



SUPPLEMENTAL

City of Oakland

Meeting Agenda

*Rules & Legislation Committee

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

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

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

Thursday, February 06, 2014

10:45 AM

City Council Chambers - 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:

Dan Kalb, District 1; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Chairperson: Council President Patricia Kernighan, District 2

- 1 Determinations Of Closed Session
 - 2 Approval Of The Draft Minutes From The Committee Meeting Of January 23, 2014
 - 3 Determination Of Schedule Of Outstanding Committee Items
([rules020614item3](#))
 - 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
- S-4.1 Subject: Affiliation Agreement With Peralta Community College
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into An Agreement With The Peralta Community College District

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(Peralta Community College) To Affiliate Public Safety Training Courses With The Oakland Police Department (OPD) And To 1) Accept And Appropriate Funds In An Estimated Amount Of Two Hundred Thousand, Three Hundred Forty-Eight Dollars (\$200,348) For The Purposes Of Additional Training Of OPD Personnel; And 2) The Development Of A Public Safety Training Facility; And To 3) Accept Future Funds If Additional Academies Are Approved; On The February 25, 2014 Public Safety Committee Agenda

[\(13-0332\)](#)

S-4.2

Subject: Citizens Options For Public Safety (COPS) Grant Fiscal Year 2013-2015

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Accept And Appropriate Fiscal Years (FY) 2013-2015 State Of California Citizens Options For Public Safety Grant (COPS Grant FY 2013-2015) In An Amount Up To Six Hundred Thirty-Five Thousand And Seven Hundred Twenty-One Dollars (\$635,721) To Fund Equipment Purchase, Equipment Repair And Maintenance For The Oakland Police Department In Accordance With The Spending Plan; On The February 25, 2014 Public Safety Committee Agenda

[\(13-0336\)](#)

S-4.3

Subject: Balancing The Remaining Fiscal Year 2013-14 Budget

From: Office Of The City Administrator

Recommendation: Request To Change The Title Of An Item Previously Scheduled To The February 25, 2014 Finance & Management Committee Agenda:

OLD TITLE: Adopt A Resolution Authorizing The City Administrator To Balance The Remaining Fiscal Year 2013-14, Increase Revenue In The General Purpose Fund Projection And Appropriate Additional Expenditures; And Direct Staff To Seek Balancing Measures For Fiscal Year 2014-15 And Bring The Recommendations Back To The City Council In Early June 2014 After The Close Of The Third Quarter

NEW TITLE: Resolution Authorizing The City Administrator To Balance The Remaining Fiscal Year 2013-14 Budget, (1) Increase Revenue In The General Purpose Fund Projection By \$18,122,435; (2) Appropriate Additional Expenditures In An Amount Not To Exceed \$7,428,824; (3) Increase General Purpose Fund Reserve In An Amount Of \$613,093; And (4) Direct Staff To Report Back With Cost Containment Strategies In May 2014 For The FY 2014-15 Budget; And Bring A Balanced Budget By The Mid-Cycle Budget Process In June 2014

[\(13-0314\)](#)

S-4.4

Subject: Comprehensive Annual Financial Report And Management Letter

From: Office Of The City Administrator

Recommendation: Receive An Informational Report Regarding The Comprehensive Annual Financial Report And Management Letter For Fiscal Year 2012-2013; On The March 11, 2014 Finance & Management Committee Agenda

[\(13-0333\)](#)

