



City of Oakland

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

Meeting Minutes - FINAL *Rules & Legislation Committee

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

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

Thursday, September 27, 2018

10:45 AM

City Council Chamber, 3rd Floor

***The Oakland City Council Rules And Legislation Committee convened at 11:01 am,
with Council President Reid presiding as Chairperson.***

Roll Call / Call To Order

Excused 1 - Abel J. Guillén

Present 3 - Lynette McElhaney, Laurence E. Reid, and Annie Campbell Washington

1 Determinations Of Closed Session

[18-0884](#)

Attachments: [View Report](#)

There will be a Closed Session at 3 P.M. on October 2, 2018

A motion was made by Annie Campbell Washington, seconded by Lynette McElhaney, that this matter be Accepted. The motion carried by the following vote:

Excused: 1 - Guillén

Aye: 3 - McElhaney, Reid, and Campbell Washington

NO VOTE: 0

2 Approval Of The Draft Minutes From The Committee Meeting Of September 13, 2018

[18-0885](#)

Attachments: [View Report](#)

A motion was made by Lynette McElhaney, seconded by Annie Campbell Washington, that this matter be Accepted. The motion carried by the following vote:

Excused: 1 - Guillén

Aye: 3 - McElhaney, Reid, and Campbell Washington

NO VOTE: 0

3 Determination Of Schedule Of Outstanding Committee Items
[18-0886](#)

Attachments: [View Report](#)

There was 1 speaker on this item.

A motion was made that this matter be Accepted. The motion carried by the following vote:

Excused: 1 - Guillén

Aye: 3 - McElhaney, Reid, and Campbell Washington

NO VOTE: 0

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[18-0887](#)

Attachments: [View Report](#)

There were 3 speakers on this item.

A motion was made by Lynette McElhaney, seconded by Annie Campbell Washington, that this matter be Accepted. The motion carried by the following vote:

Excused: 1 - Guillén

Aye: 3 - McElhaney, Reid, and Campbell Washington

NO VOTE: 0

- 4.1 Subject: Encourage The Development Of Transit-Oriented And Affordable Housing
From: Councilmember Kaplan
Recommendation:

[OLD TITLE]

Adopt An Ordinance To Allow For Increased Housing Units (Raising Height And Density Limits, Reducing Parking Requirements) In Specified Transit-Oriented Locations When Affordable And Workforce Housing Conditions Are Met, To Increase The Transit-Accessible Housing Supply For All Income Levels In Oakland

[NEW TITLE]

Adopt A Resolution Requesting The Planning Commission To Consider Incentives To Encourage Transit-Oriented Housing, Including Affordable Housing, In The City Of Oakland, Such As Allowing Greater Height And Density And Reduced Parking Requirements On Transit Corridors, And To Forward Its Recommendations For Action To The City Council; On The November 13, 2018 Community And Economic Development Committee Agenda

[18-0879](#)

The Committee delayed the scheduling of this item until next week.

This City Resolution be No Action Taken.

- 4.2 Subject: Defining "People Of Color" And A Breakdown Of Services Rendered
From: Member Of The Public: Etta Johnson
Recommendation: Receive An Informational Report From The City Administrator Defining "People Of Color" And A Breakdown Of Services Rendered To Each Race Including African Americans; As Soon As Possible On The City Council Agenda

[18-0944](#)

This Informational Report be No Action Taken.

- 4.3 Subject: Updates To The Conflict Of Interest Code
From: Office Of The City Clerk
Recommendation: Adopt An Ordinance Amending The City Of Oakland's Conflict Of Interest Code (Ordinance Number 11562 C.M.S , Adopted March 23, 1993, As Amended, Oakland Municipal Code Chapter 3.16) Enacting A Conflict Of Interest Code For City Of Oakland Employees, Members Of Boards And Commissions, And Consultant Positions To Update The Designation Of Positions Covered By The Code

[18-0945](#)

This Ordinance be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 10/30/2018

- 4.4 Subject: Informational Presentation Regarding Measure FF
From: Outside Agency: East Bay Regional Park District
Recommendation: Receive A Presentation By The East Bay Regional Park District Regarding Measure FF Which Is On The November 6, 2018 Ballot; On The October 16, 2018 City Council Agenda
[18-0946](#)

This Informational Report be No Action Taken.

- 4.5 Subject: Resolution Setting Forth Oakland’s Public Lands Policy Framework
From: Councilmember Guillén And Kaplan
Recommendation: Adopt A Resolution Setting Forth Oakland’s Public Lands Policy Framework And Directing Staff To Return To Council With An Ordinance To Codify These Policies. [NEW TITLE]
[18-0522](#)

Attachments: [View Report Guillen And Kaplan Report](#)

[View Report](#)

[View Report Attachments A-G](#)

[View Supplemental Report 6-15-2018](#)

[View Supplemental Report Attachments A - B](#)

[View Supplemental Report 6-22-2018](#)

[View Supplemental Presentation 6-22-2018](#)

[View Supplemental Report 7-13-2018](#)

