



City of Oakland

Office of the City Clerk
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Oakland, California 94612
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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, June 2, 2016

10:45 AM

City Council Chamber, 3rd Floor

Roll Call / Call To Order

The Oakland City Council Rules and Legislation Committee convened at 10:57 a.m., with President Pro Tempore Reid presiding as Chairperson.

Excused 1 - Lynette Gibson McElhaney

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

1 Determinations Of Closed Session

[15-1038](#)

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 May 19, 2016

[15-1039](#)

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

[15-1040](#)

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

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[15-1041](#)

There were 2 speakers on this item.

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

- 4.1 Subject: ShoreTel Telephone System Upgrade
From: Information Technology Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: (1) Procure Hardware, Software, And Professional Services To Replace Existing ShoreTel Handsets And Install Shoretel Telephone Systems In The Oakland Main Library And Police Administration Building For An Amount Not To Exceed One Million Three Hundred Twenty-Five Thousand Dollars (\$1,325,000) From The Telephone Equipment And Software Internal Service Fund Balance; (2) Annually/Biennially Appropriate From The Telephone Equipment Internal Service Fund Balance Through The Budget Process, For The Purchase Of Equipment, Maintenance, Professional Services, And Costs Associated With The City's Telephone, Network And Telecommunication Services; And (3) Waive The Competitive Bidding, Advertising And Request For Proposals/Qualification Process, And Negotiate Agreement(s) With Authorized Vendors For The Above Products And Services For A Period Not To Exceed 5 Years
[15-1149](#)

This City Resolution was Scheduled.to the *Finance & Management Committee to be heard 6/14/2016

- 4.2 Subject: West Oakland Job Resource Center Fiscal Contract
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administraffor To: 1) Waive The Advertising, Competitive Bid, And Request For Proposals/Qualifications Process; And 2) Amend The Contract With Urban Strategies Council To Act As The Fiscal Agent For The West Oakland Job Resource Center To Increase The Contract Amount From \$155,000 To \$212,936 (Previously Amended By Resolutions 85251 C.M.S. And 85661c.M.S.) And To Extend The Termination Date To June 30, 2017
[15-1144](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 6/14/2016

- 4.3** Subject: Workforce Development Board FY 2016-17 Budget And Contracts
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution (1) Adopting The Fiscal Year 2016-2017 Workforce Investment Budget; (2) Accepting And Appropriating Workforce Innovation And Opportunity Act (WIOA) Title I Formula Funds For Adult, Dislocated Worker, Youth And Rapid Response Services; (3) Authorizing Contracts With Service Providers Competitively Selected By The Oakland Workforce Development Board To Provide Comprehensive, Sector Access, Business Engagement And Youth Services From WIOA Title I Formula Funds For Fiscal Year 2016-2017; (4) Accepting Grant Funds For Fiscal Year 2016-17 From The Bay Area Rapid Transit District For Workforce Development Services In The Amount \$43,500; (5) Authorizing The City To Apply For, Accept And Appropriate Grants And Contributions For Workforce Development Services Beyond The WIOA Title I Formula Funding Up To \$200,000 With The Approval Of The Oakland Workforce Development Board Without Returning To Council; And (6) Authorizing A Contract With CiviCorps To Provide Youth Services Using Unencumbered Funds From Fiscal Year 2015-16 In The Amount Of \$106,864
[15-1145](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 6/14/2016

- 4.4** Subject: Recyclers ENA Extension And Anticipated Land Sales Proceeds Revenue Bridge Funding
From: Office Of City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:
(1) A Resolution Authorizing the City Administrator To Negotiate And Execute A Fourth Amendment To The Exclusive Negotiating Agreement (ENA) By And Between The CITY OF OAKLAND, A Municipal Corporation ("City"), CALIFORNIA WASTE SOLUTIONS, INC. ("CWS") And CASS, INC ("CASS"), Two California Corporations For A Term Of 90 Days To Undertake Due Diligence And Negotiate The Terms Of A Disposition And Development Agreement ("DDA") For Proposed Recycling Facilities On The North Gateway Development Area ("Property") Of The Former Oakland Army Base; And
[15-1147](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 6/14/2016

