Budget Priorities Poll Of Oakland Residents Conducted In Accordance With The Consolidated Fiscal Policy (Ordinance No. 13279 C.M.S.) As Part Of The Fiscal Year (FY) 2017-19 Budget Development; On The January 31, 2017 Special City Council Meeting Agenda  
16-0526

**This Informational Report be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 1/31/2017**

- 4.6** Subject: FY 2017-19 Budget Briefing  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report To Provide A Briefing On Estimated Baseline Expenditures, Revenue Projections For Fiscal Year (FY) 2017-19 And An Overview Of The City's Budgeting Process In Accordance With The Consolidated Fiscal Policy (Ordinance No. 13279 C.M.S.); On The January 31, 2017 Special City Council Meeting Agenda  
16-0527

**This Informational Report be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 1/31/2017**

- 4.7 Subject: Claim Of CSAA Insurance Exchange A/S/O Jeanne Foss-Swaine  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Philadelphia Indemnity Insurance CO. V. City Of Oakland, Alameda County Superior Court Case No. RG15768353, City Attorney's File No. 29681, In The Amount Of One Hundred Sixty-Two Thousand Dollars And Zero Cents (\$162,000.00) (Public Works - Inverse Condemnation)  
16-0531

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/17/2017

- 4.8 Subject: Settlement Agreement Of Michele DiFrancia 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 Michelle DiFrancia V. City Of Oakland, Et. Al. Alameda County Superior Court Case No. RG15783586, City Attorney's File No. 30493, In The Amount Of Thirty-One Thousand Dollars And Zero Cents (\$31,000.00) (Oakland Public Works - Dangerous Condition)  
16-0532

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/17/2017

- 4.9 Subject: Examining Alameda County Probate Court Process, And Grand Jury Investigation  
From: Council President Gibson McElhaney  
Recommendation: Adopt A Resolution Requesting An Examination Of The Way In Which The Probate Courts In Alameda County Function And Directing The City Administrator To Send Copies Of The Resolution And Agenda Item To The Alameda County District Attorney Nancy O'Malley, Alameda County Board Of Supervisors, Assemblymember Tony Thurmond, And State Senator Nancy Skinner  
16-0345

*Staff requested title change to read as follows: "Adopt A Resolution Requesting An Examination Of The Way In Which The Probate Courts In Alameda County Function And Directing the City Administrator To Send Copies Of The Resolution And Agenda Item To The Alameda County District Attorney Nancy O'Malley, Alameda County Board of Supervisors, Assemblymember Tony Thurmond, And State Senator Nancy Skinner."*

This City Resolution be Scheduled.to go before the \*Rules & Legislation Committee to be heard 1/17/2017

**Items Submitted On The Dais**

**S1** Subject: Extending The Emergency Moratorium On Residential Hotel Conversion Or Demolition  
From: Council President Gibson McElhaney, President Pro Tem Reid, Councilmember Kaplan and Councilmember Gullien  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt an Ordinance Extending Ordinance No. 13410 C.M.S., An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Establishing A Temporary Moratorium On The Conversion, Demolition, Reconfiguration, And Rehabilitation Of Residential Hotels, To Take Immediate Effect, Through December 11, 2018 Or Whenever Permanent Regulations Are Adopted, Whichever Occurs First  
16-0533

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/17/2017

**S2** Subject: Fiscal Year 2015-16 Workers Compensation Annual Report  
From: Human Resources Management  
Recommendation: Staff Recommends That The City Council Accept The Informational Report On The Workers Compensation Programs For Fiscal Year 2015-16  
16-0535

This City Resolution be Scheduled.to go before the \*Finance & Management Committee to be heard 1/10/2017

**S3** Subject: Honoring Brooke A. Levin  
From: Vice Mayor Campbell Washington, President Pro Tem Reid, President Gibson McElhaney And Councilmember Guillen  
Recommendation: Adopt A Resolution Honoring Brooke A. Levin For 26 Years Of Exemplary Service To Oakland Public Works Department And Congratulating Her On Her Retirement  
16-0534

*Staff requested to add President Pro Tempore Reid as a co-sponsor and President Gibson McElhaney.*

