



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>

Thursday, January 26, 2017

10:45 AM

City Council Chamber, 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:

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

[16-0590](#)

Attachments: [View Report](#)

- 2 Approval Of The Draft Minutes From The Committee Meeting Of January 12, 2017
[16-0591](#)
Attachments: [View Supplemental Report](#)
- 3 Determination Of Schedule Of Outstanding Committee Items
[16-0592](#)
Attachments: [View Report](#)
- 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[16-0593](#)
Attachments: [View Report](#)
- 4.1 Subject: Honorarium For Gregory Chan Of EBMUD
From: President Pro Tem Guillén
Recommendation: Adopt A Resolution Commending And Honoring Gregory Chan For 30 years Of Devoted And Dedicated Services To EBMUD And The Oakland Community, And Congratulating Him On His Retirement; On The February 7, 2017 City Council Agenda As A Ceremonial
[16-0628](#)
Sponsors: Guillén
- 4.2 Subject: Cash Management Report For The Quarter Ended December 30, 2016
From: Treasury Bureau
Recommendation: Receive An Information Report On Cash Management For The Quarter Ended December 30, 2016; On The Finance And Management Committee Agenda February 14, 2017
[16-0652](#)
- 4.3 Subject: Major Encroachment Permits at 3765-3767 Fruitvale Avenue
From: Department of Transportation
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Ivy Bay, LLC To Allow Portions Of The Existing Garage Building And Retaining Walls At 3765-3767 Fruitvale Avenue To Encroach Into The Public Right-Of-Way Along Fruitvale Avenue, Major Encroachment Permit ENMJ16071; On The February 14, 2017 Public Works Committee Agenda
[16-0653](#)

- 4.4** Subject: Major Encroachment Permits At 201 Broadway
From: Department Of Transportation
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To 201 BW, LLC To Allow New Bay Windows And Balconies At 201 Broadway To Encroach Into The Public Right-Of-Way Along Broadway And 2nd Street, Major Encroachment Permit ENMJ16067.; On The February 14, 2017 Public Works Committee Meeting Agenda
[16-0642](#)
Sponsors: Transportation Department
- 4.5** Subject: Assignment Of 1100 Broadway Project Agreements
From: Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing Assignment Of (1) An Owner Participation Agreement For The Development Of 1100 Broadway, And (2) A Purchase And Sale Agreement For The Purchase Of The City's Condominium Interest In The UCOP Garage Located At 1111 Franklin Street, From SKS Broadway, LLC To 1100 Broadway Owner, LLC Or An Affiliated Entity: On The February 14, 2017 Community And Economic Development Committee Agenda
[16-0643](#)
Sponsors: Economic & Workforce Development Department
- 4.6** Subject: Saturday Farmer's Market At Splash Pad Park By Agricultural Institute Of Marin
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing City Administrator To Execute A License Agreement With Agricultural Institute Of Marin To Operate A Farmers Market Each Saturday On A Portion Of The Property (APN: 011-0836-042-02) Commonly Known As Splash Pad Park, Located At Lake Park Avenue, For A Term Of Five Years With "Mutually Agreed Upon" Five (1)-Year Options To Renew; On The February 14, 2017 Community And Economic Development Committee Agenda
[16-0646](#)
Sponsors: Economic & Workforce Development Department
- 4.7** Subject: Economic Development Strategy Information Report And Study Session
From: Economic and Workforce Development Department
Recommendation: Receive An Informational Report And Provide Feedback On A Draft Economic Development Strategy; On The February 14, 2017 Community And Economic Development Committee Agenda
[16-0645](#)
Sponsors: Economic & Workforce Development Department

- 4.8** Subject: BRT Business Assistance Fund Resolution Amendment
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Amending Resolution No. 85286 C.M.S. To Allow Businesses Along The Bus Rapid Transit (BRT) Route To Apply For Business Assistance Fund Grants Prior To Experiencing Adverse Permanent Impacts From BRT Infrastructure Changes; On The February 14, 2017 Community And Economic Development Committee Agenda
[16-0644](#)