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/16/2018

- 5 A Review Of The Council Committees' Actions From September 25, 2018 And Determination Of Scheduling To The City Council Meeting Of October 2, 2018 (MATRIX)
[18-0888](#)

Attachments: [View Report](#)

A motion was made by Annie Campbell Washington, seconded by Lynette McElhaney, that this matter be Accepted as Amended. The motion carried by the following vote:

Excused: 1 - Guillén

Aye: 3 - McElhaney, Reid, and Campbell Washington

NO VOTE: 0

CHANGES MADE TO THE PUBLIC WORKS COMMITTEE MATRIX

Subject: Department Of Transportation's Performance Report
From: Councilmembers Brooks
Recommendation: Receive An Informational Report On The New Department Of Transportation's Performance
[18-0532](#)

Attachments: [View Report](#)

This Report and Recommendation be Scheduled.to go before the *Public Works Committee to be heard 10/9/2018

Subject: Acceptance Of California Active Transportation Grants
From: Department Of Transportation
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator Or Her Designee To Accept And Appropriate Ten Million Five Hundred Seventy-Eight Thousand Dollars (\$10,578,000.00) In Active Transportation Program Funds Assigned To The California Transportation Commission For The 14th Street Safe Routes In The City Project, And; Commit Matching Funds Of Up To Three Million Four Hundred Fifty-Four Thousand Dollars (\$3,454,000.00); And

[18-0893](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 10/9/2018

2) A Resolution Authorizing The City Administrator Or Her Designee To Accept And Appropriate Five Million Eight Hundred Fifty Thousand Dollars (\$5,850,000.00) In Active Transportation Program Funds Assigned To The California Transportation Commission For The Fruitvale Alive Gap Closure Project, And; Commit Matching Funds Of Up To Two Million Four Hundred Forty-One Thousand Dollars (\$2,441,000.00)

[18-0894](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 10/9/2018

Subject: Update On Let's Bike Oakland
From: Department Of Transportation
Recommendation: Receive An Informational Report On The Status Of Let's Bike Oakland, Oakland's Citywide Bike Plan
[18-0853](#)

Attachments: [View Report](#)

This Informational Report be Scheduled.to go before the *Public Works Committee to be heard 10/9/2018

Subject: Update On Illegal Dumping
From: Oakland Public Works
Recommendation: Receive An Informational Report Providing An Update On Oakland Public Works' Efforts To Address Illegal Dumping In The City, Including An Evaluation Of Oakland Public Works' Proactive Illegal Dumping Pickup Program
[18-0864](#)

Attachments: [View Report](#)
[View Supplemental Report 10/5/2018](#)

This Informational Report be Scheduled.to go before the *Public Works Committee to be heard 10/9/2018

Subject: Sheriff Work Alternative Program
From: Oakland Public Works
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Execute An Agreement With Alameda County For The City's Participation In The Sheriff's Office Work Alternative Program (SWAP) Through The Oakland Public Works Department (OPW) For A Term Of Five (5) Years, With Three (3) Two (2) Year Options To Extend Without Returning To Council, And 2) Add Individuals Participating In The Swap To The City's Self-Administered And Excess Workers' Compensation Programs
[18-0863](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 10/9/2018

Subject: Capital Improvement Program Prioritization Process Update
From: Oakland Public Works
Recommendation: Adopt A Resolution To Approve The Updated Capital Improvement Program Prioritization Process, Adopt The Weighting System And Authorize The City Administrator To Implement The Process Beginning Budget Cycle FY2019-21
[18-0857](#)

Attachments: [View Report](#)
[View Supplemental Report 9-21-2018](#)

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 10/9/2018

Subject: Cal Fire Urban Forestry Grant
From: Oakland Public Works
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept And Appropriate Nine Hundred Seventy Thousand, One Hundred Thirty Dollars And Eight Cents (970,130.08) From The California Department Of Forestry And Fire Protection (Cal Fire) Urban And Community Forestry Grant Program, As Provided Through The Greenhouse Gas Reduction Fund, For Completion Of A Citywide Street And Urban Park Tree Inventory, Development Of Oakland's Urban Forest Master Plan (UFMP), And The Planting Of Seven Hundred (700) Trees; 2) Waive The Advertising And The Competitive Request For Proposal/Qualification Selection Requirements For Related Community Engagement Services And Award A Contract To Oakland Climate Action Coalition In The Amount Of Forty-Six Thousand Dollars (46,000); And 3) Authorize The City Administrator To Accept And Award A Contract For Citywide Street And Urban Park Tree Inventory And Oakland's Urban Forest Master Plan In An Amount Of Six Hundred Twenty-Five Thousand Dollars (625,000) To The Successful Proposer After Conducting A Competitive Request For Proposal Without Returning To Council
[18-0856](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 10/9/2018

CHANGES MADE TO THE PUBLIC SAFETY COMMITTEE MATRIX

Subject: Unapproved Surveillance Technology Usage
From: Oakland Police Department
Recommendation: Receive An Informational Report From The Oakland Police Department With Information Regarding Usage of Unapproved Surveillance Technology
[18-0858](#)

Attachments: [View Report](#)