(2) A Resolution Authorizing Land Sales Proceeds Revenue Bridge Funding Not To Exceed \$12.2 Million Dollars To Be Secured And Refunded From The Sale Of City Owned Property Located On The North Gateway Development Area ("Property") At The Former Oakland Army Base For The Purpose Of Meeting The Timing Of Cash Flow Needs For Construction Of The City's Public Improvement Obligations At The Former Oakland Army Base Previously Committed To By The City And Acceptance And Appropriation Of An Alameda County Transportation Commission Measure BB Grant In An Amount Not To Exceed \$46 Million Of ("Additional Funding") For Related Roadway Infrastructure And Truck Parking Improvements; On June 14, 2016
Community And Economic Development Committee Agenda

[15-1148](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 6/14/2016

- 4.5** Subject: 2400 Valdez Street Appeal
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying An Appeal By Oakland Residents For Responsible Development And Thus Upholding The Planning Commission's Approval Of A Proposal To Construct 225 Dwelling Units Over Approximately 23,000 Square Feet Of Retail Located At 2400 Valdez Street, Oakland CA (Project Case No. PLN 15-336), Including Adopting CEQA Exemptions And An Addendum (Relying On The Previously Certified 2014 Broadway Valdez District Specific Plan EIR)

[15-1146](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 6/14/2016

- 4.6** Subject: Adoption Of Legislation To Place An Infrastructure Bond On The November 2016 Ballot
From: Office of City Administrator
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The November 8, 2016 Statewide General Election, A Proposed Ordinance To Authorize Issuance Of \$600 Million General Obligation Bonds To Fund Various City Infrastructure And Affordable Housing Projects; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 8, 2016 Statewide General Election; Action Taken In Reliance On Previously Certified Environmental Impact Reports And CEQA Exemptions Without Limitation, CEQA Guidelines 15162,15183,15183.3 And 15378

[15-1174](#)

This City Resolution was Scheduled.to the *Finance & Management and Public Works Committees to be heard 6/14/2016

- 4.7** Subject: Receive An Informational Report On The Status Of Measure “B”, Measure “BB” And “Vehicle Registration Fees”
From: Councilmember Rebecca Kaplan
Recommendation: Receive An Informational Report From Staff/Administration On The Budget Status Of The Funds In Measure “B”, Measure “BB” And “Vehicle Registration Fees,” Including Specifically: (1) The June 2016 Fund Balance For Each Of These Three Funds (2) Actual Expenditures And Revenues For The Year ’15-’16 For Each, (3) Budgeted Expenditure And Revenue For The Years 15’-16’ And ’16-’17 For Each, (4) The Remaining Unexpended Fund Balance Now Projected In The Revised Budget For June 2017 And (5) If Any Of The Fund Balance Is Allocated But Not Yet Spent, A List Of Specific Projects To Which The Funds Are Allocated, With Amounts; On June 28, 2016 Public Works Agenda
[15-1176](#)

This Informational Report was Scheduled.to the *Public Works Committee to be heard 7/12/2016

- 4.8** Subject: Police Commission Charter Amendment Measure
From: Councilmembers Noel Gallo And Dan Kalb
Recommendation: Adopt A Resolution On The City Council’s Own Motion Submitting To The Voters At The November 8, 2016 Statewide General Election 1) A Proposed Amendment To The City Charter To Create The Oakland Police Commission, The Community Police Review Agency, And A Process For Police Discipline And 2) A Proposed Enabling Ordinance Relating To The Oakland Police Commission And The Community Police Review Agency, And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The Election
[15-1035](#)

This City Resolution was Scheduled.to the *Public Safety Committee to be heard 6/14/2016

DUE TO THE PRESENCE OF COUNCILMEMBER GALLO, KAPPLAN, AND VICE MAYOR CAMPBELL WASHINGTON A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND SECONDED TO ADJOURN THE MEETING OF THE RULES AND LEGISLATION COMMITTEE AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 11:07 A.M.