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- S-4.5 Subject: Wildfire Prevention Assessment District Audit Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Regarding Wildfire Prevention Assessment District Audit Report For The Year Ended June 30, 2013; On The February 25, 2014 Public Safety Committee Agenda
[\(13-0335\)](#)
- S-4.6 Subject: Settlement Agreement- Wanning Qian 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 Wanning Qian v. City Of Oakland, Alameda County Superior Court Case No. RG13-676548, In The Amount Of Two Million Dollars And No Cents (\$2,000,000.00) As A Result Of An Accident At 14th And Franklin Streets Where A Vehicle Driven By A City Employee Struck And Injured Wanning Qian At 14th And Franklin Streets (Public Works Agency); On The February 18, 2014 City Council Agenda
[\(13-0343\)](#)
- S-4.7 Subject: Follow-Up Reports Issued In 2013 By The City Auditor
From: Office Of The City Auditor
Recommendation: Receive The Office Of The City Auditor Follow-Up Reports Issued In 2013: PWA-IDAP Accounts Receivable Recommendation Follow-Up, Accounts Payable Duplicative Payments Recommendation Follow-Up, And Oakland Police Department Technology Recommendation Follow-Up; On The February 18, 2014 City Council Agenda As A Consent Item
[\(13-0326\)](#)
- S-4.8 Subject: Affordable Housing NOFA Funds
From: Department Of Housing And Community Development
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Appropriating \$1,078,483 From Fund Balance In The Low And Moderate Income Housing Asset Fund For Housing Development Activities; And
[\(13-0339\)](#)
 - 2) A Resolution Increasing The Amount Of An Affordable Housing Preservation And Rehabilitation Loan To East Bay Asian Local Development Corporation For The Marcus Garvey Commons Affordable Housing Development Located At 1769 Goss Street And 1766 7th Street By \$200,000 For A Total Loan Amount Of \$934,000 And Authorizing Loan Extensions And/Or Changes In Terms For Existing Loans For The Project; And
[\(13-0339-1\)](#)
 - 3) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$1,575,000 To Meta Housing Corporation For The Civic Center 14 TOD Rental Project Located At 632 14th Street; And
[\(13-0339-2\)](#)
 - 4) A Resolution Authorizing An Affordable Housing Development Loan In An Amount

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Not To Exceed \$2,750,000 To East Bay Asian Local Development Corporation For The 11th And Jackson Apartments Rental Project Located At 1110 Jackson Street; And
[\(13-0339-3\)](#)

5) A Resolution Increasing The Amount Of An Affordable Housing Loan To Related Companies Of California And Acts Community Development Corporation For The 94th And International Affordable Housing Development Located At 94th Avenue And International Boulevard By \$2,150,000 For A Total Loan Amount Of \$7,747,000; And
[\(13-0339-4\)](#)

6) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$750,000 To Habitat For Humanity East Bay/Silicon Valley For The Oakland Home Renovation Program; And
[\(13-0339-5\)](#)

7) A Resolution Increasing The Amount Of An Affordable Housing Loan To California Hotel Oakland, L.P. For The California Hotel Affordable Housing Development Located At 3501 San Pablo Avenue By \$210,000 For A Total Loan Amount Of \$8,631,000; On The February 25, 2014 Community And Economic Committee Agenda
[\(13-0339-6\)](#)

S-4.9

Subject: Amendments To Capital Improvement Regulations
From: Department Of Housing And Community Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving An Amendment To The Rent Adjustment Program Regulations Revising Regulation 10.2.3(2)(3) (Appendix A) To Allow Amortization Periods Up To 20 Years, To Impose A 10 Percent Cap On Any Capital Improvement Pass Through In A 12-Month Period, And To Require That Owners File A Petition For A Capital Improvement Rent Increase; And
[\(13-0341\)](#)

2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. 8.22.090b) To Require Property Owners Seeking Rent Increases Based On Capital Improvements That Benefit All The Units In A Building To File An Owner Petition; On The February 25, 2014 Community & Economic Development Committee Agenda
[\(13-0341-1\)](#)

S-4.10

Subject: Amendments To Debt Service Regulations
From: Department Of Housing And Community Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting Amendments To Rent Adjustment Regulations Appendix A, Section 10.4 To Require That Debt Service Rent Increases For Newly Purchased Rental Properties Not Exceed Debt Service Calculated On A Standard Financing Model, To Limit Debt Service Rent Increases To A One-Time Cap Of Seven Percent Over The Current Allowable Rent Increase, To Require Any Petition Requesting A Rent Increase Based On Debt Service Be Filed Within Three (3) Years Of The Date Of Closing On The Purchase, And To Adopt A Grandparent Clause; And