Sponsors: Housing And Community Development Department

- 4.9** Subject: Continuum Of Care (COC) Program 2017-2018
From: Human Services Department/Community Housing Services Division
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Apply For Accept And Appropriate Funds From The U.S. Department Of Housing And Urban Development (HUD) In The Amount Of \$5,203,425 Each Year For Fiscal Years (FY) 2017-2018 And 2018-2019 To Fund HUD Continuum Of Care Supportive Housing Programs; 2) Enter Into Grant Agreements For The Provision Of Transitional And Permanent Housing And Support Services Under HUD's Continuum Of Care Program; 3) Accept And Appropriate Additional Funds That Become Available From HUD For FY 2017-2018 And 2018-2019 And Amend The Grant Agreements To Adjust The Grant Amounts Without Returning To Council; And 4) Authorize A Contribution From The General Purpose Fund For The Central Services Overhead Charges In An Estimated Amount Of \$Xxxxx Each Year For FY 2017-2018, And 2018-2019; On The February 14, 2017 Life Enrichment Committee Agenda
[16-0647](#)

Sponsors: Human Services Department and Housing And Community Development Department

4.11 Subject: North County Homeless Youth Rapid Rehousing Program 2016-2017
From: Human Services Department/Community Housing Services Division
Recommendation: Adopt A Resolution Authorizing The City Administrator To: Accept And Appropriate Funds From The U.S. Department Of Housing And Urban Development (HUD) In An Amount Not To Exceed \$1,072,961 For The Period Of December 23, 2016 To December 22, 2017, To Implement The North County Homeless Youth Rapid Re-Housing Program (NCHYRRH); Enter Into Grant Agreements With Covenant House Of California In An Amount Of Up To \$500,164, East Oakland Community Project (EOCP) In An Amount Up To \$254,032, And First Place For Youth In An Amount Up To \$281,265 To Provide Housing Placement Assistance, Rental Subsidies And Supportive Services For The NCHYRRH Program; Authorize A Contribution From The General Purpose Fund For The Central Services Overhead Charges In An Estimated Amount Of \$6,803 For The Period Of December 23, 2016 To December 22, 2017; And Accept And Appropriate Any Additional NCHYRRH Funding From HUD Within The Grant Term And Amend The Grant Agreements To Increase The Grant Amount For The Period Of December 23, 2016 To December 22, 2017 Without Returning To City Council; On The February 14, 2017 Life Enrichment Committee Agenda

[16-0650](#)

Sponsors: Human Services Department and Housing And Community Development Department

4.12 Subject: Golden State Works Transitional Employment/Job Placement 2017-2020
From: Human Services Department/Oakland Unite
Recommendation: Adopt A Resolution To Authorize The City Administrator To: (1) Enter Into An Agreement With California Department Of Corrections And Rehabilitation (CDCR) And Accept And Appropriate Up To \$3,268,720 Annually To Implement Golden State Works Transitional Employment And Job Placement Services For Oakland Residents On Parole From July 1, 2017 Through June 30, 2019; And (2) Enter Into A Grant Agreement With The Successful Respondent Following A Request For Proposal Process In An Annual Amount Not To Exceed \$3,121,000 And \$6,242,000 For Two Years To Provide Job Placement Services For The Period July 1, 2017 Through June 30, 2019; And (3) Authorize A Renewal For A Third Year FY 2019-2020 Pending Available Funding; On The Public Safety Committee Agenda

[16-0648](#)

Sponsors: Human Services Department

4.13 Subject: Programmatic Agreement With SHPO Relating To The Hotel Menlo/Empyrean Towers
 From: Bureau Of Planning
 Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Negotiate And Execute A Programmatic Agreement, Pursuant To Section 106 Of The National Historic Preservation Act, With The California State Historic Preservation Officer (SHPO) Regarding The Rehabilitation Of The Hotel Menlo/ Empyrean Towers Located At 340-344 13th Street, Oakland, California, Without Returning To The City Council; On The February 7, 2017 City Council Agenda As A Non-Consent Item

[16-0627](#)

Sponsors: Planning & Building Department

4.14 Subject: Confirm City Council President Reid’s Appointments To Members And Chairpersons Of Council Committees For 2017-2019
 From: City Council President Reid
 Recommendation: Adopt A Resolution Pursuant To The Council’s Rules Of Procedure (Resolution No. 86034 C.M.S.) To Confirm The City Council President’s Appointments Of The Members And Chairpersons Of The Public Works, Finance And Management, Community And Economic Development, Life Enrichment, Public Safety, Rules And Legislation, And Education Partnership Committees Of The City Council; TBD

