



# City of Oakland

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

## Meeting Agenda - SUPPLEMENTAL

### \*Rules & Legislation Committee

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

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

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Thursday, September 29, 2016

10:45 AM

City Council Chamber, 3rd Floor

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#### **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:**

Abel J. Guillén, District 2; Dan Kalb, District 1; President Pro Tempore Larry Reid, District 7; Chairperson: Council President Lynette Gibson McElhaney, District 3

1 Determinations Of Closed Session

[16-0122](#)

**Attachments:** [View Report](#)

- 2 Approval Of The Draft Minutes From The Committee Meetings Of July 21, 2016 and September 15, 2016  
[16-0123](#)  
**Attachments:** [View Report.pdf](#)  
[View Report.pdf](#)
- 3 Determination Of Schedule Of Outstanding Committee Items  
[16-0124](#)  
**Attachments:** [View Report](#)
- 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day  
[16-0126](#)  
**Attachments:** [View Report](#)
- 4.1 Subject: Illegal Dumping And Funding Needed For Improvements  
From: Vice Mayor Campbell Washington And Councilmember Kaplan  
Recommendation: Accept An Informational Report Providing Update On Current Status Of Illegal Dumping And General Waste In Streets, On Sidewalks And In Vacant Lots In The City Of Oakland, Including Implementation Of Cameras In Illegal Dumping Hot Spots; Data On Number And Locations Of Illegal Dumping Pick Ups By Waste Management And City Of Oakland; Additional Proposed Strategies, Programs And Funding Needed To Dramatically Improve The Cleanliness Of The Streets And Public Spaces In East And West Oakland, Including Existing And Proposed Public Communications Campaigns And Proposals For Program And Funding Consideration In The FY 2017-19 Budget; On The November 16, 2016 Public Works Committee Agenda  
**16-0243**
- 4.2 Subject: 2015/16 Consolidated Annual Performance & Evaluation Report  
From: Department Of Housing And Community Development  
Recommendation: Recieve An Informational Report On The Submission To The U.S. Department Of Housing & Urban Development, The City's Consolidated Annual Performance And Evaluation Report For Fiscal Year 2015/16 Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities For Persons With AIDS, And Emergency Solutions Grant Programs  
[16-0185](#)
- 4.3 Subject: **Winter Shelter FY 2016-2017**  
From: **Human Services Department**

- 4.4** Subject: OFCY School Base After School Learning For Life Transfer  
From: Human Services Department  
Recommendation: Adopt A Resolution Amending Resolution No. 86226 C.M.S. Regarding Oakland Fund For Children And Youth (OFCY) Grants For Children And Youth Services To (1) Delete "San Francisco Bay Area Council, Learning For Life" As The Awardee Of Grants ID Numbers 73 And 74 And (2) Add The Award Of Grants ID Numbers 73 And 74 To Bay Area Community Resources And Safe Passages Respectively, In The Same Amounts And Terms; On The October 11, 2016 Life Enrichment Committee Agenda  
[16-0193](#)
- 4.5** Subject: Creating The Uptown Arts District  
From: Council President Gibson McElhaney, Councilmember Campbell Washington And Kaplan  
Recommendation: Adopt A Resolution Designating The Area From 27th Street To Grand Avenue And Generally From Broadway To Telegraph Avenue As The "Uptown Arts District", And Recommending That The Planning Commission Incorporate Into The Downtown Specific Area Plan The Uptown Arts District And Anti-Displacement Measures For Creative Arts Enterprises; On The October 11, 2016 Life Enrichment Committee Agenda  
**16-0250**
- 4.6** Subject: Compassionate Communities Informational Presentation  
From: Council President Lynette Gibson McElhaney  
Recommendation: Receive An Informational Presentation On Council President McElhaney's Compassionate Communities Initiative To House Unsheltered Residents And Address Encampments In Oakland; On The October 25, 2016 Life Enrichment Committee Agenda  
**16-0245**
- 4.7** Subject: Oakland Symphony Youth Orchestra Week.  
From: Councilmember Abel J Guillen  
Recommendation: Adopt A Resolution Proclaiming October 18 - October 25, 2016 As Oakland Symphony Youth Orchestra Week.; On The October 11, 2016 Life Enrichment Committee Agenda And October 18, 2016 City Council Agenda  
**16-0251**