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[\(13-0342\)](#)

2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. 8.22.090b) To Require Property Owners Seeking Rent Increases Based On Debt Service To File Owner Petitions

[\(13-0342-1\)](#)

Should The City Council Wish To Take A Different Approach To The Issue Of Rent Increases Related To Debt Service, Staff Alternatively Recommends Adoption Of The Following Pieces Of Legislation:

1) A Resolution To Adopt Amendments To The Rent Adjustment Regulations Appendix A, Section 10.4 To Provide For A Grandparent Clause For Rental Properties With A Purchaser At The Enactment Of Elimination Of Debt Service As A Justification For A Rent Increase; And

[\(13-0342-2\)](#)

2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. Sections 8.22.020 And 8.22.070) To Eliminate Debt Service As A Justification For A Rent Increase; On The February 25, 2014 Community & Economic Development Committee Agenda

[\(13-0342-3\)](#)

S-4.11

Subject: Salary Ordinance Amendment - Municipal Code Companion

From: Department Of Human Resources Management

Recommendation: Request To Change The Title Of An Item Previously Scheduled To The February 25, 2014 Finance & Management Committee Agenda

OLD TITLE: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Make Changes, Additions, And Deletions To The Salary Schedule To: (1) Change Classification Titles Of Directors For The Agencies/Departments Of Fire, Finance & Management, Public Works Parks & Recreation Community & Economic Development, Planning & Building, And Development; (2) Increase The Salary Range For Directors Of Housing & Community Development And Budget; (3) Add The Classification Of Equal Employment Opportunity Officer; And (4) Delete Obsolete Or Duplicative Agency/Department Director Classifications

NEW TITLE: An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Make Changes, Additions, And Deletions To The Salary Schedule To: (1) Change Classification Titles Of Directors For The Departments Of Fire, Finance, Public Works, Parks & Recreation, Planning & Building, Economic And Workforce Development; (2) Increase The Salary Range For Directors Of Housing & Community Development, Director Of Planning & Building, And Budget; (3) Add The Classification Of Equal Employment Opportunity Officer; And (4) Delete Obsolete Or Duplicative Department Director Classifications

[\(13-0307\)](#)

S-4.12

Subject: Public Works Agency Vacant Budgeted Positions

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From: Department Of Human Resources Management
Recommendation: Receive An Informational Report Pertaining To Vacant Budgeted Positions In The Public Works Agency As Of January 22, 2014; On The February 25, 2014 Public Works Committee Agenda
[\(13-0340\)](#)

S-4.13 Subject: Establishing No Parking Zone On Bancroft Avenue
From: Public Works Agency
Recommendation: Adopt A Resolution To Establish A No Parking Zone On The South Side Of Bancroft Avenue Between 68th Avenue And 73rd Avenue; On The February 25, 2014 Public Works Committee Agenda
[\(13-0331\)](#)

S-4.14 Subject: Establishing A Residential Permit Parking Area "O"
From: Public Works Agency
Recommendation: Adopt A Resolution To Establish Residential Permit Parking Area "O" On Parts Of West Street, 14th Street And 15th Street West Of Interstate 980; On The February 25, 2014 Public Works Committee Agenda
[\(13-0334\)](#)

S-4.15 Subject: Raising The City Of Oakland's Minimum Wage Compensation
From: Vice Mayor Reid
Recommendation: Receive An Informational Report On The Impacts Of Raising The City Of Oakland's Minimum Wage Compensation For Workers From 8.00/Hour To 9.00/Hour In 2015 And Up To 10.00/Hour In 2016; On The March 11, 2014 Community And Economic Development Committee Agenda
[\(13-0345\)](#)

S-4.16 Subject: Employee Retention Plan For The Oakland Police Department
From: Oakland Police Department
Recommendation: Receive An Informational Report On The Oakland Police Department's Employee Retention Plan; On The February 25, 2013 Public Safety Committee Agenda
[\(13-0344\)](#)