- 4.9** Subject: Renter Protection Act Of 2016 (Rent And Eviction Ordinance Amendments Ballot Measure)
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The November 8, 2016 Statewide General Election, A Proposed Ordinance To Strengthen Protections For Oakland Renters By: (1) Amending The Just Cause For Eviction Ordinance (O.M.C. 8.22.300 Et. Seq.) To Remove The Permanent New Construction Exemption And Replace It With An Exemption That Is Limited To The First Ten Years, (2) Amending The Rent Adjustment Ordinance (O.M.C. 8.22.010 Et Seq) To Require That Landlords Must Petition For Rent Increases In Excess Of The CPI-Based Formula Prior To Issuing Notices Of Such Increases, And (3) Amending O.M.C. Chapter 8.22 (Rent And Evictions) To Increase Transparency, Regular Reports From The Rent Program To The City Council; Increasing Duties And Powers Of The Rent Board; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 8, 2016 Statewide General Election
[15-1177](#)

Councilmember Guillen recused himself from this item; therefore creating lack of quorum on this item.

A motion was made that this matter be No Action Taken. The motion carried by a unanimous vote.

- 4.10** Subject: A Resolution Urging The Overturning Of The "Costa Hawkins" Law By The State Of California.
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution Urging The State Legislators And Governor To Repeal Or Modernize The Costa Hawkins Rental Housing Act
[15-1178](#)

This City Resolution was Scheduled.to the *Rules & Legislation Committee to be heard 6/16/2016

- 4.11** Subject: Army Base Real Estate Actions
From: Office of City Administrator
Recommendation: Adopt The Following Pieces of Legislation:
(1) Resolution Authorizing The City Administrator To Negotiate And Execute A Second Amendment To An Under-Freeway Easement With Caltrans To Facilitate Potential Development By Two Recyclers At The Former Oakland Army Base ; And
[15-1179](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 6/28/2016

(2) Ordinance Authorizing The City Administrator To Negotiate And Execute An Amendment To A Lease Disposition And Development Agreement (LDDA) With OMSS, LLC, To Delete The City's Obligation To Clear And Rough Grade A Portion Of The OMSS Development Site At The Former Oakland Army Base ; And

[15-1180](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 6/28/2016

(3) Ordinance Authorizing The City Administrator To Negotiate And Execute An Easement Agreement With East Bay Municipal Utility District For A 40 Foot-Wide Roadway On The Former Oakland Army Base ; And

[15-1181](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 6/28/2016

(4) A Resolution Authorizing The City Administrator To Negotiate And Execute A Utility Agreement With The Port Of Oakland In An Amount Not To Exceed \$200,000 For Fiscal Year 2016-17 And \$65,000 Annually Until December 31,2026 For The Provision Of Certain Utility Services At The Former Oakland Army Base

[15-1182](#)

This City Resolution was Scheduled.to the *Community & Economic Development Committee to be heard 6/28/2016

5 A Review Of The Draft Agendas For The Council Committee Meetings Of June 14, 2016 And The Rules And Legislation Committee Of June 16, 2016

[15-1042](#)

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: Support For AB 2707 - Stop Consumer Racial Profiling Act
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2707 (Ridley-Thomas) That Would Prohibit Businesses From Profiling Or Targeting A Person That Results In Differential Treatment Based On Race Or Ethnicity And A Denial Or Degredation Of The Product Or Service Offered To Customers

[15-1046](#)

A motion was made by Kalb, seconded by Reid, that this matter be Scheduled to the Meeting of the Oakland City Council, to be heard 6/7/2016. 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 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.

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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.