Attachments:      View Report

- 4.8** Subject: Youth Summer Jobs In The Parks And Recreation Department  
From: Vice Mayor Annie Campbell Washington  
Recommendation: Accept An Informational Report On Number, Position Assignments And Location Assignments Of Youth Hired During The Summer Of 2016; And A Proposal To Significantly Increase The Number Of Youth Hired Into Recreation Positions In The Summer Of 2017 And For Year-Round Positions; And Options And Opportunities For Funding, Including Proposals For Consideration In The FY 2017-19 Budget; On The December 6, 2016 Life Enrichment Committee Agenda  
**16-0236**
- 4.9** Subject: Youth Summer Jobs In All Departments Other Than Parks And Recreation  
From: Vice Mayor Annie Campbell Washington  
Recommendation: Accept An Informational Report On Number, Position Assignments And Location Assignments Of Youth Hired During The Summer Of 2016 In All Departments Of The City Of Oakland Other Than Parks And Recreation; And A Proposal To Significantly Increase The Number Of Youth Hired Into Positions In All City Departments In The Summer Of 2017 And For Year-Round Positions; And Options And Opportunities For Funding, Including Proposals For Consideration In The FY 2017-19 Budget; On The December 6, 2016 Life Enrichment Committee Agenda  
**16-0237**
- 4.10** Subject: Homeless Population And Homeless Encampments In The City Of Oakland  
From: Vice Mayor Annie Campbell Washington  
Recommendation: Receive An Informational Presentation On The Status Of Homeless Population And Homeless Encampments In The City Of Oakland; Strategies To House The Homeless And Funding Strategies And Opportunities For Consideration In The FY 2017-19 Budget; On The October 25, 2016 Life Enrichment Committee Agenda  
**16-0238**
- 4.11** Subject: 2015-2016 Alameda County Grand Jury Reports/City of Oakland  
From: Office Of The City Administrator  
Recommendation: Receive Response Prepared By The Public Ethics Commission And Provide A City Council Response To The 2015-2016 Alameda County Grand Jury Final Report Titled "Political Interference With Oakland Townhouse Project"; On The October 18, 2016 City Council Agenda  
**16-0242**
- 4.12** Subject: Removing The Bike Registration Requirement  
From: Council President Lynette Gibson McElhaney  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 12.60 Bicycles To Remove The Bicycle Registration Requirement; On The October 11, 2016 Public Safety Committee Agenda  
**16-0244**

**4.13** Subject: Campaign Reform Act Amendment  
From: Councilmember Dan Kalb  
Recommendation: Adopt An Ordinance Amending THE "OAKLAND CAMPAIGN REFORM ACT" (OCRA) To (A) Align OCRA WITH THE 2014 Amendment To Oakland City Charter Section 603, (B) Align OCRA's Enforcement Provisions With The City's Government Ethics Act And The State's Political Reform Act, (C) Clarify And Expand Definitions And Substantive Provisions To Ensure OCRA Uses Clear And Enforceable Language, And (D) Enhance Independent Expenditure Disclaimer Requirements; On The October 13, 2016 Rules & Legislation Agenda

**16-0255**

**4.14** Subject: 2015-2016 Alameda County Grand Jury Reports/City of Oakland  
From: Office Of The City Administrator  
Recommendation: Receive the Informational Response Prepared by the City Administration and Provide a City Council Response to the 2015-2016 Alameda County Grand Jury Final Report Titled "City of Oakland's Costly Pursuit of Zero Waste Franchise Contracts"; On The October 14, 2016 Rules And Legislation Agenda