S-4.17 Subject: West Nile Virus Awareness Week Presentation
From: Council President Patricia Kernighan
Recommendation: Receive A Brief Presentation By The Alameda County Mosquito Abatement District Regarding West Nile Virus Awareness Week In Alameda County; On The April 22, 2014 City Council Agenda As A Ceremonial Item
[\(13-0337\)](#)

S-4.18 Subject: Hypertension Screening and Education Sunday
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Naming February 23, 2014 As Frank E. Stagers, Sr., M.D. Hypertension Screening and Education Sunday; On The February 18, 2014 City Council Agenda As A Consent Item
[\(13-0338\)](#)

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- S-4.19 Subject: Endorsing The Alameda County Transportation Expenditure Plan
From: President Pro Tempore Kaplan And Vice Mayor Reid
Recommendation: Adopt A Resolution To Endorse The Alameda County
Transportation Expenditure Plan And Support A Proposal From The Alameda County
Transportation Commission That The City Council Recommend To The Alameda
County Board Of Supervisors Placement Of An Extension And Augmentation Of The
Existing Transportation Sales Tax On The November 2014 Ballot; On The March 4,
2014 City Council Agenda
[\(13-0327\)](#)
- S-4.20 Subject: Update Zoning Regulations For Crop Cultivation
From: President Pro Tempore Kaplan And Councilmembers Schaaf And Gallo
Recommendation: Adopt Updated Zoning Regulations For Crop Cultivation Under
Urban Agriculture; On The June 10, 2014 Community & Economic Development
Committee Agenda And As A Public Hearing On June 17, 2014
[\(13-0328\)](#)
- S-4.21 Subject: Revisions To Local Amendments To State Building Code
From: President Pro Tempore Kaplan And Councilmembers Schaaf And Gallo
Recommendation: Adopt Revisions To Local Amendments To State Building Code; On
The May 13, 2014 Community & Economic Development Committee Agenda And As A
Public Hearing On May 20, 2014
[\(13-0329\)](#)
- S-4.22 Subject: Establishing A Registry For Vacant Commercial Properties And Lots
From: President Pro Tempore Kaplan And Councilmembers Schaaf And Gallo
Recommendation: Adopt A Resolution Establishing Council Policy To Create A
Registry For Vacant Ground Floor Commercial Properties And For Vacant Lots, And
Directing Staff To Return To Council Within 90 Days Of Adoption Of This Resolution,
With An Implementation System To Accomplish This Goal; On The April 8, 2014
Community & Economic Development Committee Agenda
[\(13-0330\)](#)
[\(rules020614item4\)](#)
- 5 A Review Of The Draft Agendas For The City Council Meeting Of February 18, 2014
And The Rules And Legislation Committee Of February 20, 2014
[\(rules020614item5\)](#)
- 6 Subject: Deadlines For Ballot Initiatives For The November 2014 Ballot
From: Office Of The City Clerk
Recommendation: Receive An Informational Report Providing Deadlines For Placing
Initiatives On Ballot For The November 4, 2014 Election
[\(13-0309\)](#)
- S-7 Subject: Townsend Public Affairs Contracts
From: Office Of The Mayor
Recommendation: Adopt A Resolution Awarding Two Contracts To Townsend Public
Affairs To Serve As The City Of Oakland State Lobbyist From May 1, 2013 To

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September 30, 2015 For An Amount Not To Exceed \$304,500 And To Serve As The City Of Oakland Federal Lobbyist From June 1, 2013 To September 30, 2015 For An Amount Not To Exceed \$168,000, And Waiving Advertising And The Request For Proposals/Qualifications Process For Each Contract
(13-0317)

This item was placed on the agenda by the January 30, 2014 Rules and Legislation Committee.

This item requires an Urgency Finding (2/3 majority vote) pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance, prior to hearing the item.

Open Forum (Total Time Available: 15 Minutes)

Adjournment

NOTE: 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 48 hours 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.

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(TTD)

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.

**LaTonda Simmons
City Clerk and
Clerk of the Council**