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/7/2017

From The January 10, 2017 Community and Economic Development Committee

Subject: Ordinance To Encourage And Incentivize The Development Of Worker-Owned Businesses In The City Of Oakland  
From: Vice Mayor Campbell-Washington, Councilmember Kalb and Councilmember Kaplan  
Recommendation: Adopt An Ordinance Adding Chapters 2.44, Worker Cooperatives Incentives For Growth Ordinance; Chapter 2.45, Worker Cooperative Support Program; And Chapter 2.46, Business Succession Planning Opportunity And Outreach Tracking, To The Oakland Municipal Code To Establish Incentives, Support And Planning To Encourage And Incentivize The Development Of Worker-Owned Businesses In The City Of Oakland And Provide Financial Assistance, And Amending Oakland Municipal Code Chapter 2.04, Purchasing System To Establish Worker Cooperative Preferences In Contracting And Chapter 5.02, Business Permits Generally, To Establish Worker Cooperative Business Tax And Permit Requirements 16-0454

*Staff requested to withdraw this item from the Community and Economic Development Committee meeting on 1/10/2017 and add Councilmember Kaplan as a co-sponsor.*

**This City Resolution be Withdrawn with No New Date.**

**Regarding the January 10, 2017 Life Enrichment Committee**

1 Subject: Healthy Vending Ordinance  
From: Vice Mayor Campbell Washington  
Recommendation: Adopt An Ordinance Setting Nutritional Standards For Food And Beverages Sold In Vending Machines On City Property Or Served At City Meetings And Events  
16-0412

*Staff requested to change the title to read as follows: "Adopt An Ordinance Adding Chapter 8.15 To The Oakland Municipal Code To (1) Require That Prepackaged Food And Beverages Sold In Vending Machines On City Property Meet Specified Nutritional Standards, (2) Request City Departments To Meet Nutritional Guidelines For Food And Beverages Purchased With City Funds And Served At City Events And Meetings, And (3) Encourage Restaurants Located On City Property To Offer Healthy Food Options."*

**From The January Community and Economic Development Pending List**

- 7 Subject: Amendments To Relocation Assistance Requirements  
From: Councilmember Rebecca Kaplan  
Recommendation: Adopt An Ordinance To Amend The Code Enforcement Relocation Program, O.M.C. Chapter 15.60, To: (1) Increase Relocation Payments For Tenants Displaced For Code Compliance Repairs; (2) Redefine Tenant Eligibility For Relocation Payments To Expand Eligibility For Such Payments; And (3) Enhance Penalty Provisions And Remedies For Violations Of O.M.C. Chapter 15.60  
15-0240

*Staff requested to add this item to the Community and Economic Development Committee meeting agenda on 1/10/2017.*

This Ordinance be Scheduled.to go before the \*Community & Economic Development Committee to be heard 1/10/2017

**From the Public Works Committee Pending List**

- Subject: "Push\Pull" Rates For Multi-Family Buildings  
From: Councilmemeber Kalb And Councilmember Kaplan  
Recommendation: Receive Updated Status Report And Recommendations On Efforts And Strategies To Reduce Waste Management's And California Waste Solutions's Zero-Waste 'Push\Pull' Service Costs For Multi-Family Buildings, Including Information Provided By Waste Management Of Alameda County; On The First Public Works Committee Meeting Agenda January 2017  
16-0367

*Councilmember Kalb requested to move this item to the 2/14/2017 Public Works Committee meeting agenda.*

This Informational Report be Scheduled.to go before the \*Public Works Committee to be heard 2/14/2017

- 5 THERE ARE NO AGENDAS FOR THE WEEK OF DECEMBER 27, 2016 ALL MEETINGS ARE CANCELLED  
16-0492

- 6 Subject: Appointment Of Debra Mesaros To Housing, Residential Rent And Relocation Board  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Debra Mesaros To The Housing, Residential Rent And Relocation Board As A Tenant Representative  
16-0503

*There is 1 speaker on this item.*

A motion was made by Dan Kalb, seconded by Abel J. Guillén, that this matter be Approve the Recommendation of Staff, and Forward to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 1/17/2017. The motion carried by the following vote:

Excused: 1 - Reid

Aye: 3 - Guillén, Kalb, and Gibson McElhane

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

*There were 2 speakers on Open Forum.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:46 a.m.*

**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.