This Informational Report be Scheduled.to go before the *Public Safety Committee to be heard 10/23/2018

Subject: Monthly Police Staffing Report
From: Oakland Police Department
Recommendation: Receive The Oakland Police Department's (OPD) Monthly Informational Report On Recruiting And Sworn Staffing Levels As Of July 31, 2018
[18-0870](#)

Attachments: [View Report](#)

[View Supplemental Report 10-12-2018](#)

This Informational Report be Scheduled.to go before the *Public Safety Committee to be heard 10/23/2018

Subject: Quarterly Reports Regarding Police Training, Policy & Accountability
From: Office Of The City Attorney & Oakland Police Department
Recommendation: Receive The Quarterly Informational Report With Information Regarding Internal Affairs Investigations, Police Personnel Trainings, Updates To Police Policy, And Recent Developments In Police Discipline
[18-0507](#)

Attachments: [View Report](#)
[View Supplemental Report 5-18-2018](#)
[View Supplemental Report 8-31-2018](#)
[View Supplemental Report 10-12-2018](#)

This Informational Report be Scheduled.to go before the *Public Safety Committee to be heard 10/23/2018

Subject: Overtime Expenditures In The Police And Fire Departments
From: Finance Department
Recommendation: Receive This Monthly Report From The Oakland Police Department (OPD) And Oakland Fire Department (OFD) That Includes Additional Information On Overtime Policies, Procedures, And Controls
[18-0871](#)

Attachments: [View Police Report](#)
[View Fire Report](#)
[View Supplemental Report 9-21-2018](#)
[View Supplemental Report 10-12-2018](#)

This Informational Report be Scheduled.to go before the *Public Safety Committee to be heard 10/23/2018

Subject: Oakland Measure Z Policing Services Evaluation: Year 1 Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Of The First Evaluation By Resource Development Associates Of Policing Services Funded Through The Safety And Services Act Of 2014 (Measure Z)
[18-0222](#)

Attachments: [View Report](#)
[View Supplemental 4/13/2018](#)
[View Supplemental Report 6-22-2018](#)

This Informational Report be Scheduled.to go before the *Public Safety Committee to be heard 10/23/2018

CHANGES MADE TO THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

Subject: Loan Term Extension For Madison Park Apartments
From: Housing Development Services
Recommendation: Adopt A Resolution Amending Oakland Redevelopment Successor Agency Resolution No. 2011-0015 To Extend The Term Of The Existing Madison Park Apartments Loan To The Earlier Of Fifty-Five (55) Years From Permanent Loan Conversion Or December 31, 2076 And To Change The Interest Rate Of The Existing Loan To The Long-Term, Compounding Applicable Federal Rate (AFR)
[NEW TITLE]
[18-0860](#)

Attachments: [View Report](#)
[View Supplemental Report 10-12-2018](#)
[View Supplemental Report 10-19-2018](#)

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/16/2018

6 A Review Of The Draft Agendas For The Council Committee Meetings Of October 9, 2018 And The Rules And Legislation Committee Of October 11, 2018
[18-0890](#)

Attachments: [View Report](#)

A motion was made by Annie Campbell Washington, seconded by Lynette McElhaney, that this matter be Accepted as Amended. The motion carried by the following vote:

Excused: 1 - Guillén

Aye: 3 - McElhaney, Reid, and Campbell Washington

NO VOTE: 0

CHANGES MADE TO THE DRAFT FINANCE AND MANAGEMENT COMMITTEE

CHANGES MADE TO THE OCTOBER 9, 2018 DRAFT PUBLIC WORKS COMMITTEE AGENDA

CHANGES MADE TO THE OCTOBER 9, 2018 DRAFT COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

Subject: Safe Parking Program For The Unsheltered
 From: Human Services Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator To: Enter Into A Grant Agreement With A Fiscal Sponsor On Behalf Of The Interfaith Council Of Alameda County In An Amount Not To Exceed \$300,000 To Provide A Safe Parking Program For Persons Living In Vehicles For A Grant Term Commencing On November 1, 2018 And Ending October 31, 2019; And If Additional Funds Become Available Amend The Grant Agreement To Increase The Grant Amount For The Provision Of Additional Safe Parking Sites Within The Grant Term

[18-0910](#)

Attachments: [View Report](#)

Staff read a Title Change Into Record

This City Resolution be Scheduled to go before the *Life Enrichment Committee to be heard 10/9/2018

7 Subject: Board Of Port Commissioners Appointment
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Appointment Of Yui Hay Lee To The Board Of Port Commissioners

[18-0878](#)

Attachments: [View Report](#)

[87359 CMS](#)

There was 1 speaker on this item.

A motion was made by Annie Campbell Washington, seconded by Lynette McElhaney, that this matter be Approved 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 10/2/2018. The motion carried by the following vote:

Excused: 1 - Guillén

Aye: 3 - McElhaney, Reid, and Campbell Washington

NO VOTE: 0

Open Forum (Total Time Available: 15 Minutes)

2 speakers spoke during 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 12:15 p.m.

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

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 238-3254

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.**