**16-0241**

**4.15** Subject: The Fox Theatre Loan Balloon Payment Due December 2016  
From: Member Of The Public  
Recommendation: Receive An Informational Report From The City Auditor Regarding Staff's Rationale For Their Recommendation For A \$1.4 Million Loan To Supplant A \$4.6 Million Loan Balloon Payment Due December 2016 From The Fox Theatre. Staff Have Indicated That The \$1.4 Million Would Subordinate The \$4.6 Million Balloon Payment Now Totaling The Loan Amount \$6 Million And Extending The Loan Payment For Ten Years. This Report Should Also Address Why The Proposed Council Resolution Has A \$6.5 Million Dollar Amount/Is This Additional \$500,000 A Loan Fee And To Whom. Why Is This Tenant Improvement Loan Of \$1.4 Million ( This Was In Addition To A \$1.2 Million Dollar Tenant Improvement That Rudy's Received Previously)Being Identified As Renovation For VIP Lounge For Rudy's Restaurant That Can't Fail.; As Soon As Possible During City Council

**16-0239**

**4.16** Subject: Ordinances Amending Chapters 5.80 And 5.81 - Cannabis  
From: Council President Lynette Gibson McElhaney  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 5.80, Medical Cannabis Dispensary Permits, To Refine The Equity Permit Program; And

**16-0246**

2) An Ordinance Amending Oakland Municipal Code Chapter 5.81, Medical Cannabis Cultivation Facility Permits, To Refine The Equity Permit Program.; On The October 18, 2016 City Council Agenda

**16-0248**

- 5 A Review Of The Council Committees' Actions From September 27th 2016 And Determination Of Scheduling To The City Council Meeting Of October 4, 2016  
[16-0127](#)  
**Attachments:** [View Report](#)
- 6 A Review Of The Draft Agendas For The Council Committee Meetings Of October 11th 2016 And The Rules And Legislation Committee Of October 13, 2016  
[16-0128](#)  
**Attachments:** [View Report](#)
- 7 Subject: Housing, Residential Rent And Relocation Board  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Tracie Mason To The Housing, Residential Rent And Relocation Board  
[16-0149](#)  
**Attachments:** [View Report](#)
- 8 Subject: Naming Grove In Defremery Park In Honor Of Bobby Hutton  
From: Council President Gibson McElhaney And Pro Tempore Reid  
Recommendation: Adopt A Resolution To Name The Grove In Defremery Park As 'Bobby Hutton Grove' In Commemoration Of The 50<sup>TM</sup> Anniversary Of The Founding Of The Black Panther Party  
[16-0143](#)  
**Attachments:** [View Report](#)
- 9 Subject: Ellis Act For Preservation Of Residential Hotels In Oakland  
From: Council President Gibson McElhaney And Councilmember Guillen  
Recommendation: Adopt A Resolution Urging The State Legislature And Governor To Amend The Ellis Act (Government Code SEC. 7060 ET SEQ.) To Permit All California Cities To Effectively Regulate Residential Hotels  
[16-0145](#)  
**Attachments:** [View Report](#)
- 10 A Review Of The Agendas For The Council Committee Meetings Of September 27, 2016 And The Rules And Legislation Committee Of September 29, 2016  
[16-0080](#)  
**Attachments:** [View Report](#)  
[View Report](#)

- 11 Subject: Support Of Prop 62 And In Opposition To Prop 66  
From: President Pro Tem Larry Reid, Councilmember Kalb And Kaplan  
Recommendation: Adopt A Resolution In Support Of California Proposition 62 That Would Repeal The Death Penalty And In Opposition To Proposition 66 That Would Make Various Changes To Procedures In Death Penalty Cases

[16-0208](#)

**Attachments:** [View Report](#)

*This item was placed on the agenda by the September 22, 2016 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.*

- 12 Subject: Citizens' Police Review Board.  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Jose A. Dorado To The Citizen's Police Review Board

[16-0091](#)

**Attachments:** [View Report](#)

*This item was placed on the agenda by the September 22, 2016 Rules and Legislation Committee or Pursuant to Rule 28b.*

*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**

**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.**