[16-0600](#)

Sponsors: Larry Reid

Legislative History

1/12/17	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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4.15 Subject: Review Of Draft Agenda For The January 31, 2017 Special Council Meeting
 From: Office Of The City Clerk
 Recommendation: Review Of The Draft Agenda For January 31, 2017 The Special City Council Meeting

[16-0655](#)

Attachments: [View Report](#)

4.16 Subject: City Administrator Contract Authority Report, FY 2015-16
 From: Finance Department
 Recommendation: Receive An Informational Report On All Purchases And Contracts Authorized By The City Administrator Or Designee, Within The City Administrator’s Contract Authority During Fiscal Year 2015-16, In Accordance With The Oakland Municipal Code Section 2.04.020.D; On The February 14, 2017 Finance And Management Committee Agenda

[16-0651](#)

Sponsors: Finance Department

4.17 Subject: Honoring 2016 Youth Poet Laureate Azariah Cole-Shephard
 From: Councilmember Dan Kalb
 Recommendation: Adopt A Resolution Honoring 2016 Youth Poet Laureate Azariah Cole-Shephard For Artistic Contributions To Oakland; On The February 7, 2017 City Council Agenda
[16-0657](#)

4.18 Subject: Worker’s Compensation Third Party Administrator Agreement Extension (March 1, 2017 Through February 28, 2018)
 From: Human Resources Management
 Recommendation: [OLD TITLE] Adopt A Resolution Authorizing The City Administrator To Extend The Professional Services Agreement With JT2 Integrated Resources To Continue Provision Of Worker’s Compensation Administration Services For The Period March 1, 2017, Through February 28, 2018, In An Amount Of \$2,511,538.40 For A Total Amount Over The Four Year Term Of The Contract Of \$9,943,374.86.

[NEW TITLE]
 Adopt A Resolution Authorizing The City Administrator To Extend The Professional Services Agreement With JT2 Integrated Resources To Continue Provision Of Worker’s Compensation Administration Services For The Period Of March 1, 2017, Through February 28, 2019, In An Amount Of \$5,058,021.56 For A Total Amount Over The Five Year Term Of The Contract Of \$12,489,858.02; On The February 7, 2017 City Council Agenda
[16-0578](#)

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

Legislative History

1/12/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
1/24/17	*Finance & Management Committee	Approve the Recommendation of Staff, and Forward to the * Special Meeting of the Oakland City Council

4.19 Subject: Contract Agreement For Anne Kirkpatrick As Oakland Police Chief
 From: Office Of The City Administrator
 Recommendation: Adopt The Following Pieces OF Legislation

1. A Resolution Authorizing The City Administrator To Execute An Employment Agreement Between The City Of Oakland And The Chief Of Police, Anne Kirkpatrick, For A Total Annual Compensation Of \$299,675.00 Which Includes An Annual Salary Of \$270,000.00 And Premium Pay Required By The Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Management Association In The Amount Of \$29,675.00; And
[16-0660](#)

Sponsors: Office Of The City Administrator

2. An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Increase The Salary For Chief Of Police And The City Administrator; On The February 7, 2017 City Council Agenda As Non-Consent [16-0661](#)

Sponsors: Office Of The City Administrator

4.20 Subject: Resolution In Support Of Ab 71 - Bring California Home Act
From: Councilmember Dan Kalb & Council President Pro Tempore Abel Guillén
Recommendation: Adopt A Resolution In Support Of Assembly Bill 71 (Chiu) That Would Eliminate State Mortgage Interest Deduction On Vacation Homes And Increase The Low Income Housing Tax Credit By \$300 Million Per Year To Fund Affordable Housing; On The February 16, 2017 Rules And Legislation Committee Agenda [16-0654](#)

5 A Review Of The Council Committees' Actions From January 24, 2017 And Determination Of Scheduling To The City Council Meeting Of February 7, 2017 (MATRIX) [16-0594](#)

Attachments: [View Report](#)

6 A Review Of The Draft Agendas For The City Council Meeting Of February 7, 2017 And The Rules And Legislation Committee Of February 9, 2017 [16-0595](#)

Attachments: [View Report](#)

7 The Item Regarding "New California State Laws" Has Been Withdrawn From This Agenda By Rule 28(b) And Rescheduled To The February 23, 2017 Rules And Legislation Committee Agenda

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.